

2025 HOUSE ENERGY AND NATURAL RESOURCES

HB 1094

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1094
1/17/2025

Relating to discretionary special allocation hunting licenses.
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9:07 a.m. Chairman Porter called the hearing to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak,
Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby,
Conmy, Foss

Discussion Topics:

- Big Game licenses to Veterans
- Big Game Fundraising

9:07 a.m. Representative Olson introduced the bill. #29499

9:10 a.m. Lonni Wangen, ND Department of Veteran's Affairs, testified in favor. #29421

9:15 a.m. Darrell Belisle, ND Bowhunters Association, testified in opposition. #29251

9:19 a.m. John Bradley, Executive Director Wildlife Federation, testified in opposition.
#29656

9:26 a.m. Scott Pederson, ND Deputy Director of Game and Fish, testified neutrally.

Additional written testimony:

Nevin Jenner, ND resident, submitted testimony in opposition. #28673

Brock Wahl, ND resident, submitted testimony in opposition. #29675

Jeff Benda, ND resident, submitted testimony in opposition. #29688

9:37 a.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk



North Dakota House of Representatives

#29499

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Jeremy Olson

District 26
P.O. Box 692
Arnegard, ND 58835-0692
C: 701-651-7486
jolson@ndlegis.gov

COMMITTEES:

Finance and Taxation
Energy and Natural Resources

17 January 2025

Mr. Chairman and members of the Judiciary Committee, I am Jeremy Olson, State Representative, District 26, representing most of McKenzie and Dunn Counties. I am the prime sponsor for HB 1094 as part of the Military and Veteran's Caucus goal of enhancing the benefits and quality of life for our active-duty members and veterans in North Dakota. The goal of HB 1094 is to increase the availability of special allocation big game tags to a wider variety of charitable organizations, including veteran organizations.

Currently, the only charitable organizations that are eligible for a special allocation hunting license are 501(c)(3). This bill would change it from a 501(c)(3) to just 501(c) types of charitable organizations. This would open the opportunity up to not only veteran charitable organizations, which are 501(c)(19) and 501(c)(23), but also to other charitable organizations, such as a 501(c)(4) community service oriented organizations, that don't fall into a 501(c)(3) type of organization.

This will not have any immediate impact on the current number of special allocation hunting licenses, the available tags will remain the same. This change will allow these other organizations the opportunity to apply for the licenses to benefit its charitable efforts and it will be a more competitive process.

Thank you for your time and consideration.

Respectfully,

Jeremy L Olson MBA, CSP
ND House of Representatives, District 26
House Republican Caucus Leader
jolson@ndlegis.gov
701-651-7486

House Energy and Natural Resources Committee
69th Legislative Session
Representative Porter-Chair

Chairman Porter and House Energy and Natural Resources Committee,

Please accept this testimony in support of HB 1094.

Intent of this bill:

Allow eligibility for Veteran Service Organizations to apply to be considered for issuance of up to two special allocation hunting licenses as other non-profits are eligible.

Background:

- Currently NDCC 20.1-05.1-02 Discretionary special allocation hunting license authorization, allows a federal income tax exempt organization under 24 U.S.C. 501 (c)(3) to apply for up to two special allocation hunting licenses.
- NDCC 20.1-05.1-02 allows ND Game and Fish to determine, by lottery if necessary, the non-profit organizations applying for special allocation hunting licenses which will receive up to 2 licenses for,
 - No more than
 - 2 elk licenses
 - 2 moose licenses
 - 2 antelope licenses
 - No more than
 - 10 white-tailed deer licenses
- Recipients of the allocated hunting licenses may sell or raffle licenses to raise funds for their organization and/or programs.

Need for bill:

- Veteran Service Organizations are under 24 U.S.C. 501 (c)(19) and currently not eligible.
- Veteran Service Organizations should be eligible to participate in this program.

Outcome of bill:

- Will allow Veteran Service Organizations to participate, if they chose, in this program.
- This bill would also open the eligibility to other non-profits such as 501(c)(4) which are community service oriented.

Fiscal note:

None expected.

Thank you for your consideration.

Lonnie Wangen Commissioner-NDDVA

HB 1094

House Energy and Natural Resources

Darrell Belisle

North Dakota Bowhunters Association

When this opportunity was originally proposed, several North Dakota Sportsman and Outdoor groups supported the bill.

The thought was funds which could be raised, through raffles and auctions, would greatly benefit an individual groups efforts in their work to enhance education, conservation, habitat, etc.

This was especially true for the North Dakota Bowhunters Association's entity, the North Dakota Bowhunters Foundation. Early in the program, The Bowhunter Foundation benefited by receiving a Moose tag and with its fundraising effort, greatly improved their mission to provide funding for activities which advance the sport of archery, promote the cause of education, encourage community betterment, and assist people to learn more about Archery and Bowhunting in North Dakota.

During the past few years, the door has opened quite a bit further, hockey clubs, gymnastic clubs, church groups, and approximately 150 other 501c3 organizations have shown interest in this fundraising opportunity. It certainly is a good fundraiser for an organization.

HB 1094 intends to open the door even further. Perhaps to out of state organizations. The North Dakota Bowhunters Association and the Bowhunters Foundation would ask for you to consider those North Dakota Outdoor and Sportsman groups who would use the funds generated from this program to further enhance North Dakota's outdoor opportunities.

TESTIMONY OF JOHN BRADLEY
NORTH DAKOTA WILDLIFE FEDERATION
HB BILL 1094
HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE
JANUARY 17, 2024

Chairman Porter and members of the House Energy and Natural Resources Committee:

For the record, I am John Bradley, executive director of the North Dakota Wildlife Federation. I'm here today representing our thousands of members in 16 affiliated wildlife and sportsmen's clubs across North Dakota that make up the North Dakota Wildlife Federation.

NDWF is opposed to HB 1094, as written. NDWF is open to the intent of the bill to expand the lottery to other organizations for their fundraising efforts. In the 2023 session, we supported SB 2294 which expanded the special allocation lottery to veteran groups organized under 501C(19). However, If the intent of the Committee is to expand the types of organizations that are allowed to apply, then NDWF believes that the Committee should amend the bill so that no funds that are generated from the special allocation lottery can be used for political or lobbying activities.

NDWF's Board of Directors has a major concern that this bill will lead to additional tags being allocated through future legislation. We would oppose any bill that increases the number of tags available in the special allocation lottery and reduces tags available in the general lottery.

Lastly, NDWF would like to see the amount donated back to conservation increase, protecting the resource that is at the core of the fundraising opportunity (20.1-05.1-02 5 C).

Dear members of the House Energy and Natural Resources Committee,

Please join me in **opposing House Bill 1094**,

The very limited amount of special allocation licenses should be used for the benefit of North Dakota public wildlife. The current pool of eligible nonprofits already encompasses a wide variety of organizations, which is unfortunate. The passing of this bill would open the floodgates for even more unrelated organizations.

I would like to ask this:

Should our public wildlife be funding things like the local telephone cooperative or labor union?

Please continue to limit the eligible nonprofits to what is currently in place and oppose this bill.

Thank you,

Nevin Jenner

Williston, North Dakota

701-570-0250

Chairman Porter and House Energy and Natural Resources Committee,

I encourage you to recommend a Do Not Pass for House Bill 1094.

Allowing organizations that can make political expenditures, endorse candidates, and participate in campaign advertising and make indirect donations should not be able to fundraise off of publicly owned wildlife. This would include the most common "dark money" group, a 501c4. The wildlife belong to all residents of North Dakota, and groups who can make political donations/expenditures should not be able to use the public's wildlife resources to fundraise for those activities.

Please Do Not Pass.

Thank you

Brock Wahl

Bismarck, ND

Opposition Testimony to House Bill 1094*Relating to Discretionary Special Allocation Hunting Licenses*

As a wild game chef and someone who works in the outdoor industry here in North Dakota, I hope you will join me in opposing House Bill 1094.

This bill raises significant concerns about the future of our state's hunting culture and the fairness of the special hunting license allocation process. I acknowledge and appreciate the sponsor's motivation to include veteran's organizations in the raffle allocation for special hunting tags, which is undoubtedly a noble cause. However, I urge you to reconsider the broader implications of extending this opportunity to all 501(c) organizations, as outlined in the bill.

If House Bill 1094 is passed, it would allow every type of 501(c) organization - ranging from charitable organizations to business leagues, and even politically affiliated groups - to apply for and potentially win the coveted special hunting licenses. While the inclusion of veteran's organizations is commendable, this legislation opens the door for far-reaching consequences that deserve careful scrutiny.

Consider, for example, the possibility of a business league like the *North Dakota Petroleum Council* or the *Lignite Energy Council* winning one of the prized elk or moose tags instead of your local church groups or wildlife conservation organizations? These energy organizations have significant financial means over a group of high school students hoping to raffle off an elk tag for a church mission trip. Is this the kind of outcome we want for our hunting community - where big business wins out over local groups with more modest resources?

Additionally, this bill would allow 501(c)(4) political advocacy groups to enter the raffle as well. Groups like the *North Dakota Democratic Party*, the *North Dakota Republican Party*, the *Americans for Prosperity*, and *Common Cause North Dakota* would be eligible to win and raffle off one of the hunting tags, potentially using them for political purposes or fundraising. Imagine the backlash from your constituents if one of these politically charged organizations were to win an antelope tag or deer tag? How would you respond to an uproar from your community if one of these political entities applies for and wins one of the special allocation tags?

I urge you to carefully consider the unintended consequences of this bill. While it is crucial to support and honor our veterans and other deserving groups, the current version of House Bill 1094 opens up the raffle system to organizations with vastly different motivations and resources.

Please vote NO on House Bill 1094.

Sincerely,

Jeff Benda
Fargo, ND

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1094
1/23/2025

Relating to discretionary special allocation hunting licenses.
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3:11 p.m. Chairman Porter opened the hearing.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak,
Representatives: Dockter, Hagert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Committee Action

3:16 p.m. Representative J. Olson moved to Amend and add '501 C19' to the bill.

3:17 p.m. Representative Ruby seconded the motion.

Voice vote: Motion undetermined, Chairman Porter moved for a roll call vote.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared c. Hagert	Y
Representative Craig Headland	AB
Representative Pat D. Heinert	AB
Representative Jorin Johnson	N
Representative Andrew Marschall	Y
Representative Jeremy L. Olson	Y
Representative Matthew Ruby	Y

Motion Passed: 10-1-2

3:21 p.m. Representative D. Anderson moved to further Amend and change 10 percent to 15 percent.

3:22 p.m. Representative J. Olson seconded the motion

Voice vote: Motion passed

3:25 p.m. Chairman Porter closed the hearing.

House Energy and Natural Resources Committee

HB 1094

01/23/25

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Leah Kuball, Committee Clerk

Further amended on 02/07/25

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1094

2/7/2025

Relating to discretionary special allocation hunting licenses.
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10:41: a.m. Chairman Porter called the hearing to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak,
Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, M.
Ruby, Conmy, Foss

Discussion Topics:

- Committee Action

10:42 a.m. Representative Foss introduced amendment #25.0416.01001.

10:49 a.m. Representative Foss proposed changing page 3 line 1 15% to 20%.

10:49 a.m. Representative Docter seconded the motion.

Voice vote: Motion Carried

10:50 a.m. Representative Foss proposed on page 2 subsection 2 to add "The Director shall award an eligible organization an additional entry in a lottery for available licenses for each 20% of the net proceeds of any raffle of a license contributed by the eligible organization to a conservation related project. In addition to the requirements under subsection 5. "

10:51 a.m. Motion failed due to a lack of a second.

10:52 a.m. Representative J. Olson moved a Do Pass as Amended.

10:53 a.m. Representative M. Ruby seconded the motion.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared c. Hagert	Y
Representative Craig Headland	Y
Representative Pat D. Heinert	Y
Representative Jorin Johnson	N
Representative Andrew Marschall	Y

Representative Jeremy L. Olson	Y
Representative Matthew Ruby	Y

Motion Passed: 12-1-0

Bill Carrier: Representative Foss

10:54 a.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk

25.0416.01003
Title.03000

Sixty-ninth
Legislative Assembly
of North Dakota

Adopted by the Energy and Natural
Resources Committee
February 7, 2025

75
2/7/25
1 of 3

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1094

Introduced by

Representatives J. Olson, D. Anderson, Kempenich, Nehring, Novak, Pyle, Schauer,
Swiontek

Senators Kessel, Patten, Thomas

- 1 A BILL for an Act to amend and reenact section 20.1-05.1-02 of the North Dakota Century
2 Code, relating to discretionary special allocation hunting licenses.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 4 **SECTION 1. AMENDMENT.** Section 20.1-05.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **20.1-05.1-02. Discretionary special allocation hunting license authorization.**

- 7 1. Subject to the restrictions under this section and in addition to the special allocation
8 licenses authorized under section 20.1-05.1-01, if determined appropriate by the
9 director based on the sustainability of the species population, the director may issue to
10 eligible organizations the following annual special allocation hunting licenses:
- 11 a. Not more than two elk licenses, but the total issued under this subdivision may
12 not exceed two percent of the general lottery allocation of elk licenses for the
13 season.
- 14 b. Not more than two moose licenses, but the total issued under this subdivision
15 may not exceed two percent of the general lottery allocation of moose licenses
16 for the season.
- 17 c. Not more than two antelope licenses, but the total issued under this subdivision
18 may not exceed two percent of the general lottery allocation of antelope licenses
19 for the previous season.
- 20 d. Not more than ten white-tailed deer licenses.

- 1 2. An eligible organization may apply annually to be considered for issuance of up to two
2 special allocation hunting licenses under this section. Applications under this
3 subsection must be filed at the times, in the manner, and containing the information
4 required by rules adopted by the director. If more applications are filed than the
5 number of licenses under this section available for that species for a season, the
6 director shall determine by lottery which organizations will receive the available
7 licenses.
- 8 3. An eligible organization that obtains a license under this section and conducts a raffle
9 or auction to determine the recipient of the license must conduct the raffle or auction in
10 compliance with rules adopted by the director. An eligible organization that obtains a
11 license under this section shall submit reports concerning a raffle or auction as the
12 director requires. An individual may apply to receive an elk or moose license through a
13 raffle or auction under this section as well as through the game and fish department
14 general lottery. If an individual receives an elk or moose license under this section, the
15 individual is not eligible to receive an elk or moose license through the game and fish
16 department general lottery that year and may not obtain an elk or moose license under
17 section 20.1-05.1-01 that year. If an individual receives an elk or moose license under
18 section 20.1-05.1-01, the individual is not eligible to receive an elk or moose license
19 under this section that year.
- 20 4. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep
21 is not eligible to apply for or receive a license under this section.
- 22 5. For purposes of this section, "eligible organization" means an organization that:
23 a. Is exempt from federal income taxation under section 501(c)(3) or 501(c)(19) of
24 the Internal Revenue Code [26 U.S.C. 501(c)(3); 26 U.S.C. 501(c)(19)] and
25 provides with its application a copy of the letter from the internal revenue service
26 to that effect;
27 b. Is on file as a nonprofit corporation in good standing in the office of the secretary
28 of state;
29 c. Agrees in its application to contribute at least ~~ten~~ twenty percent of the net
30 proceeds of any raffle of a license under this section to a conservation-related
31 project to be conducted in this state and approved by the director; and

- 1 d. Is not the recipient of a special allocation hunting license under section
- 2 20.1-05.1-01.

**REPORT OF STANDING COMMITTEE
HB 1094**

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS** ([25.0416.01003](#)) and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1094 was placed on the Sixth order on the calendar.

2025 SENATE ENERGY AND NATURAL RESOURCES

HB 1094

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1094
3/7/2025

A BILL for an Act to amend and reenact section 20.1-05.1-02 of the North Dakota Century Code, relating to discretionary special allocation hunting licenses.

9:00 a.m. Chairman Patten called the meeting to order.

Members present: Chairman Patten, Vice Chairman Kessel, Senators Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Percentage Increase Rationale
- Repeated Winners in Charitable Organizations Tag Lottery
- Increased Applicants
- Applicant Eligibility and Process
- Injured Military Project Tag Allocations

9:01 a.m. Representative Jeremy Olson, District 6, testified in favor and submitted testimony #38868.

9:07 a.m. Scott Peterson, Deputy Director for ND Game and Fish Dept., testified as neutral.

Additional Written Testimony:

John Bradley, ND Wildlife Federation Executive Director, submitted testimony in favor #39493.

9:22 a.m. Chairman Patten closed the hearing.

Elizabeth Reiten for Kendra McCann, Committee Clerk



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Jeremy Olson

District 26
P.O. Box 692
Arnegard, ND 58835-0692
jolson@ndlegis.gov

COMMITTEES:

Finance and Taxation
Energy and Natural Resources

7 February 2025

Mr. Chairman and members of the Senate Energy and Natural Resources Committee,

I am Jeremy Olson, State Representative, District 26, representing most of McKenzie and Dunn Counties. I am the prime sponsor for HB 1094 as part of the Military and Veteran's Caucus goal of enhancing the benefits and quality of life for our active-duty members and veterans in North Dakota. The goal of HB 1094 is to increase the availability of special allocation big game tags to a wider variety of charitable organizations, including veteran organizations.

Currently, the only charitable organizations that are eligible for a special allocation hunting license are 501(c)(3). This bill would change it from just 501(c)(3) and include 501(c)(19) types of charitable organizations. This would open the opportunity up to veteran charitable organizations, which are 501(c)(19). This will not have any immediate impact on the current number of special allocation hunting licenses, the available tags will remain the same. This change will allow these other organizations the opportunity to apply for the licenses to benefit its charitable efforts and it will be a more competitive process. One other change made in the House Energy and Natural Resources committee was to increase from 10% to 20%, how much the charitable organization agrees to contribute of the net proceeds to conservation-related projects.

Thank you for your time and consideration.

Respectfully,

Jeremy L Olson MBA, CSP

ND House of Representatives, District 26

House Republican Caucus Leader

jolson@ndlegis.gov

701-651-7486

TESTIMONY OF JOHN BRADLEY
NORTH DAKOTA WILDLIFE FEDERATION
HB BILL 1094
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
MARCH 7, 2025

Chairman Patten and members of the Senate Energy and Natural Resources Committee:

For the record, I am John Bradley, executive director of the North Dakota Wildlife Federation. I'm here today representing our members and affiliated wildlife and sportsmen's clubs across North Dakota that make up the North Dakota Wildlife Federation.

NDWF supports HB 1094.

NDWF supports the amended bill from the House and thanks the bill sponsor for working with the committee to create a better bill. The amendment limits the expansion of the special allocation lottery to veteran groups organized under 501C(19), a change from the original bill that would have opened up the lottery to all 501C organizations.

Lastly, NDWF supports the amendment from the House that increases the amount donated back to conservation, this will protect the resource that is at the core of the fundraising opportunity (20.1-05.1-02 5 C).

We urge a Do Pass.

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Peace Garden Room, State Capitol

HB 1094

3/13/2025

A BILL for an Act to amend and reenact section 20.1-05.1-02 of the North Dakota Century Code, relating to discretionary special allocation hunting licenses.

10:26 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Inclusion of veterans in hunting license allocations
- Regulation of nonprofit organizations for hunting licenses

10:29 a.m. Senator J. Olson, District 26, answered committee questions.

10:32 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1094
3/20/2025

A BILL for an Act to amend and reenact section 20.1-05.1-02 of the North Dakota Century Code, relating to discretionary special allocation hunting licenses.

9:19 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Organizational tag distribution
- Special allocation licenses

9:20 a.m. Senator Beard updated the committee on proposed amendments with Game and Fish preferences.

9:23 a.m. Casey Anderson, Wildlife Division Chief, ND Game & Fish Department, testified as neutral and answered committee questions.

9:27 a.m. Senator Beard moved a Do Pass.

9:27 a.m. Senator Van Oosting seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	A
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	A
Senator Desiree Van Oosting	Y

Motion Passed 5-0-2.

9:28 a.m. Senator Beard will carry the bill.

9:29 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1094 ([25.0416.03000](#))**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). HB 1094 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.