

2025 HOUSE AGRICULTURE

HB 1538

2025 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Room JW327C, State Capitol

HB 1538
1/31/2025

A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to creating a spay and neuter awareness grant program; to amend and reenact section 4.1-41-19 of the North Dakota Century Code, relating to the environment and rangeland protection fund; and to provide an appropriation.

10:04 a.m. Chairman Beltz opened the meeting.

Members Present: Chairman Beltz, Vice Chairman Hauck, Representatives Anderson, Dobervich, Henderson, Holle, Hoverson, Kiefert, Nehring, Olson, Rios, Schreiber-Beck, Tveit, Vollmer

Discussion Topics:

- Shelter overcrowding
- Euthanasia rates
- Veterinarian shortage
- Vouchers to the public
- Shelters Spay and neuter awareness program (SNAP)

10:04 a.m. Representative Anna Novak, District 33, Hazen, ND, introduced, testified and submitted testimony #33257.

10:15 a.m. Heidi Riddle, LaMoure, ND, testified and submitted testimony in favor #33102.

10:23 a.m. Lacey Enger, Marion, ND, testified in favor.

10:30 a.m. Keith J. Benning, Animal Rescue, Turtle Mountain Animal Rescue, testified in favor and submitted testimony #33084

10:42 a.m. Cameo Skager, Communications Director, Central Dakota Humane Society, testified in favor and submitted testimony #33021.

10:46 a.m. Julie Schirado, Board President, Furry Friends Rockin Rescue testified and submitted testimony #32928.

10:53 a.m. Alison Smith, Kitty City, Morton County, testified in favor.

Additional written testimony:

Emily Kudrna, Co-kennel Supervisor & Co-Dog Manager, James River Humane Society, Fargo, ND, submitted testimony in favor #33076.

Andrew T. Bettenhausen, Veterinarian, Bismarck, ND, submitted testimony in favor #33114.

House Agriculture Committee

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10:58 a.m. Chairman Beltz closed the meeting.

Diane Lillis, Committee Clerk

HB 1358

Furry Friends Rockin Rescue is in support of this bill due to struggling to save approx. 4,000 animals per year. Fix the animals in the impounds in western ND and keep up with Bis/Man impounds and the reservations.

Our vet bills have been averaging \$80,000 per month for the last 4 to 6 months. We are a volunteer driven rescue and its getting impossible to keep up with the influx of domestic animals in our state.

The abuse/neglect has been at an all time high and is getting out of hand also.

Thanks for the support

**2025 House Bill No. 1538
Testimony before the House Agriculture Committee
Presented by Cameo Skager, Communications Director
Central Dakota Humane Society
January 31, 2025**

Mr. Chairman, Members of the Committee:

My name is Cameo Skager. I am the communications director for Central Dakota Humane Society and have been involved with CDHS for 30 years. I am here to testify in support of House Bill 1538.

CDHS is an animal rescue, shelter, and adoption center located north of Mandan. We are a private, non-profit that raises funds through our community of donors and supporters, fundraising events, adoption fees, gifts from local businesses, and a few foundation grants.

In 2025 we will be celebrating 65 years of rescuing and rehoming animals in North Dakota. We have been in our shelter building for the past 30 years. It's fair to say we've seen a lot and know a lot about saving animals and what it takes to serve the people and the pets in our community.

CDHS houses and cares for approximately 125 animals every day. Last year, we provided 170,000 meals to dogs and cats through our Buddy's Bowl Program that helps to feed pets in need in our community. Helping people care for their pets keeps those animals out of the shelter/rescue/impound system.

Another program that we have been funding since 1998 is our Spay/Neuter Assistance Program (SNAP). We currently fund 100 - \$50 SNAP coupons each month. These coupons are offered to pet owners in the central North Dakota region as an incentive for them to get their pets spayed and neutered. Our \$60,000 annual budget for this program comes from our amazing donors and our fundraising events.

We work with 25 vets in the Bismarck-Mandan and central North Dakota area from Dickinson to Jamestown. People call us when they have an appointment to alter their pet, and we mail them a coupon. They submit the coupon to their vet, who returns it to us for reimbursement.

CDHS receives multiple phone calls and messages every day asking us to take in stray, abandoned, and injured animals. We are always at full capacity, as is every rescue and shelter throughout North Dakota. Even though there are many animal shelters and rescues in our state, it seems the problem of pet overpopulation continues. This problem comes from primarily two things – pets not being spayed and neutered and owners who allow their unaltered pets to roam, or who kick them out when they no longer want them.

There are sophisticated formulas to calculate how many cats or dogs are born from one unaltered pet. Though we have not done a complete calculation, CDHS is confident in saying that we have stopped the reproductive cycle of tens of thousands of pets in North Dakota through our SNAP incentive coupons over the past 27 years.

We do know other nonprofit animal groups across the state are also working hard to quell the numbers of homeless pets through spay/neuter programs – offering incentive coupons, providing trap-neuter-return programs, funding spays/neuters for adopted impound animals, and offering low-cost spay/neuter services. All these nonprofits do what they can but are stretched to their limits, physically and monetarily. We are all working to prevent the suffering, disease, injury, and death of the animals that are turned out and cast off.

We encourage consideration of this funding to help shelters, rescues, veterinarians, and towns across North Dakota work to ensure that the majority of pet dogs and cats are spayed or neutered and not procreating. We cannot rescue and adopt our way out of pet overpopulation. The only way out is spaying and neutering. It's raining cats and dogs, and we need to stop the downpour.

We urge a "do pass" on House Bill 1538.

This concludes my testimony. I'd be happy to answer any questions that you may have.

Written Testimony in Support of HB 1538

Written by: Emily Kudrna, Co-Kennel Supervisor & Co-Dog Manager, James River Humane Society

To: House Agriculture Committee

January 30, 2025

Good morning, my name is Emily Kudrna and I am a Kennel Supervisor and Dog Manager at James River Humane Society, a non-profit, no-kill animal shelter set up to house homeless cats and dogs in our area of North Dakota. I am writing to you in support of HB 1538, to emphasize the importance of spaying and neutering amongst cats and dogs, and how the lack of spayed and neutered cats and dogs in the state of North Dakota has overcrowded many animal shelters and has caused safety concerns amongst our communities.

In my 10+ years of working, fostering, and volunteering for JRHS, I have seen many cats and dogs come through the shelter, both as surrenders by owners, as well as strays found around the city of Jamestown and other areas of North Dakota. In the last year or two, however, those numbers have skyrocketed. We have gone from around 12 dogs at JRHS, each in their own kennel, to up to 35 dogs at a single time, with several dogs sharing indoor kennels (this includes litters of puppies). As I'm sure you can imagine, doubling up on dogs in a kennel environment, surrounded by many other anxious, barking dogs, can cause a very stressful and, ultimately, dangerous environment, for both the dogs and for staff and volunteers. Pets, kittens especially, are often rehomed on social media platforms like Facebook, because they were not planned litters. These kittens and other animals being rehomed are often not spayed/neutered, which only adds to the issue at hand. JRHS's Cat Manager often finds these posts and reaches out to offer assistance with spaying/neutering. On average, JRHS spends about \$6,700 a month on spaying and neutering cats and dogs. This does not include other necessities, such as vaccinations and food.

From what we have noticed, most animals that we have taken in to our shelter in the last year are not spayed or neutered. We take in animals for various reasons, such as if the pet is surrendered to us by their original owner, if it was found as a stray, an unplanned litter (after not spaying their female cat/dog), or because a relative/friend passed away and they don't want/can't keep them. It doesn't matter the circumstance that they come in to us - only a handful of these cats and dogs have been spayed/neutered prior to coming into our care. This speaks volumes as to why rescues and shelters are currently in crisis mode, trying to save and spay/neuter as many animals as possible. On average, we receive 3-4 calls about a cat or dog needing a new home or rescue per week. To put this into perspective, that is about 156-208 animals a year looking for new homes, and this only includes the people that reach out to us at JRHS, nowhere else.

I urge you to consider this bill and the impact it can have on the rescues, shelters, animals, and communities of North Dakota in general.

Thank you,

Emily Kudrna

Co-Kennel Supervisor & Co-Dog Manager

James River Humane Society

My name is Keith Benning. I'm a former Rolette County Deputy Sheriff, and currently a municipal judge and the founder and manager of Turtle Mountain Animal Rescue. I founded TMAR ten years ago and knew nothing about animal rescue. I had no idea what I was getting into, but 8000 lives saved later, it was worth it. Every rescue shelter in the state is consistently full. As soon as space opens, that space is filled with more animals needing help. Many organizations like Souris Valley in Minot and Circle of Friends in Grand Forks have been struggling to stay afloat, but the endless cycle of animals keeps coming.

Spay and neuter efforts are the number one way to keep overpopulation in check. From just one unspayed female, her mate, and their offspring; if none are spayed or neutered, and all live to breed in 5 years they can create 12,288 dogs. The breakdown is:

1 year: 16 dogs

2 years: 128 dogs

3 years: 512 dogs

4 years: 2,048 dogs

5 years: 12,288 dogs.

Cats have a five-year total of 11,801 cats.

The US department of agriculture says that North Dakota is one of 46 other states that are facing a vet shortage. Supply and demand dictates vet care prices. The national average for private practice spay in suburban areas is 200 to 250 and in rural areas it is 80 to 100. In North Dakota the average is over 400.00. Many vets in ND are dual practitioners that serve both household animals and livestock. It's often a struggle for them to serve both client bases. By decreasing the number of breeding animals in the population, it would after a few years allow vets to have more time for livestock. Just looking at 625 dog spays as proposed in the bill done in one year, by three years that would mean 160,000 less animals if there was a 50% mortality rate.

In North Dakota 63.7% of the voting public own cats, dogs, or both. We are an agriculture-based state, but it's also a big pet owner state. The area we serve is a reservation county, and the common misconception is that pet over population in North Dakota is a Native American issue. I can tell you from someone boots on the ground it's an income-based issue that goes hand in hand with affordable vet care. I have done animal disaster responses for hurricanes Harvey, Ida, Irma, Florence, Barry, and Michael. During those responses I worked in Florida, Georgia, Alabama, Louisiana, North Carolina, and Texas. I saw firsthand that ethnicity had nothing to do with overpopulation. It was all dependent on economics and affordable vet care. The less animals that are created, the fewer that come into shelters. North Dakota as a state is in the top 5 for the lowest euthanasia rates. That rate is low because of the tireless efforts of blood, sweat and tears of those of us in animal rescue. We have carried that burden for a long time and are now asking for your help.

House Bill No. 1538
Testimony before the House Agriculture Committee
Heidi Riddle
January 31, 2025

Mr. Chairman and Members of the Committee:

My name is Heidi Riddle, I live in LaMoure and I am here today representing myself in support of HB 1538. I initiated this effort, along with Lacey Enger, who is also speaking here today.

THE ISSUE: North Dakota has a homeless pet and overpopulation problem, compounded by full animal shelters, overburdened and exhausted volunteers, and a documented national shortage of veterinarians.

I have volunteered with animal rescue in some capacity or another in multiple states over the past 20 years. I have done everything from cleaning kennels to petting cats and walking dogs to taking in foster animals and strays. I have never seen such a dire situation as I see today. I am not even on the front lines of rescue, so I will let others who are discuss more about their experiences, but as a known animal lover in the community, I receive multiple calls about neglected, abandoned and homeless animals. I try to help however I can, which is usually to bring them into my home, get them healthy and then try to rehome them. I have had some success finding homes for young kittens but less so with adult cats. I now have ten cats in my permanent care and continue to have strays show up at our farm. The Crazy Cat Crew thankfully sponsored some of the veterinary care for some cats, but much of what I do is at my own personal expense. It has become cost prohibitive for me to personally take in any more animals, which is heartbreaking to turn them away.

A recent report by *Best Friends Animal Society* collected data for all states and estimates that there are nearly 10,000 animals in shelters in North Dakota. These shelters are chronically over capacity and volunteers and fosters are drained. There are countless incidents of stray animals that have been presumably either dumped or have been born to a stray animal that have nowhere to go. Everyday people ask shelters to take in animals that are no longer wanted, or found roaming with no one claiming them, or to help find homes for an unplanned litter.

Overpopulation of pets leads to abandonment, neglect, and abuse. While I am not here today to speak about animal cruelty laws, it bears mentioning that sadly, North Dakota was recently ranked #50 on the strength of its animal protection laws (*Animal Legal Defense Fund*). Combine this with the oversaturation of shelters, many animals that do not have homes are subjected to horrific abuse and their assailants are then not even held accountable. Case in point – the individual that decapitated a kitten with a shovel while his friends took video of the incident received no punishment, no fines or probation and no restrictions on animal ownership. North Dakota can do better. We believe our laws should better reflect our state's ethics and empathy. This starts with controlling the populations so that every pet can have a safe home.

Beyond the concern for the animals themselves, there are other societal and ecological damages that result from high numbers of homeless animals. When it comes to the feral cat population, a single female cat can have litters of around 12 kittens each year, which quickly multiply (*International Cat Care*). While cats are often beloved pets, as a free roaming invasive species, they have a devastating impact on our native species. According to the *American Bird Conservancy*, the number of domestic cats has tripled

over the past 40 years. Both feral and outdoor pet cats kill well over 1 billion birds in the United States every year. There are additional concerns for human health and safety, property and nuisance issues, and livestock and pets (*USDA APHIS Wildlife Services, October 2021, Wildlife Damage Management Technical Series, Free-ranging and Feral Cats*).

While much of the information pertains to feral cats, there are similar problems in areas with homeless dogs, even resulting in a recent tragic dog mauling incident here in our state.

THE PROPOSED SOLUTION: *The proposal is to create a spay/neuter grant fund in North Dakota to be managed by an oversight entity.*

At the time we initiated this proposal, we set up a framework for how funds could be distributed through the shelters and would reimburse the veterinarians. We created the framework because we didn't know if that should be part of a piece of legislation we were proposing, so we erred on the side of caution. We also did not want to place a greater burden on the Department of Agriculture. The way the bill is currently worded, there are not details about how funds would be administered. We support the bill in its current form and defer to administration of the funds by the Department, however, we have a copy of the framework here if the Committee would like to see it. We also offer our assistance in the development and administration of any such plan if it is wanted.

CONCLUSION

In conclusion, we believe that the proposal will be an effective way to alleviate pet overpopulation, shelter overcrowding, and animal suffering. We would suggest that oversight of the fund be administered by a board or committee (to assist the ND Department of Agriculture) on a primarily volunteer basis.

We are in favor of a "do pass" vote for HB 1538.

To whom it may concern,

As a local veterinarian in Bismarck, North Dakota, I see firsthand deleterious consequences of intact domestic animals in the region. In veterinary medicine, spaying and neutering lays at the top of our priorities as an ethical issue. A lack of these services causes a cascade effect with deep and never expanding roots but can be mitigated with neuter resources and education in communities. As a veterinarian and community member, spay and neuter programs should be taken as a focus due to the consequences of inaction and it is a key for preventable illnesses like deadly uterine infections, cancers, urinary complications, skin parasites, and so forth.

The over-population issues are noticeable in North Dakota. This leads to overtly poor quality of life situations for countless animals. The harsh weather conditions in this state make it even harder to chew if you were to put yourself in those animal's shoes.

I work collaboratively with local rescues in the state, I witness how they are overwhelmed with animals in need, as are the shelters. These groups have been doing a wonderful job working together to meet their goals, but it is apparent they are swimming in a fast current at the moment. There is essentially not a single day that goes by that I do not work with a local rescue at my job. They, without question, make up a large share of our appointments. These rescues not only bring animals in for spays and neuters, as well as regular wellness care, but many times it is to have animals seen on emergency basis. Quite often these emergency cases are severe but preventable issues.

Spay and neuter education and incentives would prove to be invaluable. There would no doubt be a return on money invested via lower intensive resources needed to fix the issues instead of if the can was just kicked down the road further. With this the lives of North Dakota's animals and citizens alike will improve.

I am writing this letter to show my support on the initiative for Spay and Neuter Awareness Grant Program as it will bolster the lives of many animals in need and the quality of live they with gain.

With thanks,

Andrew Bettenhausen, DVM



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Anna Novak

District 33
1139 Elbowoods Drive
Hazen, ND 58545-4923
anovak@ndlegis.gov

COMMITTEES:

Education
Energy and Natural Resources (Vice Chair)

January 31, 2025

Good morning, Mr. Chairman and members of the Agriculture Committee.

For the record, my name is Anna Novak, representative from district 33. HB1538 is a bill I am introducing on behalf of two North Dakota citizens. A senator approached me about sponsoring this bill on the first day of session. At that point, I had eight or nine bills I was planning to introduce and wasn't necessarily looking for another bill to sponsor. But when he told me about the idea, I just couldn't say no. I am an animal lover. I know many of the people on the committee and in this room feel the same way.

We have a real crisis on our hands right now with overpopulation of animals in North Dakota. Our animal shelters and animal foster homes are constantly full and usually overwhelmed. Overpopulation of animals may lead to neglect, abandonment and abuse. I think we've all heard situations of where animals are left on the side of the road, or someone has done something awful to an animal because the person deems the animal as "worthless". To me, that is wrong and absolutely heartbreaking. I have four sons and have always taught them that each animal is one of God's creatures and their lives must be respected.

I worked with Ag Commissioner Goehring on this bill. The initial plan was to add a fee or tax on every container of pet food. But as we know, anything involving the tax code is complex. Commissioner Goehring suggested using the environment and rangeland protection funds for this program, which is an existing fund so there doesn't have to be a new appropriation. Essentially, an animal shelter or foster care program can apply for these funds on a one for one match program to spay and neuter the animals in the program. The Agriculture Department will oversee the program. This is considered a one-time appropriation; however, I'm hopeful that if this passes, we will come back to the legislature in two years and see improvement in the issue of overrun animal shelters and foster homes. If there is real change, we can consider a continuing appropriation at that time.

I am thankful for Commissioner Goehring's leadership on this bill and for his suggestion of using the environment and rangeland protection funds for the spay and neuter awareness grant program. In my mind, the fact that it isn't a new appropriation makes this a much more reasonable request. I hope you'll agree and give HB1538 a Do-Pass recommendation.

With that, I'll stand for any questions. Thank you, Mr. Chairman and members of the committee.

2025 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee Room JW327C, State Capitol

HB 1538
2/7/2025

A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to creating a spay and neuter awareness grant program; to amend and reenact section 4.1-41-19 of the North Dakota Century Code, relating to the environment and rangeland protection fund; and to provide an appropriation.

8:53 a.m. Chairman Beltz called the meeting to order.

Members Present: Chairman Beltz, Vice Chairman Hauck, Representatives Anderson, Dobervich, Henderson, Holle, Hoverson, Kiefert, Nehring, Olson, Schreiber-Beck, Tveit, Vollmer

Member Absent: Representative Rios

Discussion Topics:

- Committee action

8:53 a.m. Representative Dobervich moved Do Pass.

8:54 a.m. Representative Keifert seconded the motion.

Representatives	Vote
Representative Mike Beltz	N
Representative Dori Hauck	N
Representative Karen A. Anderson	N
Representative Gretchen Dobervich	Y
Representative Donna Henderson	N
Representative Dawson Holle	Y
Representative Jeff Hoverson	N
Representative Dwight Kiefert	Y
Representative Dennis Nehring	N
Representative SuAnn Olson	N
Representative Nico Rios	AB
Representative Cynthia Schreiber-Beck	Y
Representative Bill Tveit	N
Representative Daniel R. Vollmer	N

Motion failed 4-9-1.

9:01 a.m. Representative Anderson moved Do Not Pass.

9:01 a.m. Representative Nehring seconded the motion.

Representatives	Vote
Representative Mike Beltz	Y
Representative Dori Hauck	Y
Representative Karen A. Anderson	Y
Representative Gretchen Dobervich	N
Representative Donna Henderson	Y
Representative Dawson Holle	N
Representative Jeff Hoverson	Y
Representative Dwight Kiefert	N
Representative Dennis Nehring	Y
Representative SuAnn Olson	Y
Representative Nico Rios	AB
Representative Cynthia Schreiber-Beck	N
Representative Bill Tveit	Y
Representative Daniel R. Vollmer	Y

Motion passed 9-4-1.

9:02 a.m. Representative Olson will carry the bill.

9:02 a.m. Chairman Beltz closed the hearing.

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1538 ([25.1135.01000](#))

Agriculture Committee (Rep. Beltz, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1538 was placed on the Eleventh order on the calendar.

2025 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee Room JW327C, State Capitol

HB 1538
2/20/2025

A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota Century Code, relating to creating a spay and neuter awareness grant program; to amend and reenact section 4.1-41-19 of the North Dakota Century Code, relating to the environment and rangeland protection fund; and to provide an appropriation.

8:59 a.m. Chairman Beltz opened the meeting.

Members Present: Chairman Beltz, Vice Chairman Hauck, Representatives Anderson, Dobervich, Henderson, Holle, Hoverson, Kiefert, Nehring, Olson, Rios, Schreiber-Beck, Tveit, Vollmer

Discussion Topics:

- Agriculture Department
- To help rescues
- Cost to neuter/spay
- Veterinary costs

8:59 a.m. Representative Schreiber-Beck moved to reconsider

8:59 a.m. Representative Dobervich seconded the motion.

Voice vote.

Motion in doubt, call for roll call vote.

Representatives	Vote
Representative Mike Beltz	Y
Representative Dori Hauck	Y
Representative Karen A. Anderson	AB
Representative Gretchen Dobervich	Y
Representative Donna Henderson	N
Representative Dawson Holle	Y
Representative Jeff Hoverson	N
Representative Dwight Kiefert	Y
Representative Dennis Nehring	N
Representative SuAnn Olson	N
Representative Nico Rios	N
Representative Cynthia Schreiber-Beck	Y
Representative Bill Tveit	N
Representative Daniel R. Vollmer	N

Motion failed 6-7-1

Additional Written Testimony:

Representative Anna Novak, District 33, Hazen, ND #38186.
Sara Behrens, Founder/President, Purrfect Pound Pals #38232.

9:02 a.m. Chairman Beltz closed the meeting.

Diane Lillis, Committee Clerk

25.1135.01001
Title.

Prepared by the Legislative Council
staff for Representative Novak
February 17, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1538

Introduced by

Representatives Novak, Brandenburg, Davis, Grueneich, Hagert, Hanson, Nelson, Beltz
Senator Conley

1 A BILL for an Act to create and enact a new section to chapter 4.1-01 of the North Dakota
2 Century Code, relating to creating a spay and neuter awareness ~~grant~~ program; ~~to amend and~~
3 ~~reenact section 4.1-41-19 of the North Dakota Century Code, relating to the environment and~~
4 ~~rangeland protection fund; and to provide an appropriation.~~

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 SECTION 1. A new section to chapter 4.1-01 of the North Dakota Century Code is created
7 and enacted as follows:

8 Spay and neuter awareness ~~grant~~ program.

9 1. The commissioner shall create and administer a spay and neuter awareness ~~grant~~
10 program ~~through the environment and rangeland protection fund.~~

11 ~~2. The commissioner shall award grants to applicants engaging into:~~

12 a. ~~Promoting~~ Promote the use of spaying and neutering services in the state; and
13 b. ~~Offering and performing~~ Assist a person performing spaying and neutering
14 services in the state.

15 ~~3-2.~~ In consultation with the state veterinarian, the commissioner shall adopt rules in
16 accordance with chapter 28-32 to implement the provisions of this section.

17 ~~SECTION 2. AMENDMENT. Section 4.1-41-19 of the North Dakota Century Code is~~
18 ~~amended and reenacted as follows:~~

1 ~~4.1-41-19. Deposit of fees.~~

2 ~~The commissioner shall forward all inspection fees, license fees, and registration fees~~
3 ~~received under this chapter to the state treasurer. The state treasurer shall deposit the first~~
4 ~~seven hundred twenty-seven thousand five hundred dollars of revenue received from fees~~
5 ~~received under this chapter each biennium in the environment and rangeland protection fund~~
6 ~~and any remaining fees in the general fund.~~

7 ~~SECTION 3. APPROPRIATION - AGRICULTURE COMMISSIONER - SPAY AND NEUTER~~
8 ~~AWARENESS GRANT PROGRAM - ONE-TIME FUNDING.~~ There is appropriated out of any
9 moneys in the environment and rangeland protection fund in the state treasury, not otherwise
10 appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the
11 agriculture commissioner for the purpose of creating and administering the spay and neuter
12 awareness grant program under section 1 of this Act, for the biennium beginning July 1, 2025,
13 and ending June 30, 2027. The funding provided in this section is considered a one-time
14 funding item.

Polluting atmospheric activity - Penalty.

1. A person may not engage in a polluting atmospheric activity or use an unmarked or unidentified aircraft, vehicle, or facility for weather engineering, cloud seeding, stratospheric aerosol injection, or other atmospheric activity that is harmful to a human or the environment, including the production of excessive electromagnetic radiation.
2. Any person that violates this section is guilty of a class C felony and subject to a fine of not more than five hundred thousand dollars.

Exemption.

This chapter does not apply to an individual who operates an aircraft for aerial application of agricultural chemicals or materials.

Reporting and investigative requirements.

1. Any individual may report an aircraft, facility, or other delivery system used for weather engineering, cloud seeding, stratospheric aerosol injection, or any atmospheric experimentation involving the release of polluting emissions to the sheriff in the county in which the activity was observed or suspected. If the sheriff finds the evidence reported to be credible, the sheriff shall investigate the reported activity and may report any prohibited activity to the county state's attorney for prosecution.
2. The director and each county sheriff shall encourage the public to monitor, measure, document, and report any incident that may constitute cloud seeding, stratospheric aerosol injection, weather engineering, or any other polluting atmospheric activity. An individual with evidence of a polluting atmospheric activity may report the activity to the director or the sheriff by submitting:
 - a. A photograph that includes the date, time, and location the photograph was taken;
 - b. An independent precipitation analysis report, audiography, microscopy, spectrometry, metering, or any other form of evidence; or
 - c. A video recording of activity involving the release of polluting atmospheric emissions.
3. If the director suspects prohibited activity has occurred based on the evidence provided, the director shall report all documentary and supportive evidence to the sheriff in writing within twenty-four hours.

HOUSE BILL 1538
House Agriculture Committee
Testimony Presented by Sara Behrens
February 20, 2025

My name is Sara Behrens and I am the founder and president of Purrfect Pound Pals, a small, foster-based animal rescue in Lincoln, ND. I have been involved in animal rescue for over a decade and intimately understand the strains that the animal overpopulation puts on the rescue/shelter organizations in this state. Purrfect Pound Pals focuses on the animals in animal impounds in the state. The vast majority (I would say over 99%) of animals we pull from the impounds are not spayed or neutered. We also take on neonatal kittens without a mother that need bottle feeding. We have noticed a steady increase in the number of these kittens. We have a small budget (generally under \$50,000 per year) which consists of donations, adoption fees, and a small amount from sales of merchandise. We spend over 90% of those funds on veterinary care which includes spay and neuter and vaccinations. We do not adopt out cats that are not spayed or neutered.

This proposed grant program would be a wonderful step towards controlling the cat and dog population in North Dakota. Cats can have kittens at a very young age (sometimes as young as five months) and can have up to five litters in a year. While cat fertility decreases over time, there is no real "menopause" for cats. This is a lot of cats being produced and there simply are not enough homes for all of them.

While the bill simply establishes the program, there are programs in existence in other states which can be used by the Department of Agriculture to model a program after. Maine's Department of Agriculture has a grant program (Help Fix ME) which provides low cost spay/neuter assistance to those who qualify. https://www.maine.gov/dacf/ahw/animal_welfare/help-fix-me-program.shtml Maryland established a program through SB 820 in the 2013 Legislative Session to provide grants to local governments and non-profit animal welfare organizations. https://mda.maryland.gov/spay_neuter_program/pages/default.aspx. West Virginia has a similar program. <https://agriculture.wv.gov/divisions/animal-health/west-virginia-spay-and-neuter-assistance-program/#:~:text=WVSNP%20is%20a%20grant%20program,and%20an%20accompanying%20rabies%20vaccine>.

Currently, pet-related matters fall under the Livestock chapter of the North Dakota Century Code. Whether this is the appropriate place to address pets is perhaps something that should be looked at next session. However, right now it falls on this committee to handle these issues.

Animal rescues and shelters are overwhelmed and this program would go a long way to helping get the population under control. We appreciate you taking another look at this bill. Please vote do pass and help us to curtail the out-of-control pet population. Thank you.