



Phone: 701.237.6983  
218 NP Avenue | PO Box 1389  
Fargo, ND 58107-1389  
mfriese@vogellaw.com

January 25, 2023

The Honorable Todd Porter  
Chair, House Energy and Natl. Resources Committee  
600 East Boulevard Avenue  
Bismarck, ND 58505

**Submitted electronically only:**

**Re: Testimony in support of HB 1350**

Dear Chairman Porter and members of the House Energy and Natural Resources Committee,

I write individually in support of HB1350. I am an attorney in private practice in Fargo. I am a lifelong North Dakota resident, residing in Legislative District 45 for the past twenty years. Prior to law school, I served as a Bismarck Police officer. I retired from the North Dakota Army National Guard after serving twenty-four years, the last eight of which were with the Judge Advocate General Corps.

This bill primarily corrects an anomaly: those convicted of felonies are able to restore firearm possession rights (either automatically by operation of law, or through a court process), but those convicted of certain misdemeanors are prohibited from possessing firearms for life, with no mechanism for reinstatement.

I have visited extensively with Rep. Koppelman regarding the legal background, personal experiences of clients I have represented, and the benefits of this bill. Representative Koppelman has worked extensively with other stakeholders including law enforcement.

I am regrettably unable to testify. Accordingly, Rep. Koppelman has agreed to incorporate my commentary into the comprehensive testimony he will submit.

Simply, this bill clarifies definitional guidelines in existing statute, and provides a mechanism for those convicted of misdemeanor offenses to prove to a Court that they are worthy of restoration of their right to possess a firearm. I respectfully ask for your support for the reasonable and balanced approach of HB 1350, entrusting sentencing courts with authority to

reinstate firearm possession rights for misdemeanor offenders who prove it is appropriate to do so. I ask for this Committee's "do pass" recommendation.

Respectfully submitted,

*/s/ Mark A. Friese*

Mark A. Friese

MAF:hs

cc: Sen. Ronald Sorvaag, *via email only*  
Rep. Carrie McLeod, *via email only*  
Rep. Scott Wagner, *via email only*