

**FISCAL NOTE**  
**Requested by Legislative Council**  
**02/24/2015**

Amendment to: HB 1205

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(930,000)		\$(960,000)
Expenditures						
Appropriations					\$400,000	

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Requires partial tuition waiver to ND veteran's "dependents" (i.e. child, stepchild, spouse, widow, or widower) with a 50-90% disability rating, with waiver amount tied to disability rating. Amended #15.0655.01001 changes eligible pool from 50-90% to 75-90% disabled.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Sections 1 and 2 would result in additional veteran's dependents waivers, as waivers are expanded beyond the current mandatory waiver for 100% disabled, to also include a partial waiver for those with disability rating of between 50-90%. Amended #15.0655.01001 changes eligible pool from 50-90% to 75-90% disabled.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Additional tuition waivers ranging from 50-90% would result in an estimated revenue reduction of about \$2.3 M in 15-17 and \$2.4 M in 17-19 biennium, for an estimated 270 students per year, some of which may be current students and some new students. Amended version #15.0655.01001 provides waivers based on 75-90% disability rating for an estimated loss of current or new forgone tuition revenue of \$930,000 in 15-17 and \$960,000 in 17-19 for about 80 students per year. (NOTE: Used disability rating of 80-90% (disability ratings are in even increments of 10).

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Higher ed funding formula would generate about another \$1.0 M/yr or \$2.0 M/biennium for approximately 270 students per year and related credit hour production, starting in 2017-19, due to credit hour lag.

Amended #15.0655.01001 would generate about another \$400,000/biennium in state funding through the higher ed funding formula based on increased credit hours for approximately 80 students per year.

**Name:** Laura Glatt

**Agency:** ND University System Office

**Telephone:** 7013284116

**Date Prepared:** 02/25/2015

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/12/2015**

Revised  
 Bill/Resolution No.: HB 1205

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(2,327,000)		\$(2,400,000)
Expenditures			\$2,327,000		\$4,400,000	
Appropriations			\$2,327,000		\$4,400,000	

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Requires partial tuition waiver to ND veteran's "dependents" (i.e. child, stepchild, spouse, widow, or widower). Qualifying veterans include those with a 50-90% disability rating, with waiver amount tied to disability rating.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Sections 1 and 2 would result in additional veteran's dependents waivers, as waivers are expanded beyond the current mandatory waiver for 100% disabled, to also include a partial waiver for those with disability rating of between 50-90%.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Additional tuition waivers ranging from 50-90% would result in an estimated revenue reduction of about \$2.3 M in 15-17 and \$2.4 M in 17-19 biennium, for an estimated 270 students per year, some of which may be current students and some new students.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Assumes expenditure of additional state general fund appropriation to offset tuition waivers ranging from 50-90% of about \$2.3 M in 15-17 and \$2.4 M in 17-19 biennium, for an 270 students per year. Additionally, higher ed funding formula would generate about another \$1.0 M/yr or \$2.0 M/biennium, based on additional credit hour production, starting in 2017-19, due to credit hour lag.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Additional state general fund appropriation to offset tuition waivers ranging from 50-90% of about \$2.3 M in 15-17 and \$2.4 M in 17-19 biennium, for an additional estimated 270 students per year. Additionally, higher ed funding formula would generate about another \$1.0 M/yr or \$2.0 M/biennium, based on additional credit hour production, starting in 2017-19, due to credit hour lag.

**Name:** Laura Glatt

**Agency:** ND University System Office

**Telephone:** 7013284116

**Date Prepared:** 02/06/2015

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/12/2015**

Revised  
 Bill/Resolution No.: HB 1205

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(2,327,000)		\$(2,400,000)
Expenditures			\$4,327,000		\$4,400,000	
Appropriations			\$4,327,000		\$4,400,000	

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

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Cities			
School Districts			
Townships			

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- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Sections 1 and 2 would result in additional veteran's dependents waivers, as waivers are expanded beyond the current mandatory waiver for 100% disabled, to also include a partial waiver for those with disability rating of between 50-90%.

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**Name:** Laura Glatt

**Agency:** ND University System Office

**Telephone:** 7013284116

**Date Prepared:** 02/03/2015

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/12/2015**

Bill/Resolution No.: HB 1205

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

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- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Additional tuition waivers ranging from 50-90% would result in an estimated revenue reduction of about \$2.3 M in 15-17 and \$24 M in 17-19 biennium, for an additional estimated 270 students per year.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Assumes expenditure of additional state general fund appropriation to offset tuition waivers ranging from 50-90% of about \$2.3 M in 15-17 and \$24 M in 17-19 biennium, for an additional estimated 270 students per year.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Additional state general fund appropriation to offset tuition waivers ranging from 50-90% of about \$2.3 M in 15-17 and \$24 M in 17-19 biennium, for an additional estimated 270 students per year.

**Name:** Laura Glatt

**Agency:** ND University System Office

**Telephone:** 7013284116

**Date Prepared:** 01/19/2015

**2015 HOUSE EDUCATION**

**HB 1205**

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Pioneer Room, State Capitol

HB 1205

1/21/2015  
22257

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## **Explanation or reason for introduction of bill/resolution:**

Relating to tuition reduction for dependents of disabled veterans based on disability ratings.

Attachment #1

## **Minutes:**

Chairman Nathe opened the hearing on HB 1205

Vice Chairman Schatz District 36 in support and introduced the HB 1205 it's a very worthy bill and their families will be taken care of.

Rep Meier: Currently at 100%. What would qualify as a 50% disability? It makes a statement to our veterans that they and their families will be taken care of.

Vice Chairman Schatz: I do not know

Lonny Wagen of Veterans affairs: See Attachment #1 ( 4:17) In support of HB 1205. Commissioner of veteran's affairs. North Dakota veterans coordinating council which is made up of all the five big veterans' services in the state fully support this bill. It explains the difference between the ACOVA, governor appointed committee. The North Dakota Veteran's Coordinating council, the leadership of our five big veterans organizations of the state. In the insert you will see the bills and the concerns we brought to legislations. The idea behind this bill is that the disability is set by the VA, it is set by if it affects your ability to earn an income by percentage. If you have a service connected if it doesn't cause a problem with work you will not get a disability rating because pain doesn't come into effect unless it affects the ability to earn and income. Much like North Dakota century code 5702-08.8 which has to do with property tax exception keeping with the legislative intent of making things look the same and the same set up as far as veterans go. Property tax starts at 50% disabled and goes by the percentage all the way to 100%, which is what we are asking for. Right now if you are 100% disabled your dependents would get 100% tuition and fees waved, what this would do is reduce their tuition. If you are 50% disabled

you still pay 50% tuition. If you are 90% disabled your child or spouse would have a 90% discount and would still pay 10%.

Chairman Nathe For the 50 - 90% this bill will give the waiver to the dependents we are not talking about the veteran.

Lonny Wagen: That is for a school in ND rather than go into Minnesota.

Chairman Nathe: The fiscal note the first biennium and balloons to, there is a typing error it is 2. 4million.

Rep Schreiber Beck: Is there a data base or who came up with the 270 students per year?

Lonny Wagen: I did provide to the higher education the percentage of disabled veterans by the percentages for instance 50% disabled we have 797. Depending on that veterans age, marital status they may have children the will go to school they may not so I believe what they would have done is taken the percentage of 925 disabled veterans how many students are off that and use that in the formula to get those calculations. That is my guess.

Chairman Nathe: Is there any other programs for the dependents that they would get waivers for school?

Lonny Wagen: No not under 100%. If you are 100% disabled there are some federal with the current GI bill. If you are in the current GI bill you can pass your own education GI Bill but nothing from the state.

Rep Meier: You spoke to the disabilities the VA determines the amount of the disability for the veteran. Can you give the committee what would be a 50% disability for a veteran.

Lonny Wagen: Any disability mental or physical that would cut their ability to make income 50%. That can be a combination of several disabilities or it could be one. It depends on the severity.

Chairman Nathe: Nobody has a problem helping the veterans and supporting them but why should we support their dependents for school?

Lonny Wagen: This goes back to the VA's looking at the disability and creating an income for themselves. So looking at this veteran who is 100% disabled they are figuring this person is pretty much unemployable. So with the 50% they are figuring with the disabilities that they have they have half the potential to make the income that they could make.

Chairman Nathe: But the bill is talking about the dependents.

Lonny Wagen: If you're making that much money you have a better chance at paying for your children's education. So at 50% disability you're going to have a lot less ability to help your children go to school.

Chairman Nathe: How would that differ from someone having an illness? Maybe they have an illness or an injury from a car accident and they can only perform half their job but there's no program from the state to pay for those dependents. Those dependents can go get financial aid and there are other avenues that they can go get school. I fail to see why we should have the step up category for this and not for these people, the dependents of veterans and non-veterans.

Lonny Wagen: There would be no difference on that other than this is recognized by the federal VA. IF there was a disability rating you want to use for the state also that would be the choice of the legislation but its normally been easier for us to say a VA service connected which means they are disabled due to the service to their country it's not something the happened outside of their service.

Rep Meier: Can we have a definition of dependent and what age this applies to?

Lonny wagen: I do believe it is already in the century code that went along with the 100% and I will get that.

Rep Rohr: I have never seen data that indicates the number of veterans that actually take advantage of any tuition reduction. If you have that I would like to see that. Second are you going to be able to keep track the number of dependents of these veterans that will be takin advantage of this current bill?

Lonny Wagen: This would be something that higher education does keep track of. I can get that data to you.

Rep Ben Koppelman: I believe this bill is sort of presumptuous in the sense that is says that if you had not been disabled you would have paid 100% of your child tuition. The second piece is, is there anything either in current law or this bill that says that this would only kick in after any sort of financial aid that they qualify for based on the current income of that disabled vet, because often times they include your parents income and number two: after their GI bill has been exhausted or if they have that, because if they have a GI bill that they can pass on that would probably pay for tuition anyway so can you respond to those two things?

Lonny Wagen: Not all veterans have the GI Bill, that's something that currently came out that's the new GI bill. The 9-11 GI bill that's only for our current veterans and a majority of those veterans are going to college themselves so for the veterans that are older than that that served in these wars and already got their own college can pass on a year or so to their children. So it does not address that in here and does not have a means test to it as far as their income outside what the VA has given them for their percentage of disability

Rep Hunskor: If this is correct a veteran who is 100% disabled there are tuition benefits. 99% there are no tuition benefits is that current law? So I look at the high end say the 80-100% that are severely disable near the 100% even at 99.98 if there is such a thing. That does not seem fair to me. I understand if you are 50% or lower you probably can work or

do something's to generate an income but those who are at 100% or close to that it seems only fair that they would be entitled to something.

Vice Chairman Schatz: I'm thinking about the dependents and of the disabled veterans. They take care of the disabled veterans; do you feel that would cause them job opportunities and opportunities for other things for the dependents?

Lonny Wagen: If you are a disabled vet and you have gone through whatever. It makes you think about the service of people and when they come home people are taking care of them and they have to because that's very important but that also takes away from their ability to garner a financial income, would you agree with that?

Chairman Nathe : There are also programs to help those dependents take care of their loved ones through the VA.

18:26

Mark Landis Veterans officer: We strongly support and respectfully request a Do Pass on HB 1205. 50% is a significant level of disability and this bill would bring this benefit in line with other benefits such as disabled veteran's property tax credit, park fees, fishing licenses etc. That is my testimony.

19:21

Chairman Nathe support Opposition  
Closed the hearing on HB 1205.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Education Committee  
Pioneer Room, State Capitol

HB 1205  
1/26/2015  
22566

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Donna Whetham*

## Explanation or reason for introduction of bill/resolution:

Relating to tuition reduction for dependents of disabled veterans based on disability ratings.

Attachment # 1,2

## Minutes:

Chairman Nathe: reopened hearing on HB 1205. This is a bill to assist dependents of a disabled veteran with tuition.

**Rep Rohr: Moved Do Pass**

**Rep. Mock: seconded**

**Rep Zubke:** Isn't benefits for veterans usually given through the federal government rather than the state?

**Chairman Nathe:** That is what I thought also, and we pass a lot of legislation to support veterans but why should we do it for the dependents?

**Rep Ben Koppelman:** I don't think this bill specifically says that the money becomes available after other benefits are considered. There are various types of financial aid that can be in effect if your parents are disabled, the federal should accessed first.

**Chairman Nathe:** When you look at the fiscal note it is almost \$5 million dollars, for the dependents of the veterans. There are other programs out there for the dependents. I don't see the need for it. I am going to resist the motion.

**Rep. Ben Koppelman:** It is sort of suggesting that this disabled parent was planning to pay for the child's schooling but not everyone plans to pay for our children's college.

**Vice Chairman Schatz:** We saw a VA scandal this summer, they work very slowly. This is a North Dakota issue, it is about North Dakota Colleges. I think the fiscal note is too much. I don't think it would be that much. If we are having people out fighting for us they have to know that we are taking caring of our veterans.

**Rep. Olson:** What if we restricted this to North Dakota National Guard rather than opening it up to any veteran anywhere?

**Chairman Nathe:** We are looking at 270 students a year. We have other disabled people and their dependents aren't given any scholarship. I have a real issue with this.

**Rep. Olson:** Is there any residency provision? Otherwise any other disabled veteran from another state could come here and get free tuition for their dependents.

**Rep. Zubke:** The other concern I had is as soon states into some of these benefits you run that risk of having this fight of whose got what.

Chairman Nathe: I think this is more about the dependents, we support veterans in this state with a lot of legislation, with a lot of financial help. I just question if we should do that for the dependents as well.

**Vice Chairman Schatz:** Maybe we should have Lonny Wagen come in to address us again?

**Rep. Meier:** Yes.

**Rep. Schreiber Beck:** Yes we should, page 1 line 8, resident veteran what does resident mean and then it goes into B. and it doesn't talk about the resident veteran.

**Rep. Kelsh:** Didn't we just change that from 180 to 90 days in the other bill to be a resident veteran. If you have a disabled veteran, education is not the only thing that family have to put up with, it is pretty tough. We all say we support them, we need to continue to support them. They have done so much over the years.

**Rep Rohr: Withdrew the motion for a Do Pass.**

**Rep. Kelsh: Withdrew his second.**

**Chairman Nathe:** We will have Lonny Wagen come back to answer questions.

**Vice Chairman Schatz: Lonny Wagen of Veteran Affairs.** E-mailed answers to questions. (See Attachment # 1,2) Explained emails from Lonny Wagen to answer questions.

**Rep Ben Koppelman:** Is spouse considered a dependent?

**Chairman Nathe:** Yes. What I wonder should the state be paying for the dependents schooling, I understand the veterans getting their disability?

**Vice Chairman Schatz:** We already do, the 100% is already paid so this is making it so if you have a 50% disability you have a 50% tuition reduction we are expanding it. I feel rightly so.

**Rep Kelsh:** Whatever we do for the veterans is good. I am in favor of the bill.

**Rep. Olson:** Why are we not including all levels of disability , why is 50% the magic number?

**Vice Chairman Schatz:** I think they thought they might be overshooting and they had to start somewhere. It is a reasonable place to start.

**Rep. Olson:** 10 years is the residency requirement? Do you know where it says that?

**Rep Schreiber Beck:** It is a little confusing because resident veteran, on second page it is specific to the tuition waiver I believe.

**Rep Olson:** It looks like 5 years under 1C page 2 line 11.

**Chairman Nathe:** That pertains to the dependent and what Rep. Schreiber Beck was referring to pertains to the resident veteran.

**Rep Meier: Moved Do Pass**

**Rep Kelsh: Seconded.**

**Rep Ben Koppelman:** This doesn't discuss other benefit's they are eligible, and I know veterans who are disabled but work in other areas. This bill is really silent on even if the veteran can provide for their family, besides the presumption that all parents pay for their children's college.

**Chairman Nathe:** Should the state be in the business should the state be in that business. That is why I resist the motion.

**Rep. Olson:** The existing law was based on a 100% disabled veteran, now we are modifying and the original intent did not have that in their scope. There is more that needs to be added to reach the scope of people, I don't think we have that language yet?

**Vice Chairman Schatz:** I don't know how to respond, but people draw social security even when wealthy there is no limit if you are eligible, so the veteran would be eligible also even if they were wealthy.

**Rep. Hunskor:** Veterans who have a 70-80% disability as they age can have harder time. They might not be able to have the income they did.

**Chairman Nathe:** VA does have job training problems.

**Rep. Hunsakor:** Sometimes the disability will go the other way they can't even go to job training.

**Rep Schreiber Beck:** We need to do it right or we will have to do it over.

**A Roll Call Vote was taken. Yes: 7 No: 6 Absent: 0**

**Rep. Zubke: Will carry the bill.**

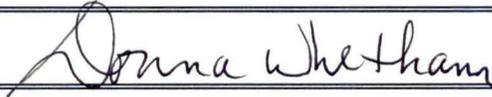
# 2015 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Pioneer Room, State Capitol

HB 1205  
1/27/2015  
22674

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## **Explanation or reason for introduction of bill/resolution:**

Relating to tuition reduction for dependents of disabled veterans based on disability ratings.

Attachment #

## **Minutes:**

**Chairman Nathe:** reopened the hearing on HB 1205.

**Rep. Mock:** I move to reconsider our actions on HB 1205.

**Rep. Kelsh:** Seconded.

Voice vote taken. All Ayes. Motion passes.

**Rep. Mock:** Moved Do Pass rerefer to Appropriations.

**Rep. Meier:** Seconded.

A Roll Call Vote was taken. Yes: 7 No: 6 Absent: 0

**Rep. Zubke:** will carry the bill.

Date: 11/26/15  
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1205**

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep Meier    Seconded By Rep Kelsh

Representatives	Yes	No	Representatives	Yes	No
Chairman Nathe		✓	Rep. Hunsakor	✓	
Vice Chairman Schatz	✓		Rep. Kelsh	✓	
Rep. Dennis Johnson		✓	Rep. Mock	✓	
Rep. B. Koppelman		✓			
Rep. Looyson		✓			
Rep. Meier	✓				
Rep. Olson		✓			
Rep. Rohr	✓				
Rep. Schreiber Beck		✓			
Rep. Zubke	✓				

Total (Yes) 7    No 6

Absent 0

Floor Assignment Rep Zubke

If the vote is on an amendment, briefly indicate intent:

Date: 1-27-15  
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1205**

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep Mock    Seconded By Rep Kelsh

Representatives	Yes	No	Representatives	Yes	No
Chairman Nathe			Rep. Hunskor		
Vice Chairman Schatz			Rep. Kelsh		
Rep. Dennis Johnson			Rep. Mock		
Rep. B. Koppelman					
Rep. Looyen					
Rep. Meier					
Rep. Olson					
Rep. Rohr					
Rep. Schreiber Beck					
Rep. Zubke					

*Voice Vote*  
*Motion Passed*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:  
*Motion Passes to Reconsider.*

Date: 1-27-15  
 Roll Call Vote #: 2

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1205**

House Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep Mock    Seconded By Rep Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Nathe		✓	Rep. Hunskor	✓	
Vice Chairman Schatz	✓		Rep. Kelsh	✓	
Rep. Dennis Johnson		✓	Rep. Mock	✓	
Rep. B. Koppelman		✓			
Rep. Looysen		✓			
Rep. Meier	✓				
Rep. Olson		✓			
Rep. Rohr	✓				
Rep. Schreiber Beck		✓			
Rep. Zubke	✓				

Total (Yes) 7 No 6

Absent 0

Floor Assignment Rep Zubke

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1205: Education Committee (Rep. Nathe, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1205 was rereferred to the Appropriations Committee.**

**2015 HOUSE APPROPRIATIONS**

**HB 1205**

# 2015 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee - Education and Environment Division Roughrider Room, State Capitol

HB 1205  
1/30/2015  
22914

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Gaii Ardlicha*

### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2 and section 15-10-18.3 of the North Dakota Century Code, relating to tuition reduction for dependents of disabled veterans based on disability ratings.

### Minutes:

"Click to enter attachment information."

**Chairman Monson:** Called the meeting to order.

**Representative Mike Nathe:** Chairman House Education

**Nathe:** Tuition reduction of dependents of disabled veterans. Right now we pay tuition reduction for dependents of veterans who have 100% disability. What this bill would do would expand that from veterans who have a disability from 50% to 90%. It would affect about 270 students; the fiscal note is about 2.3 million for the 15-17 biennium and then 2.4 million for the 17-19 biennium going forward. It received a do pass; it was a tight vote 7-6 do pass. There was a lot of discussion on it whether someone has a 75% disability they can still work and can still help support their family. There was a lot of discussion on about we have a lot of other benefits for the veterans and for their dependents and whether we should be doing this or not. The majority of the committee felt strongly that this bill should be moved forward to help out those veterans dependents who might need help where a veteran can't work.

**Chairman Monson:** So this is for 50%.

**Nathe:** 50% - 90% the bill would open it up from 100% disability where the dependents would get tuition help. This would open it up from 50% to 100%.

**Chairman Monson:** IF the tuition bill was \$2000 and they were 50% disabled they would get 50% of the \$2000?

**Nathe:** Yup.

**Chairman Monson:** If they were 75% disabled they would get 75% of the \$2000.

**Nathe:** It's an expansion of what we do right now.

**Chairman Monson:** How does the GI Bill work?

**Nathe:** The GI Bill pays for the veteran itself for them to go to school and for their educational costs. I don't know how it would work on any of the dependents.

**Chairman Monson:** We could see a lot more people than 2.3 million dollars' worth of people using this because we might have people that might say I wasn't intending to go but now that it.....

**Nathe:** That was one of the reasons for the resistance to the bill this may open up the door for people from other states. People from other states may want to take advantage of this cause other states around us don't have this open as much.

**Chairman Monson:** There is nothing in the bill that is going to say that this is for a North Dakota resident veteran either?

**Nathe:** There might be a residency qualification of 5 years. You do have to live in the state for a period of time to qualify. So the dependent must have to live in the state for 5 years and a resident veteran has to have been a resident for 10 years to request for the tuition.

**Rep. Guggisberg:** Did you get any testimony on what a disability check is? You said it was substantial but that is pretty subjective.

**Nathe:** I think it depends on the nature of their disability where they receive it. There are different classifications from what I understand.

**Rep. Guggisberg:** I'm going to support it, but I don't feel we have enough information to make a real good decision.

**Nathe:** I would suggest you talk to Lonnie Wong from the veterans.

**Rep. Boe:** How many other waivers are out there? Did you talk about other waivers for other groups? Not specifically veterans I think members of faculty get a waiver.

**Nathe:** We did not we stayed mainly with the veteran issue of this bill.

**Rep. Martinson:** When you talk about a fiscal note really that's a little gray area thing.

**Rep. Martinson:** I think we should send it back to the education committee and let them handle it.

**Chairman Monson:** Did this come right from your committee or did it go up to the floor and come to this committee?

**Nathe:** I think it went up to the floor and came to the committee. We will take it back if that is the wishes.

**Chairman Monson:** We will sit on this one and think about it. It is going to have a cost so theres money involved. If we turn around and give it a do no pass you are going to have people say we are making policy.

**Rep. Dosch:** Any discussions I mean 50% what does it take to be 50% disabled? Was there a discussion if we are going to expand this maybe go 75% or greater.

**Nathe:** There was some discussion to not go to the 50% level, but there was support of the committee to keep it at 50%.

**Chairman Monson:** So this is exactly how it was introduced. You didn't amend it, you didn't change anything.

**Rep. Dosch:** Was there any, when you look at the fiscal note it says a decrease of other funds, but increase in general funds. It is my understanding that each university that this becomes part of their tuition waivers or when we look at the tuition waivers from each institution we get less and they say ok we have so many military waivers so many athletic waivers. I'm wondering about the general fund expenditure why that wouldn't be absorbed within that institution where the kid is going to school.

**Chairman Monson:** They must be expecting us to take general fund money to fund that percentage.

**Nathe:** It does say in the fiscal note assumes expenditure of additional state general fund appropriation to offset tuition labors.

**Chairman Monson:** That's why we have it.

**Vice Chairman Streyle:** We should definitely not provide general funds. They can absorb this. They waive 66.5 million dollars in tuition; 37 million in NDSU; so they can absorb this into their budget; I won't support it if it is general fund money.

**Chairman Monson:** Meeting adjourned.

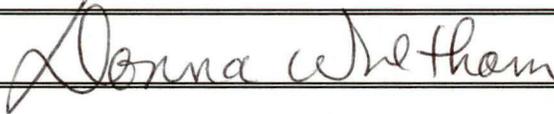
# 2015 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee - Education and Environment Division Roughrider Room, State Capitol

HB 1205  
2/4/2015  
Job # 23248

- Subcommittee  
 Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

Relating to tuition reduction for dependents of disabled veterans based on disability ratings.

### Minutes:

**Chairman Monson:** Called meeting to order. Opened hearing on HB 1205. There is a different fiscal note now. We will have Sean explain why there are two different numbers.

**Sean Smith:** Legislative Council: There must have been an error on the first fiscal note. Therevenue impact on 1A is \$2.3 million dollars reduction and the expenditures are increasing by \$4.3 million dollars. A portion of that is the increase from the change in language. The other increases are from the Higher Ed formula.

**Chairman Monson:** So the whole effect of this is \$6.6 million dollars?

**Sean: Smith:** That's the way I view it.

**Chairman Monson:** We had a bill on the floor today the expanded the definition of veterans that passed the House and it that goes on to the Senate what impact is that going to have? It's probably going to mean a bigger fiscal note would have to be rewritten for this again?

**Rep. Martinson:** It depends on how they define veteran. If the define veterans by federal standards they are not veterans really.

**Chairman Monson:** This says North Dakota Veterans. This bill deals with the dependents. My take would be that we are looking at a bigger number of people that would qualify. It says " child, step-child, widow or widower" of any qualifying veteran with at 50-90% disability rating. So we would be looking at a waiver of tuition based on their level of disability.

**Rep. Sanford:** They have the underlining on 50% does it mean previously it was on a full disability?

**Chairman Monson:** 90%-100% I think.

**Rep. Sanford:** Then the percentage of the disability is taken times the tuition and that would be the waiver?

**Chairman Monson:** That's how I understand it.

**Rep. Sanford:** Prior to today, what the fiscal note was telling us is that it was an additional 270 student a year.

**Chairman Monson:** That was before we passed the bill.

**Rep. Dosch:** This brings up an interesting question. Maybe Tammy can answer this. This is assuming they are getting money from the state to pay for these additional tuition waivers. When we look at the formula the universities are being reimbursed based on total credit hour productions, are waivers tuition hours earned, are we paying universities for those waived credit hours? There are some statutory things like spouses of veterans that get reductions?

**Tammy Dolan, Legislative Counsel :** Right, they are paid for all completed credit hours as long as it is completed successfully. That is the general fund portion. The tuition side is supposed to cover the non-state funded portion of operation. The waivers would be reducing that piece of it. It wouldn't impact the general fund portion. It is assuming the state would provide an additional appropriation to cover those waivers. Which there isn't an appropriation in the bill for it.

**Chairman Monson:** So take the case of athletic waivers, they can issue a waiver for as many as they want to but then they turn around and charge the state for that credit hour production. I have no idea how they do that?

**Rep. Dosch:** If we are we paying Universities for production of credit hours we get that figure and it says for example NDSU created 3 million credit hours. If I am an athlete and I am at 100% tuition waiver. Is the University charging the state for my credit hours that I take?

**Representative Sanford:** My understanding of that is when we mandate a waiver, we pay. But when they decide to waiver the tuition we don't pay.

**Representative Dosch:** We might be assuming that but we want a yes or no answer to the athletic waiver.

**Representative Sanford:** Let us get information on all the waivers not just the athletic waivers.

**Chairman Monson:** This is part of our formula in Higher Ed that we need to have a good discussion on and get a good handle on.

**Rep. Schmidt:** I'm think we have a Williston State President in the room, can we ask him how the scholarships work?

**Chairman Monson:** President Nadolny can you answer? I assume you have some athletic scholarships, what do you do?

**Raymond Nadolny, President Williston State College:** The waivers that are mandated these come through. The ones that are not mandated all of them are accounted toward our production model. We have 9 or 10 International scholarships (or waivers), that will account for production so we get paid for by the state but we receive no tuition for those particular waiver.

**Chairman Monson:** So when we talk International, are we saying Canada or China? So who gives you permission to have 12 International students waive tuition?

**Nadolny:** My understanding is the Presidents have the permission to waive. That the state board and the community of presidents try to identify a percentage, a decreasing percentage that is actually waived so that during the last chancellors time here the percentage was under 5% . We look at the waivers from each university to decrease that. This is all at the discretion of the president to my understanding.

**Rep. Martinson:** If you have an athlete that received an athletic scholarship and you don't receive any money from him and he completes 12 credit hours do you count that 12 hours in the formula?

**Nadolny:** The answer would be yes.

**Chairman Monson:** And if you have an athlete that completes 18 credit hours and he pays no tuition you put down 18?

**Nadolny:** Correct

**Rep. Schmidt:** That doesn't seem fair.

**Rep. Rep. Boe:** I like that I have students in the system that are going to school that have given waivers out and I know I am not subsidizing those athletes solely on my tuition dollars the state is my partner.

**Chairman Monson:** Dr. Nadolny, you are under NCAA rules so you can only give so many scholarships, correct?

**Nadolny:** Correct.

**Chairman Monson:** When we as a state have an agreement the we will be bound at the University level by NCAA rules. We're kind of saying a certain number of athletes in certain programs we will pick up the tab for those?

**Nadolny:** The NCAA provides strict guidelines in regards to what we can do with athletes. We partner with them.

**Chairman Monson:** We're kind of getting off the subject of this bill. This particular bill although it is related, this bill deals with student who are dependents of disabled veterans. You would expect the state to pick up that tab, correct?

**Nadolny:** Any time we have production we have cost, so if the legislature deems it necessary to come in and be waived that means we would receive the cost of production.

**Rep. Boe:** if we pass this bill we would have to make an appropriation of \$4.3 million dollars to board of Higher Ed?

**Chairman Monson:** That's what it looks like

**Rep. Dosch:** I guess from what we learned that this would be a mandated waiver and the university would be able to count the production but they wouldn't be able to receive tuition. We are paying for it via the production in the formula.

**Chairman Monson:** That's on your fiscal note. If we change the production formula that might vary some also.

**Rep. Sanford:** Maybe this question is for Tammy. If a student takes 15 hours that automatically goes into the formula. That student pays tuition and that goes into the tuition side and those two together make up the cost of serving that student operationally. So there is the formula side and the tuition side?

**Tammy Dolan:** That's correct.

**Rep. Sanford:** So Student B comes in takes 15 hours, that goes into the production model. The school receives that money from the production side, but they don't receive tuition because the tuition was waived. When the University decides not to waive but we say you will waive, then Student C comes in and takes 15 hours. That goes into the production model. We say you will waive, they don't receive the tuition then we pay that particular component as well. So essentially when we waive we pay both sides. We always pay the production, we pay both sides when we waive. Right?

**Tammy Dolan:** That's exactly correct.

**Chairman Monson:** So we pay both halves? I didn't understand that, what Rep. Sanford said on the last part of this.

**Tammy Dolan:** If you choose to appropriate funds to offset tuition waivers then yes you would be paying both parts.

**Rep. Schmidt :** How was it done in the past? Is this a new way to do this?

**Chairman Monson :** I don't know if it's any different, I didn't understand we were picking up both halves when we passed this before.

**Rep. Martinson:** We didn't pay on credits before. This would be the first on credits completed.

**Chairman Monson:** That's true too.

**Tammy Dolan:** They have always received general fund appropriations to cover that portion of the cost. That money didn't always come through the formula but it came in the general fund appropriation. It is nothing new at all.

**Rep. Schmidt:** So we have paid this before in a different manner?

**Tammy Dolan:** Yes. I am not sure with every waiver you have paid that but in most cases you have. I would have to look at that.

**Rep. Martinson:** Explain to me Tammy, how did we pay for the student athletes before?

**Tammy Dolan:** Athletic, I believe that's different. I can't speak to that piece of it. If it was a veteran waiver then I could.

**Rep. Schmidt:** Why would we treat one waiver different from another waiver?

**Chairman Monson:** Are we getting mixed up here when we talk scholarships versus waivers? We appropriate scholarships the university gets their money. When it is a waiver is that a different deal?

**27:16**

**Tammy Dolan:** I believe that is because there are so many types of waivers. The types of waivers that come through the legislative process you may or may not fund those. The other waivers the institutions have I am not sure how those are funded.

**Chairman Monson:** From what Dr. Nadolny said on the athletic scholarships they don't get the tuition, they pay for that. They get the credit portion of it. So I think when we do waivers each bill that we have before us could potentially be different. If we pass this bill with no money in it the university will have to pay for the whole works. If we pass it as it is I would say we would be paying as a state paying the \$4.3 million dollars and I am looking at the reduction in revenue in other funds meaning that is tuition the universities aren't going to get and the state isn't going to pay. The colleges will lose that revenue.

**Tammy Dolan:** That's true.

**Chairman Monson:** What are your wishes committee?

**Rep. Dosch:** Rep. Martinson brought up a good point with what the actions are on the floor today that could drastically change this and I think we need to have an answer on that before we can do anything on this.

**Chairman Monson:** We're not going to get a new fiscal note just because that bill passed on the floor.

**Sean Smith:** The other bill that passed did not require a new fiscal note but any amendment you make to this bill will require a new fiscal note.

**Rep. Guggisberg:** I think that the other bill wouldn't affect this. We can find out.

**Chairman Monson:** We're not going to be able to kick this one out unless you decide you don't want to pass this. Sean can you track down what happened to HB 1208 and what effect that might have on this bill.

**Chairman Monson:** Closes hearing on HB 1205.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Education and Environment Division  
Roughrider Room, State Capitol

HB 1205  
2/5/2015  
23334

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Donna Whetstone*

## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2 and section 15-10-18.3 of the North Dakota Century Code, relating to tuition reduction for dependents of disabled veterans based on disability ratings.

## Minutes:

**Chairman Monson:** Called the meeting to order on HB 1205. We had questions on if the bill we had on the floor yesterday would have an impact on this bill. We wanted to know how the waiver's work? If it was statutorily required it would be a loss in revenue for the universities because they would not get all of the money for it.

**Rep. Schmidt:** Even though we don't reimburse the \$4 million dollars, they still get the formula dollars don't they?

**Chairman Monson:** I would say they would get it.

**Brady Larson: Legislative Counsel:** Yes.

**Chairman Monson:** They would not get the tuition though.M

**Rep. Schmidt:** Even with the waiver based on the formula with the credits they are still making money with the student being there, right?

**Chairman Monson:** Maybe. They don't get tuition.

**Rep. Schmidt:** I understand that.

**Rep. Boe:** It is a great idea but the timing isn't great. So I move a Do Not Pass.

**Representative Schmidt:** seconded.

**Rep. Guggisberg:** I am looking at the fiscal note and it says one of the impacts would be \$2.3 in tuition waivers. So it is saying up to \$2 million per biennium from general funds and \$2.3 million from other funds is that right?

**Chairman Monson:** Are you on the right fiscal note.

**Rep. Guggisberg:** Yes. So if we were to fund the \$2 million it would cut this fiscal note in half. I think we should resist the motion and look at funding it somehow.

**Chairman Monson:** I don't understand.

**Rep. Guggisberg:** The idea was forwarded to remove funding from this. What I am suggesting is replacing the tuition waivers but still give them the other production money.

**Brady Larson:** Legislative Counsel: For the 2015-2017 biennium you see the negative other funds for \$2.3 million dollars. This would relate to a negative tuition as a result of the waiver. In this fiscal note there is an assumption made that the state would pick up that reduced tuition of \$2.3 million dollars. The fiscal note also says that additional veterans would enroll at Higher Ed Institutions. Which would result in additional student credit hour production which would mean an increase of \$ 2 million dollars per biennium.

**Rep. Schmidt:** When this bill goes into effect in the 2015-2017 biennium when the new veterans would enroll and it would reflect in the 2017-2019 biennium.

**Rep. Boe:** Does the numbers that are on there change with respect to the biennium date then?

**Larson:** In the 2015-2017 biennium you see the negative \$2.3 tuition revenue, this fiscal note assumes that the state would provide an additional general fund appropriation of \$2.3 million dollars to offset that, that is for the 2015-2017 biennium. It also assumes there would be an increase in student credit hour production and that would result in increased appropriation of \$2 million dollars through the Higher Education funding formula. It is assuming it would be paid out in the 2015-2017 biennium however it would actually be paid out after that because the extra credit hours would be produced in the 2015-2017 biennium which would get paid out later.

**Vice Chairman Streyle:** So this is not correct then.

**Larson:** You are correct.

**Representative Boe:** So you would have to have a third column in here to representing the 19-20 biennium.

**Larson:** You are correct.

**Vice Chairman Streyle:** So if we choose to not fund the tuition loss waiver, there is really no impact this biennium.

**Larson:** Correct, the only impact would be the reduced tuition revenue which would have to be absorbed by the colleges.

**Vice Chairman Streyle:** Then in theory in the 17-19 biennium, if we did the same thing the net cost in that biennium would be \$2 million dollars.

**Larson:** Correct.

**Rep. Schmidt:** I know what I seconded for a motion which was knowing this all. Is there a possibility we could say we are not going to fund this and but we would vote yes. I would be willing to vote for the bill as it is without the fiscal note.

**Vice Chairman Streyle:** This would be suggesting that would be be backfilling that. If we do pass this I assume they will change the fiscal note.

**Rep. Schmidt:** What about the HB 1208 we voted on yesterday, those numbers aren't in here either are they?

**Larson:** In HB 1208 there is a change to the definition of a veteran. But it doesn't affect any of the benefits received by a veteran.

**Vice Chairman Streyle:** It was a feel good bill actually. Is the motion still out there?

**Rep. Guggisberg:** Where do they come up with the number of 270 students a year?

**Vice Chairman Streyle:** I would say it is a guess.

**Representative Boe:** I will withdraw my motion if the committee wishes to work on this more.

**Rep. Schmidt:** And I will withdraw my second.

**Representative Martinson:** If a national guardsman is injured on a weekend is he considered a disabled veteran and if the answer is yes I am not sure this bill is even necessary.

**Vice Chairman Streyle:** That is a good point. It is on line 17 any dependent defined except dependent of veterans with a service disability rating. Do you want to think about it for a while.

**Rep. Schmidt:** If we don't have a precedent for setting a tuition waiver I am not excited about setting that precedence.

**Rep. Sanford:** The other thought I am having that number spread across 11 institutions that is not a big enough number to impact anyone's bottom line.

**Vice Chairman Streyle:** Do you want to wait until this afternoon.

**Chairman Monson:** Do we have a motion? I had to step out for awhile.

**Vice Chairman Streyle:** It has been withdrawn.

**Chairman Monson:** If we don't fund the waiver is it the tuition end?

**Vice Chairman Streyle:** It is the \$2.3 million dollars. There would be no fiscal impact in this biennium but it would have a \$2 million dollar impact on the 17-19 biennium.

**Rep. Schmidt:** If we could do away with the tuition waivers and this could change in two years anyway. Policy wise I like it but I don't want to set a precedent.

**Chairman Monson:** The problem is giving it to them one time, we can always change but we are going this road and I believe we will see this again in two years.

**Rep. Boe:** I think it was the policy committee's intent that we would fund this.

**Vice Chairman Streyle:** With that being said we are not funding the national guard or the other ones. We are not changing policy.

**Rep. Sanford:** The fiscal commitment is that the credits are going to be awarded going forward it is a delay for two years and after that point in time the credit hours that are accumulated by the recipients of this waiver would continue. The state will pay the production side but we would not get into paying for a waiver if we were to approve it with that it would be good.

**Vice Chairman Streyle:** Correct.

**Rep. Schmidt:** How do you make a motion to do what Representative Sanford said.

**Vice Chairman Streyle:** I think just not pay for the waiver, and we probably should have the fiscal note redone. We are not changing the policy we are changing the money.

**Chairman Monson:** Who would give us a different fiscal note if we hold off and vote on this?

**Larson:** We can request a revised fiscal note or an updated fiscal note. It should only take a day or so.

**Vice Chairman Streyle:** Can we request an updated fiscal note without passing the bill?

**Larson:** We would put the updated fiscal note on the bill as is we could not do one on hypothetical changes until the changes were approved.

**Chairman Monson:** Closed the meeting on HB 1205.

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

HB 1205  
2/12/2015  
23795

- Subcommittee  
 Conference Committee

*Amonola Muscha*

**Explanation or reason for introduction of bill/resolution:**

Relating to tuition reduction for dependents of disabled veterans based on disability ratings.

**Minutes:**

Representative Nathe: It has to do with dependence of disabled veterans. What the bill does would tie the waiver to the amount of disability rating that they get. If you have a veteran spouse of father and he has 75% disability they would get a 75% disability. The fiscal note is around several millions of dollars and there is 2.3 million I believe. We had a lot of discussion as to whether or not we should have these tuition waivers. The vote was 7-6. The policy debate was whether we should be paying for these veterans because we may have some veterans that are some percentage disabled but yet still able to work and make a good living. The committee felt that the dependence was owed something for their loved ones disability and that was the reason for the vote.

Chairman Delzer: Does the disability have to be service related?

Representative Nathe: Yes

Chairman Delzer: We are currently at 100% disabled then we pay the tuition already. Seems to me we have had this issue before. The cost is 2.4.

Representative Nathe: Just so you know, you have probably seen the fiscal note to and they are estimating it would affect up to 270 students per year if we were to pass this bill.

Chairman Delzer: Seems to me that, committee members I don't know, I would guess you all have the right fiscal note now, I had looked at one once that had 24 million on one place.

Representative Schmidt: Representative Streyle, I think we have already discussed this one committee and I would defer to him on this.

Representative Streyle: This would replace the waiver and we have never done a replacement of waiver. If this bill is going to go forward we should not replace the waiver revenue that is lost. They should just absorb the cost into their budget just like every other waiver. It was 66.3 million dollars in the last two years so that was a discussion we had and we thought we should

create this exemption to what policy they are doing now. They wouldn't get reimbursed for waivers so the policy might be fine but we should not replace the waiver.

Chairman Delzer: The policy does the replacing of the waiver.

Representative Streyle: The regular waivers work now they just weighed that and the state doesn't back fill that. This is their asking state to back fill that waiver essentially.

Chairman Delzer: In other words you are saying you could pass the bill and not give them any money.

Representative Streyle: Correct, then it would fit just like every other waiver they do right now. Cultural diversity.

Chairman Delzer: So we still have to have the discussion on whether or not we think we should be going to the 50% level and frankly I think that is a little too far. There are quite a few there and it may not take much to get there.

Representative Nathe: That was our discussion for a while. At 50% are they still able to work and make a living.

Representative Skarphol: If we are not going to back fill the money and I agree with Representative Streyle I don't think we should, then I am not sure it matters to us. If they want to educate them for nothing they can do so.

Chairman Delzer: I think this bill would require, if they are at the 50%, that they have to do it.

Representative Nathe: Yes. It would fall in line whatever the disability is that is how much the waiver would be.

Chairman Delzer: That is thought we could make it up to the colleges whether they so desire.

Representative Dosch: To my other committee too, because we pay on production from the universities we still pay the university for the credit hours that these individuals may take. They are getting paid for the credit hour. They are just waiving the tuition. Universities are still getting their cost.

# 2015 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee - Education and Environment Division Roughrider Room, State Capitol

HB 1205  
2/17/2015  
23979

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Gail Hrdlicka*

### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2 and section 15-10-18.3 of the North Dakota Century Code, relating to tuition reduction for dependents of disabled veterans based on disability ratings.

### Minutes:

"Click to enter attachment information."

Chairman Monson: Meeting to order.

**Larson:** If you look at the Fiscal Note at the very bottom of date prepared. The most recent Fiscal Note was prepared on February 6, 2015 and that was at the request of this committee.

**Chairman Monson:** It shows a reduction in other funds and then it shows an expenditure in General Funds with an appropriation of \$2.327 million in this biennium and 4.4 million the next biennium.

**Rep. Guggisberg:** We talked last time about the fact that typically when we do things like this there isn't a replacement of the for example 2.3 million for 15-17 biennium do we need an amendment to take that out if we want to do it that way?

**Larson:** In the Fiscal Note an agency may list that they need a General Fund appropriation or other fund appropriation due to the action in the Bill. It does not guarantee that the agency will get an appropriation. Based on the Bill as it is now there would be no additional appropriation going to the University System if this Bill were to pass. The Fiscal Note just simply indicates what the agency thinks they would need or requesting in the event the Bill passes. As of now there is no appropriation.

**Rep. Guggisberg:** Made a motion to Do Pass as amended and seconded by Rep. Boe. Roll Vote was taken: Yes 6; No 1; absent 1; motion carried.

**Rep. Dosch:** Were you going to have some discussion as to the 50%, used to be 100% disabled and now this drops it to 50%. I think there should be some discussion if we want to go down that low, if it shouldn't be 75% or 80%. I can't support it at that 50% level.

**Rep. Sanford:** Made a substitute motion to amend it to 75% instead of 50% and seconded by Rep. Dosch. Roll Vote was taken: yes 5, No 2, absent 1; motion carried Guggisberg to carry to the full committee.

**Rep. Guggisberg:** I was a little disappointed when we asked Rep. Nathe about socioeconomics of our disabled veterans and veterans in general maybe it's something we need to look at cause it seemed like they didn't get a lot of information on that and I think we should make sure whether our veterans are disabled or not that when they come back or finish their duty they have the opportunity to reach their full potential whether that's through sending them to college or helping if they are disabled or their family members. I do think we need to look deeper into it.

**Dosch:** Just so it with the understanding that although the fiscal note indicates some dollars to the University that's not the intent that that is funded. Also with the understanding that the anniversaries when they do provide this education we are by virtue of the formula paying them for the production hours on these credit hours so it's not like the universities aren't getting any money. We are funding them. WE are asking them to waive the tuition as part of their ongoing. When they can waive \$60 million dollars' worth of tuition elsewhere this is certainly a worthwhile cause.

**Chairman Monson:** Brady explain one more time. If this passes there is no money other than what Rep. Dosch just explained that the university would still get the money through the formula.

**Larson:** On the fiscal note just because there is an amount listed in the appropriations for 15-17 doesn't mean that they would be provided with an appropriation similar to creating like a new program with PSC where they would provide on the fiscal note what it would cost to administer the program. In this case Higher Ed is just basically saying if you wanted to offset the tuition reduction it would be \$2.3 million in the 15-17 biennium. Higher Ed is indicating that going forward that this Bill will result in an additional students because more dependents of disabled veterans would be able to enroll in Higher Education that would in turn produce more credit hours which down the road would result in additional fund appropriations to the Higher Education funding formula.

**Chairman Monson:** On page 2 of the Bill where it says free and reduced tuition in North Dakota institutions of higher education.

**Larson:** IF you had a dependent of a veteran that was 75% disabled the student would still be paying 25% of their tuition. And if the tuition freeze were to pass then it just means that you wouldn't get any increment on top of that 25%. You wouldn't get any 3 or 4% or whatever adjustments on top of that 25%.

**Rep. Guggisberg:** so on page 2 line 18 of the Bill it uses the term 50% - 90% and further up it is 50% - 100%. Why is it different and does that say that somebody with a 91% disability wouldn't be covered?

**Chairman Monson:** On page 3, section 2 it talks 50-100% I am assuming that is going to be 75% - 100%.

**Larson:** We will check on that.

**Rep. Guggisberg:** So we need to make that the line 18 of page 2 is changed to 75-100%.

**Larson:** I will check on it.

**Chairman Monson:** I'm just not sure how come we have that 90 on there. We know what the intent is if it is 75% or more than they would get a reduced rate.

Meeting ended.

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

HB 1205  
2/20/2015  
24226

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## **Explanation or reason for introduction of bill/resolution:**

Relating to tuition reduction for dependents of disabled veterans based on disability ratings.

## **Minutes:**

**Chairman Delzer** opens the meeting on HB 1205. This would allow any dependent of a veteran who has 50% or more disability to get free tuition. We are currently at 100%. One of the concerns I have with a bill like this is we go too far sometimes, because 50% can still be a pretty good reliable self-sustaining individual.

**Rep. Guggisberg** He explained amendment 15.0655.01001. The subcommittee decided to change the amendment from 50% to 75%. We do not have an updated fiscal note yet. The fiscal note we have now is \$2.3 million. That would be the 50% and if we reimburse the universities for this, but we never have before. There is no cost to this. It would just be passed on.

**Chairman Delzer** The universities that do this are expected to cover the cost?

**Rep. Guggisberg** Exactly. I move the amendment.

**Rep. Monson** seconded the motion.

**Chairman Delzer** The motion and second were made to amend HB 1205 with a change from 50% disability to 75% and also 100 with 90.

**Rep. Guggisberg** It would cost 75% for 75% disabled, and once it is over 90%, it is 100% covered.

**Rep. Monson** I think that 90 to 100 was in one spot in the bill, and it wasn't in the other. This is a technical fix. That was the way it was intended to be all the time.

Voice vote. Motion carries.

**Rep. Guggisberg** made a motion for a DO PASS AS AMENDED.

**Rep. Monson** seconded the motion.

A roll call vote was taken. 11 Yeas, 12 Nays, 0 Absent. Motion fails.

**Rep. Dosch** made a motion for a DO NOT PASS AS AMENDED.

**Rep. Brandenburg** seconded the motion.

A roll call vote was taken. 12 Yeas, 11 Nays, 0 Absent. Motion carries.

**Rep. Dosch** will carry the bill.

SK  
2/23/15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1205

Page 1, line 10, replace "fifty" with "seventy-five"

Page 1, line 17, replace "fifty" with "seventy-five"

Page 2, line 4, replace "fifty" with "seventy-five"

Page 2, line 18, replace "fifty" with "seventy-five"

Page 3, line 2, replace "fifty" with "seventy-five"

Page 3, line 2, replace "one hundred" with "ninety"

Renumber accordingly

Date: 2/5/15  
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1205

House Appropriations - Education and Environment Division Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Boe Seconded By Schmidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Monson			Rep. Boe		
Vice Chairman Streyle			Rep. Guggisberg		
Rep. Dosch					
Rep. Martinson					
Rep. Sanford					
Rep. Schmidt					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

*With draw motion*

If the vote is on an amendment, briefly indicate intent:

*Tuition reductions for dependents of Disabled Veterans based on disability ratings.*

Date: 2-17-15  
Roll Call Vote #: 1

#1

2015 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1205

House Appropriations - Education and Environment Division Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider  \_\_\_\_\_

*Substitute motion to amend to 75% instead of 50%.*

Motion Made By Sanford Seconded By Dosch

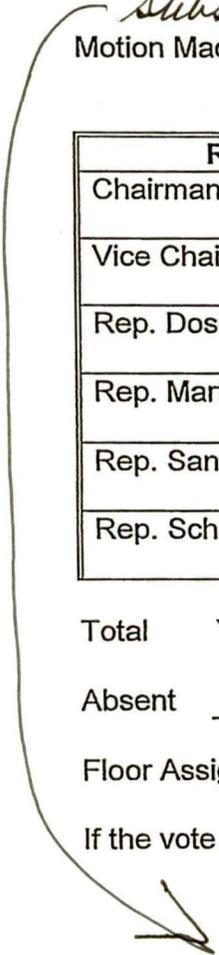
Representatives	Yes	No	Representatives	Yes	No
Chairman Monson	✓		Rep. Boe	✓	
Vice Chairman Streyle	A		Rep. Guggisberg		✓
Rep. Dosch	✓				
Rep. Martinson		✓			
Rep. Sanford	✓				
Rep. Schmidt	✓				

Total Yes 5 No 2

Absent 1

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: *Motion carried*



Date: 2-17-15  
 Roll Call Vote #: 2

#2

2015 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1205

House Appropriations - Education and Environment Division Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar
- Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Guggisberg Seconded By Boe  
Substitute Sanford Dosch

Representatives	Yes	No	Representatives	Yes	No
Chairman Monson	✓		Rep. Boe	✓	
Vice Chairman Streyle	A		Rep. Guggisberg	✓	
Rep. Dosch	✓				
Rep. Martinson		✓			
Rep. Sanford	✓				
Rep. Schmidt	✓				

Total Yes 6 No 1

Absent 1

Floor Assignment Guggisberg

If the vote is on an amendment, briefly indicate intent:

*Do Pass  
As amended*

*Motion Carried*

Date: 2/20/15  
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE**  
**ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1205**

**House Appropriations Committee**

Subcommittee

Amendment LC# or Description: 15,0655.01001

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By: Guggisberg                      Seconded By: MONSON

Representatives	Yes	No	Absent	Representatives	Yes	No	Absent	Representatives	Yes	No	Absent
Chairman Jeff Delzer				Representative Nelson				Representative Boe			
Vice Chairman Keith Kempenich				Representative Pollert				Representative Glassheim			
Representative Bellew				Representative Sanford				Representative Guggisberg			
Representative Brandenburg				Representative Schmidt				Representative Hogan			
Representative Boehning				Representative Silbernagel				Representative Holman			
Representative Dosch				Representative Skarphol							
Representative Kreidt				Representative Streyle							
Representative Martinson				Representative Thoreson							
Representative Monson				Representative Vigasaa							

Totals

(Yes)	
No	
Absent	
Grand Total	

*Voice Vote*  
*Motion Carries*

Floor Assignment: \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: \_\_\_\_\_

*Change from 50% disability to 75%*

Date: 2/20/15

Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1205

House Appropriations Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By: Guggisberg                      Seconded By: Monson

Representatives	Yes	No	Absent	Representatives	Yes	No	Absent	Representatives	Yes	No	Absent
Chairman Jeff Delzer		✓		Representative Nelson		✓		Representative Boe	✓		
Vice Chairman Keith Kempenich		✓		Representative Pollert		✓		Representative Glassheim	✓		
Representative Bellow		✓		Representative Sanford	✓			Representative Guggisberg	✓		
Representative Brandenburg		✓		Representative Schmidt	✓			Representative Hogan	✓		
Representative Boehning	✓			Representative Silbernagel		✓		Representative Holman	✓		
Representative Dosch		✓		Representative Skarphol		✓					
Representative Kreidt		✓		Representative Streyle		✓					
Representative Martinson	✓			Representative Thoreson	✓						
Representative Monson	✓			Representative Vigesaa		✓					
	<u>3</u>	<u>6</u>	<u>0</u>		<u>3</u>	<u>6</u>	<u>0</u>		<u>5</u>	<u>0</u>	<u>0</u>

Totals

Yes)	<u>17</u>
No	<u>12</u>
Absent	<u>0</u>
Grand Total	<u>23</u>

*Motion Failed.*

Floor Assignment: \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: \_\_\_\_\_

Date: 2/20/15

Roll Call Vote #: 3

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1205

House Appropriations Committee

Subcommittee

Amendment LC# or Description: 15.0655.01001

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By: Dosch Seconded By: Brandenburg

Representatives	Yes	No	Absent	Representatives	Yes	No	Absent	Representatives	Yes	No	Absent
Chairman Jeff Delzer	✓			Representative Nelson	✓			Representative Boe		✓	
Vice Chairman Keith Kempenich	✓			Representative Pollert	✓			Representative Glassheim		✓	
Representative Bellew	✓			Representative Sanford		✓		Representative Guggisberg		✓	
Representative Brandenburg	✓			Representative Schmidt		✓		Representative Hogan		✓	
Representative Boehning		✓		Representative Silbernagel	✓			Representative Holman		✓	
Representative Dosch	✓			Representative Skarphol	✓						
Representative Kreidt	✓			Representative Streyle	✓						
Representative Martinson		✓		Representative Thoreson		✓					
Representative Monson		✓		Representative Vigasaa	✓						
	<u>6</u>	<u>3</u>	<u>0</u>		<u>6</u>	<u>3</u>	<u>0</u>		<u>0</u>	<u>5</u>	<u>0</u>

Totals

Yes)	<u>12</u>
No	<u>11</u>
Absent	<u>0</u>
Grand Total	<u>23</u>

Floor Assignment: Dosch

If the vote is on an amendment, briefly indicate intent: \_\_\_\_\_

**REPORT OF STANDING COMMITTEE**

**HB 1205: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 11 NAYS, 0 ABSENT AND NOT VOTING). HB 1205 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "fifty" with "seventy-five"

Page 1, line 17, replace "fifty" with "seventy-five"

Page 2, line 4, replace "fifty" with "seventy-five"

Page 2, line 18, replace "fifty" with "seventy-five"

Page 3, line 2, replace "fifty" with "seventy-five"

Page 3, line 2, replace "one hundred" with "ninety"

Renumber accordingly

**2015 TESTIMONY**

**HB 1205**

Attach #1

HB 1205

1/21/15



*Who We Are  
and What We  
do for Veterans*



What is the difference between the NDVCC and the ACOVA? The acronym NDVCC stands for the North Dakota Veterans Coordinating Council and is a Non-Governmental Council comprised of the five principal veteran organizations in the state of North Dakota. Their purpose is to discuss and develop a unified consensus on veteran issues. ACOVA stands for the Administrative Committee on Veterans Affairs which is a committee whose members are appointed by the North Dakota Governor for the purpose of discussing and creating legislation that impacts the veterans of our state.

The ND Veterans Coordinating Council is made up of three members from each of the following five ND Veterans' Patriotic Organizations; The American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and the Vietnam Veterans of America.



*5,000 North Dakota Members, 11 Local Chapters  
1.2 Million Members Nationwide*



*7,715 North Dakota Members, 54 Local Posts  
1.7 Million Members Nationwide*

The NDVCC was established to bring veterans organizations together in a united effort on behalf of all veterans and dependents. It is meant to provide a practical means through which the Veterans organizations throughout the state may effectively contribute to the betterment of all veterans.

The three major responsibilities of the Coordinating Council are to sponsor and monitor legislation that affects veterans and their dependents, monitor all general programs for veterans including hospital benefits, employment programs, social programs and finally to establish a system of public relations for veterans.

No member of the Coordinating Council may hold concurrent membership on the Administrative Committee on Veterans Affairs. The three representatives from each Veterans organization shall be the Department



*2,800 North Dakota Members, 14 Local Posts  
290,000 Members Nationwide*

2



*16,000 North Dakota Members, 215 Local Posts  
2.4 Million Members Nationwide*

Commander, the Department Adjutant, and one other representative. Each member has one vote. The office of president, vice-president, and secretary/treasurer are elected from within these voting members.

The members are volunteers and do not receive salaries for performing their duties as outlined in the organizations by-laws. The third segment of the Council is the Legislative Committee. Two members are appointed from each of the veterans organizations and a committee chairman. They are appointed for two years. They should be from the Bismarck area so they may attend hearings on bills affecting the veterans.

The Coordinating Council's main function is drafting, monitoring, and seeking sponsors for veterans legislation. It is not an administrative body. Administration and implementation of veterans laws is the function of the Administrative Committee on Veterans Affairs. (ACOVA).



*436 North Dakota Members, 10 Local Chapters  
66,367 Members Nationwide*



The Administrative Committee on Veterans Affairs (ACOVA) is responsible for the organization, policy, and general administration of all veterans' affairs in North Dakota. The Administrative Committee is comprised of 15 voting members, each appointed by the Governor, representing the five major patriotic veteran organizations in the state.

Each year, the Governor is to appoint one member from a list of two names submitted by the following North Dakota veteran organizations: American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and Vietnam Veterans of America. The ACOVA is also comprised of three nonvoting members who are to serve in an advisory capacity - the North Dakota Adjutant General, the Center Director of the Federal Veterans Affairs, and the Executive Director of the Job Service of North Dakota. The Governor also appoints the ACOVA's Chairman and Secretary.

The ACOVA has several activities they monitor on behalf of the Governor and the state's veterans.

**North Dakota Veterans Home:** The ACOVA appoints a seven member governing board for administration of the North Dakota Veterans Home located in Lisbon, ND. It assists in creating the management and not in the day to day management of the Veterans Home.

**Post War Trust Fund:** The veterans' post-war trust fund (PWTF) is a permanent trust fund of the state of North Dakota and consists of moneys transferred or credited to the fund under NDCC 37-14-14 and other laws. All income received from investments is to be utilized only for programs of benefit and service to veterans or their dependents, and all income earned in a biennium is appropriated to the (ACOVA) on a continuing basis.

**ND Department of Veterans Affairs:** The committee shall appoint the commissioner of the department of veterans' affairs. The commissioner of veterans' affairs shall serve as the executive secretary for the subcommittee. The commissioner has no vote in the affairs of the subcommittee.



## Members of the North Dakota Veterans Coordinating Council 2015

**President:** Gary Maddock ND AMVETS  
**Vice President** Russ Stabler ND VVA  
**Secretary:** Dave Rice ND American Legion

### Members:

#### American Legion

Don Weible 701-391-3080 [dweible@bektel.com](mailto:dweible@bektel.com)  
 David Johnson 701-293-3120 [adjutant@ndlegion.org](mailto:adjutant@ndlegion.org)  
 Dave Rice 701-866-9085 [commander@tristateveterans.com](mailto:commander@tristateveterans.com)

#### AMVETS

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 Gary Maddock 701-880-0091 [ndamvets@gmail.com](mailto:ndamvets@gmail.com)  
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 Wayne Paulson 701-838-8470 [vfwnd@minot.com](mailto:vfwnd@minot.com)

#### VVA

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 Russ Stabler 701-306-2659 [palkid@aol.com](mailto:palkid@aol.com)  
 Larry Young 701-786-3494 [yohound50@yahoo.com](mailto:yohound50@yahoo.com)



## LEGISLATIVE ISSUES 2015

### HB1025 - NDDVA Budget

NDCC:

Origination of Bill: ACOVA

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill: Commissioner

Sponsor: Commissioner

- ◆ Funding for one FTE (Training, PR, Outreach) \$ 135,574
- ◆ Temporary employee \$ 59,488
- ◆ Website Improvements \$ 60,935
- ◆ Marketing & Advertising \$ 20,000
- ◆ PTSD & TBI Study \$ 108,353
- ◆ Continued Funding for Agent Orange Grant \$ 50,000
- ◆ PTSD Dog Grant \$ 50,000
- ◆ NSO Funding Grant \$50,000 Per VFW, American Legion, DAV per year \$ 300,000
- ◆ One time funding for PWTF \$1,750,000

### Bill Number - 2; Reduced Tuition for Dependents of 50-90% disabled veterans

NDCC: 15-10-18.3

Origination of Bill: ACOVA

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill:

Sponsor:

- ◆ Reduced tuition for Qualified dependents of 50-90% disabled veterans to have that percent deducted from tuition costs
- ◆ Same scale as used for Property tax exemption

## *LEGISLATIVE ISSUES* *2015*

### **Bill Number - 3; Retain interest of PWTF Clearing Account 410**

NDCC:

Origination of Bill: ACOVA

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill:

Sponsor:

- ◆ The clearing account (Fund 410) of the PWTF interest earnings are not currently retained by the 410 account .

### **Bill Number - 4; Veteran and Patriotic License Plate Decal**

NDCC: 39-04 (Add New Section)

Origination of Bill: ACOVA

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill:

Sponsor:

- ◆ Would establish patriotic license plate decals with up to four decals; American Flag, Bald Eagle, Boonie stomper and one to be added in the future. Proceeds to be added to the Post War Trust Fund.
- ◆ DAV Plates; a. If 100% disabled: Allow veteran to use exemption on other ND Plate. Must pay fees. b. Un-remarried spouse continue 1 exempt plate.

### **Bill Number - 5; Property Tax; Remove “Un-remarried” surviving spouse**

NDCC: 57-02-08.8 (1)

Origination of Bill: DAV—NDVCC

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill:

Sponsor: One is available? NDVCC

- ◆ Remove the word “un-remarried” from the law.

### **Bill Number - SB2042; Income Tax exemption for military retirement pay.**

NDCC: 57-38-30.3(2)

Origination of Bill: GVA Interim Committee

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill: Recommendation of bill from Interim Committee which was chaired by Senator Sorvaag.

Sponsor: Interim Committee maybe Sponsor?

- ◆ Exempt military retirement pay from state income tax.

### **Bill Number - 6; Veterans Preference**

NDCC:37-19.1-02(4)

Origination of Bill: Rep. Schatz

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill: Representative Schatz

Sponsor: Representative Schatz

- ◆ Removal of some exemptions from veterans preference laws: Superintendent of schools, teacher, chancellor and vice chancellors of board of higher education; and presidents or executive dens, vice presidents, assistants to the president, provosts, instructors and athletic team coaches of board institutions.

### **Bill Number - 7; Veterans Education Training: NDUS Budget**

NDCC: State Board of Education

Origination of Bill - NDUS

Approved by ACOVA; YES, Dec. 5, 2014

Approved by NDVCC: YES, Dec. 4, 2014

Carry Bill: NDUS

Sponsor: Agency Bill



HB1205  
1/26/15

**Schatz, Mike A.**

**From:** Wangen, Lonnie L.  
**Sent:** Monday, January 26, 2015 10:43 AM  
**To:** Schatz, Mike A.  
**Subject:** FW: HB1205 fiscal note inquiry

#1

Lonnie Wangen  
Commissioner  
ND DVA  
701-239-7165  
701-239-7166 (fax)  
[lwangen@nd.gov](mailto:lwangen@nd.gov)  
[www.nd.gov/veterans](http://www.nd.gov/veterans)

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**From:** Wangen, Lonnie L.  
**Sent:** Wednesday, January 21, 2015 5:02 PM  
**To:** Glatt, Laura J.  
**Subject:** RE: HB1205 fiscal note inquiry

Laura,  
this is the spreadsheet of information I requested. they only had the information on top. I will inquire again as this could be useful for many reasons.

Thanks

**From:** Glatt, Laura J.  
**Sent:** Tuesday, January 13, 2015 5:00 PM  
**To:** Wangen, Lonnie L.  
**Subject:** RE: HB1205 fiscal note inquiry

Thanks Lonnie. This is a great start. Do you have any idea how long it might take to gather the 2013 data? Or do you not expect a measurable change between 2012-2013 data? Also, I note the table below has lines for number of dependents, by age. Is this something that you have? If so, that would help tremendously! Laura

**From:** Wangen, Lonnie L. [<mailto:lwangen@nd.gov>]  
**Sent:** Monday, January 12, 2015 5:10 PM  
**To:** Glatt, Laura  
**Subject:** RE: HB1205 fiscal note inquiry

Laura,  
I will have to do a data request for the latest data which will be for the year 2013. This is what I have for 2012...

Veteran Disability Compensation by Combined Degree	0 % CDD	10 % CDD	20 % CDD	30 % CDD	40 % CDD	50 % CDD	60 % CDD	70 % CDD	80 % CDD	90 % CDD	100 % CDD
North Dakota: Veterans	21	3,230	1,404	1,241	962	643	834	621	520	260	80



70-80%  
80-90%  
90-100%

Also, does a PTSD diagnosis fall into the disability ratings (e.g. 50%, 60%, etc.). Another question, are ratings in 10% increments (e.g. 50%, 60%, 70%, etc.) or are they even more granular like 51%, 56%, 62%, 89%, etc.?

Thanks for your assistance, Laura

**Laura Glatt**

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HB 1205

1/26/15

#2

## 15-10-18.2. Definitions.

1. "Dependent" for purposes of section 15-10-18.3 means:
  - a. A child, stepchild, spouse, widow, or widower of a resident veteran, as "veteran" is defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action;
  - b. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent has been a resident of this state and was a resident of this state at the time of death or determination of total disability of the veteran; or
  - c. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent establishes residency in this state and maintains that residency for a period of five years immediately preceding the child's or stepchild's enrollment at an institution under the control of the state board of higher education.
2. "Resident veteran" means a veteran who:
  - a. Was born in and lived in this state until entrance into the armed forces of the United States;
  - b. Was born in, but was temporarily living outside this state, not having abandoned residence therein prior to entrance into the armed forces of the United States;
  - c. Was born elsewhere but had resided within this state for at least six months prior to entrance into military service and had prior to or during such six-month period:
    - (1) Registered for voting, or voted in this state;
    - (2) Being an unemancipated minor during such period of residence, had lived with a parent or person standing in loco parentis who had acquired a residence as set forth in this section; or
    - (3) If not registered for voting in this state, not registered for voting in another state; or

d. Has been a resident of this state for the ten years prior to the request for tuition waiver.

**15-10-18.3. Free tuition in North Dakota institutions of higher education.**

Any dependent, as defined in section 15-10-18.2 upon being duly accepted for enrollment into any undergraduate degree or certificate program of a North Dakota state institution of higher education, must be allowed to obtain a bachelor's degree or certificate of completion, for so long as the dependent is eligible, free of any tuition and fee charges if the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent and if tuition and fee charges do not include costs for aviation flight charges or expenses. Once an individual qualifies as a dependent under sections 15-10-18.2 and 15-10-18.3, the dependent may not be disqualified from the benefits of this section:

1. Due to the return of the prisoner of war;
2. Due to the return of the individual missing in action; or
3. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.