

2015 HOUSE TRANSPORTATION

HB 1469

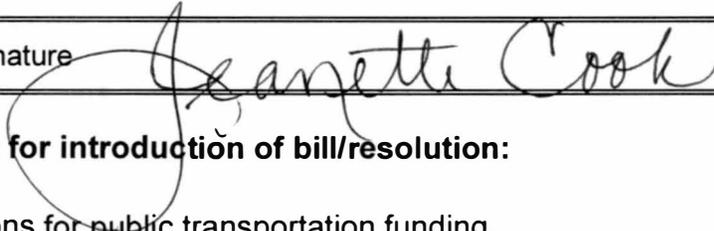
2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1469
1/29/2015
#22790

Subcommittee
Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to conditions for public transportation funding.

Minutes:

Attachment #1-4

Chairman Dan Ruby opened the hearing HB 1469.

Representative Boschee, District 44, introduced HB 1469. He provided written testimony, including some amendments. See attachment # 1 - 3.
(3:53)

Representative Lois Delmore: This bill is just not for disabled veterans. It is for all veterans, as you have amended the bill?

Representative Boschee: It would be veterans that qualify for the US Department of Veterans Affairs' Health Care Benefit. The majority of those would be disabled veterans. On the last page of my testimony (See attachment #2) there is a breakdown from the end of December. It is just under 12,000 veterans that qualify based on disability. According to our State Commissioner of Veterans' Affairs, there are a handful of veterans that meet a means test to receive these benefits based on their income eligibility.

Representative Lois Delmore: You said that you have the breakdown of money. How reliable is that money to keep funding this particular bill?

Representative Boschee: The money is already allocated through a distribution formula. The intent is as long as they are receiving the dollars, then the rides would be provided.

Representative Chris Olson: Is there a specific level of disability that qualifies a veteran for a free ride, or is it simply a matter of them receiving health benefits from the VA?

Representative Boschee: It is the latter. They will receive a card through the US Department of Veterans' Affairs. The card is essentially their ticket. Then the providers don't have to figure out eligibility.

Representative Chris Olson: What kind of transportation providers would this mainly affect? How will this look if the law were implemented?

Representative Boschee: I will defer to the providers as to how it will look as far as the operations. The different agencies receive funding. Some are urban and others rural. Many of those would qualify for reimbursement through a federal grant that the State Department of Veterans' Affairs is receiving now. The idea is also that this would be within established procedures and routes.

Representative Chris Olson: Is there some kind of funding coming to these providers specifically for this? On a day that no one shows up for an established route, except for a couple of veterans. Would they still be required to give them a ride, and would they receive any reimbursement for it?

Representative Boschee: As long as it is in the normal operating procedures, then the ride would be provided to the veteran. The hope is that the vet will also qualify for some grant dollars that the State Department is receiving. Then they could reimburse the provider for that cost. We don't know for sure that the federal funds will continue.

Representative Gary Paur: I thought that if you are a veteran, then you are eligible for veterans' health benefits. Is that not the case?

Representative Boschee: I will defer that to the Commissioner Veterans' Affairs.

Vice Chairman Lisa Meier: Do you know the amount of the grant that would be provided by the federal government?

Representative Boschee: I will also defer that to the Commissioner.

Chairman Dan Ruby: Do you know how many other veterans that are not receiving reimbursements are eligible? It can be for any transportation.

Representative Boschee: I can answer that as of the end of 2014 there were approximately 12,000 veterans in our state that qualify for access through the US Veterans' Medical Benefit card. That is the indicator of who would qualify.

Vice Chairman Lisa Meier: Are you aware of any assistance that the veterans' programs currently offer? If a disabled vet has to go to the VA Hospital in Fargo, is their transportation provided for?

Representative Boschee: I am not aware of any specific assistance. I do know that there are volunteer systems as well as regional systems that people access.

Representative Chris Olson: In the proposed amendment that you provided it says, "...does not also qualify for transportation reimbursement." Would that invalidate them so they wouldn't be able to receive the free ride. How would the operator of the transit know if the veteran qualified for reimbursement and is disqualified from receiving the free ride under this program?

Representative Boschee: The onus will not be put on the provider, but on the veteran. I believe that with this group of our population that they will use the benefits appropriately. I would hope that it would be an honor system.

Chairman Dan Ruby: Do you have any numbers that show what the statewide reduction of funds would be for transit because of the free rides?

Representative Boschee: I don't have those numbers, but the State Department of Veterans' Affairs think it would be a very small number. One of the opportunities that we could talk about with the bill is to provide this for two years, and so we can track the usage.

Lonnie Wangen, Commissioner of Veterans' Affairs in North Dakota, spoke in support of HB 1469. He explained some of the background of the grants and transportation in North Dakota. There is transportation available on our DAV vans. Legislation has picked up buying the vans, we get them at ½ cost. We donate them to the federal VA and place them around the state. They are in the most populated areas in the state. We bought them, but the VA owns them. We get volunteer drivers. They have scheduled routes; they could go to the VA in Fargo, for example. The rides on those vans are free. There are no qualifications on that.

A few years back one of the things veterans in North Dakota wanted fixed was transportation to the VA. I was on a committee on the federal VA, and we developed a grant for highly rural areas. I then applied for and received the grant. In the 36 highly rural counties in North Dakota, I can pay for their transportation. You can get a card with your picture on it or your driver's license with a V on it will get you on to one of these vans.

Every van that comes into the Fargo VA or CBOC is required to go into the transportation department and give them a list of all of the veterans that rode that van. The federal VA will look at the list and verify that they qualify for the transportation for the doctor's appointment. They will reimburse the transportation people for that. Those that do not qualify for that, and are highly rural will fall under my grant and be paid for.

Another part of my grant will be to buy 7 - 9 vans and give them to the providers. They will provide transportation for veterans for free in those areas.

This bill will provide a 100% solution for any veteran to get to a VA.

The way I see it, if you have a driver's license and a car you will not use this transportation. The people that will use this will be the elderly that no longer feel comfortable driving, those that are disabled and cannot drive, or those that cannot afford to drive. With this bill we have 100% coverage for the transportation needs for the veterans in our state.

Chairman Dan Ruby: The programs that you are talking about, do they only reimburse them if it is medical related?

Lonnie Wangen: Reimbursement at the federal level will be for certain medical needs, and it has to be to a VA facility or one that is referred to by a VA doctor.

Chairman Dan Ruby: I was referring to your grant. Some people might think that shopping is a luxury, but it is not. Is that what your grant covers?

Lonnie Wangen: My grant requires them to go to a medical appointment anywhere. The vans can also be used for shopping if they want to run them at a different time. There is a loophole in there that says that the vans can be used for any purpose in the community.

Chairman Dan Ruby: I want to know what the bill is going to require of the providers, with or without that grant.

Lonnie Wangen: I don't see anything in here that says medical.

Vice Chairman Lisa Meier: What is the dollar amount of the rural grant that you are currently operating?

Lonnie Wangen: I have about \$65,000 for reimbursement of tickets, and then about \$200,000 for the purchase of 7-9 vans.

Vice Chairman Lisa Meier: How many grants are you currently working with from the federal government that deal with transportation?

Lonnie Wangen: It is just this one.

Representative Gary Paur: How many total avenues do you have to provide transportation to veterans?

Lonnie Wangen: The DAV vans, the senior vans, and the vans that are being purchased will provide transportation to veterans. The ones that are in highly rural areas will get reimbursement from the extra \$65,000.

Representative Chris Olson: The others vans that are going to the highly rural areas, who is it that operates those vans and pays for the gas and driver?

Lonnie Wangen: The van providers that already have routes, some of them will get a free van. They will provide the driver and the gas to do the routes for the veterans, but those vans can be used for other purposes.

Representative Chris Olson: Every case that we have discussed so far has had a reimbursement. In this bill there would be a large group of providers who would be forced to provide free rides for any purpose with no reimbursement. How should we expect these providers to react to giving free rides for nothing?

Lonnie Wangen: If they give a veteran a ride to a VA clinic, they are required to go in and give the list of veterans that are on the van. For the ones that qualify under this program,

they will receive reimbursement from the VA. There will be very few people that don't qualify under the federal grant or our grant. I don't see it being a big number.

Representative Chris Olson: This list of individuals here, they all have a percentage of disability, and they are all qualifying for health care benefits, but you are saying that some of them won't qualify for transportation reimbursement?

Lonnie Wangen: That is correct. This is just for the few members of our veteran community that cannot drive or don't have someone to give them a ride.

Chairman Dan Ruby: We understand the need to get veterans to medical, but the numbers of the riders and the effect on the providers is what I hear as the concern of the committee.

Lonnie Wangen: My main concern is getting them to medical care. This bill does cover all transportation, including those that are not highly rural. I just don't see that many veterans taking these rides unless it is absolutely necessary.

Chairman Dan Ruby: Even the city of Minot bus services would be obligated to provide a free ride.

Lonnie Wangen: The city of Fargo already does that. It has been a great program.

Representative Lois Delmore: There are also a number of homeless veterans. This might also help them.

Lonnie Wangen: Yes, this will help them immensely. It will help them get to medical, but also to employment if they would get a job.

(45:25)

Darrell Francis, Executive Director of Souris Basin Transportation in Minot and a board member of the Dakota Transit Association, spoke in support of HB 1469. He provided written testimony. See attachment #4.

Rep. Mark Owens: Can you give me an estimate of the cost that you charge for some of your trips?

Darrell Francis: From Portal to Minot we charge \$14 for a round trip. In Minot we charge \$2.50 for a one way trip.

Rep. Mark Owens: Would Portal be door to door?

Darrell Francis: We pick them up at their door and take them to Minot, in Minot, and back home again. Bottineau is \$10 round trip. Rugby is \$9.00 round trip. Our fares are minimal. The federal dollars and state aid for transit are what is helping us keep the fares minimal.

Representative Chris Olson: Are you getting reimbursed for the \$14 round trips from Portal to Minot?

Darrell Francis: If we have a million dollar operation cost, and we get \$150,000 in fares. That \$150,000 goes to the operation first. Then the rest of the \$850,000 is what we have to get between the federal government and the State Aid for transit. That makes up the difference.

Representative Chris Olson: Are you in favor of having more riders for which you get no specific reimbursement? Is this what you want?

Darrell Francis: Yes, we are in favor of this. We just needed some clarification. We are looking at a very minor cost to us. We still will get some reimbursement from the VA.

Representative Chris Olson: If this bill does not pass, would you simply do this anyway?

Darrell Francis: To a point, yes. It will cost us some money, but if it is just isolated to medical reasons, I don't see it as being a huge cost.

Chairman Dan Ruby: I think that most of the things that you had questions on were cleared up. What if someone called from Portal and wanted a ride on Tuesday and your usual day is Thursday, can you do that?

Darrell Francis: No, we would not be able to do that because of the cost. Our operation is on scheduled dates.

Chairman Dan Ruby: So, are you okay with this?

Darrell Francis: Yes. We are concerned with providing transportation for the veterans, so if we can do it for free, we will.

Representative Gary Paur: You are focusing on disabled veterans, but the proposed amendments from Mr. Boschee say **any** veterans to go **anywhere**. Are you taking that in consideration?

Darrell Francis: Yes, that is a different situation. It would definitely be a larger cost than just the disabled. My group did not have that as part of our discussion.

Representative Chris Olson: Would you be in favor of these amendments or opposed to them?

Darrell Francis: I can't say yes or no because I don't have the numbers. For our system, I would say yes, I would support the amendments as long as state aid funding continues.

There was not further support to HB 1469.
There was no opposition to HB 1469.

The hearing was closed on HB 1469.

2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB1469
2/5/2015
#23357

Subcommittee
Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to conditions for public transportation funding.

Minutes:

Attachment #1

Chairman Dan Ruby brought HB1469 back to the committee.

Vice Chairman Lisa Meier provided a proposed study resolution for the committee. See attachment #1. She stated that we are already funding public transit, and if we open it up to what **Rep. Boschee** is proposing, there might be concerns on how it would impact the funds of the cities. The cities were not sure how many Veterans would be using this. There may other groups that may want free services as well. So, because of those concerns, we thought it would be best to do a study.

Vice Chairman Lisa Meier moved the language of the study. (15.0964.01001)
Representative Mike Schatz seconded the motion.

Representative Lois Delmore: Have you talked to the bill sponsor to see if he is amenable to this?

Vice Chairman Lisa Meier: No, I did not. If the committee wishes, I could do that.

Chairman Dan Ruby: I later spoke with the transit person from Minot. When he was here speaking, he obviously was in support of the bill. But when I called him later, he was concerned about the wording being changed from "disabled veterans" to just "veterans". He also stated that he didn't want to sound like they **wouldn't** do it, he just didn't have a clue what the impact would be. His group originally thought it was disabled and working with the DAV vans.

Chairman Dan Ruby: Since there are so many unknowns, a study will try to answer those questions.

Representative Gary Paur: I agree with Representative Meir, completely. We have the most veterans of any state in the Union per capita. The impact of this could be extremely significant. I would like to move on a question.

Chairman Dan Ruby: We have a call of question, it is non-debatable.

**A roll call vote was taken on the amendment: Aye 13 Nay 0 Absent 1
The motion carried.**

**Vice Chairman Lisa Meier moved a DO PASS AS AMENDED on HB 1469.
Rep. Mark Owens seconded by the motion.
A roll call vote was taken: Aye 11 Nay 2 Absent 1
The motion carried.**

Vice Chairman Lisa Meier will carry HB 1469.



February 5, 2015

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1469

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying the provision of transportation services to veterans and the impact on those who provide or will provide free transportation services to veterans. The study may include a determination of cities that have public transportation systems, the availability of transportation services for veterans, feedback from transportation providers regarding the provision of free transportation services to veterans, and the impact on cities that have public transportation systems. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1469: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1469 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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Renumber accordingly

2015 SENATE TRANSPORTATION

HB 1469

2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

HB 1469

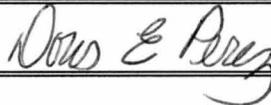
3/13/2015

Recording job number 24811

Subcommittee

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

To provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

Minutes:

Attachments: 1

Chairman Oehlke opened the hearing on HB 1469, all committee members were present

Representative Joshua Boschee, District 44, the original intent of the bill was to provide free transportation to disabled veterans. Amendments were recommended to ensure the transportation providers could be reimbursed if funds were available from other sources such as veteran's affairs administration, private insurer, nonprofit groups, human services or the commissioner of veteran's affairs. The proposed amendments would have ensured that the few gaps of transportation coverage throughout the state were filled in. Attached testimony #1; DVA chart showing 36 counties awarded transportation grants (#1-3) and copy of original bill 1469 (#1-5). At the request of the Commissioner of Veterans Affairs I would ask the committee to discuss amending bill back to the original version with the proposed amendments presented in the House.

Chairman Oehlke: do you have a fiscal note? Is this related to communities with transportation services for senior citizens?

Rep. Boschee: There was no fiscal note presented based on the assumption that since the funds are already allocated without strings attached, it does not increase costs (routes are already established). We don't know about senior citizens services.

Vice Chairman Casper: can vets with ID cards ride any available transportation for free? Would the transportation provider be refunded for that ride? Is the study being done because it might affect currently allocated funds?

Rep. Boschee: Correct. Most transportation providers already have established routes; their thinking is if I have a 12 person van, usually carry 6 people, a few more would make no difference.

Chairman Oehlke referred to bill in Finance and Taxation Committee regarding transportation for senior citizens, many of the services run out of money early. Will providing more transportation services result in running out of money sooner?

Rep Boschee: I don't know. On second page of my testimony there are proposed amendments presented to the House which include language intended for transportation provider seeking reimbursement from funding sources that are already reimbursing today.

Lonnie Wangen: ND Commissioner of Veterans Affairs; since 2009 transportation has been a big concern, especially in rural areas. We came up with grant programs. There is a bill in the House that will allow me to spend those grant federal funds to purchase vans for the providers and some voucher money to pay for some rides. That is only for the highly rural areas. In preparing for that grant I worked with transportation providers in the state, they created routes or showed they had existing routes to veterans. With this bill all transportation issues are taken care of. These veterans cannot drive to federal VA or medical facility, pays (reimburses) them. It will not cost anyone more, will not impact service providers.

Vice Chairman Casper: if we put this back to the original bill will funds be lost, will it affect the card?

Lonnie Wangen: we are not talking about the choice cards.

Senator Axness it seems you have the answers the study would have provided. If the committee doesn't reinstate the original bil, would there be a purpose for the study?

Lonnie Wangen if they do a study I can email it to them. We spent years on this; we know what is going on. We can expand this to other people who want a free ride also.

Chairman Oehlke: remember SB 2143, House Finance and Tax Committee reduced it back to .85 of 1 mil for these types of services. It is \$1.2M fiscal note. Reason given for the reduction: we cannot afford it. It will end up in conference committee; it could be re-amended in the House. It would increase the states help to the transportation providers. This would help you guys, and us to amend this one too. Language was changed. We want it passed in the House.

Senator Rust: "levied" was changed to "appropriated"

Bruce Murry, APT, we represent the Dakota Transit Association and support this bill as originally introduced to you.

No additional testimony for, against or neutral. Hearing closed. Delayed action on bill.

2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

HB 1469
3/19/2015
Recording job number 25144

Subcommittee Conference Committee

Committee Clerk Signature

Oris E. Pérez

Explanation or reason for introduction of bill/resolution:

To provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

Minutes:

Attachments: 0

Chairman Oehlke opened the discussion on HB 1469, all committee members were present.

Chairman Oehlke: basically this one is to use senior services for veterans.

Senator Sinner: what they wanted was to return the study to the original bill, as they said they already have the study.

Chairman Oehlke we will meet back tomorrow with amendment. Meeting adjourned.

2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

HB 1469

3/20/2015

Recording job number 25189

Subcommittee Conference Committee

Committee Clerk Signature

Doris E. Perez

Explanation or reason for introduction of bill/resolution:

To provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

Minutes:

Attachments: 0

Chairman Oehlke opened the discussion on HB1469, all committee members were present.

Chairman Oehlke: they want this bill returned back to its original form. I think there is a fiscal note, is there?

Vice Chairman Casper: there was no fiscal note on the original; they will use already appropriated funds. We should change it back, as they said at the hearing; they already have done the study and have the results. It is stealing from Peter to pay Paul. It will not cost us any more to provide them this service.

Vice Chairman Casper moved to amend HB1469, and to adopt amendment 1002.

Senator Sinner seconded

Senator Rust if we pass this one then it will go to conference committee (was told yes)

Senator Sinner the only risk is if they kill the bill on the other side we lose the study

Chairman Oehlke they won't kill it

VOICE VOTE: ALL IN FAVOR OF ADOPTING AMENDMENT

Senator Sinner moved do pass engrossed HB 1469 as amended

Vice Chairman Casper seconded

Roll call vote was taken: Yes 6 No 0 Absent 0

Carrier: Vice Chairman Casper

March 20, 2015

3/20/15
JAL

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1469

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-04.2-04 of the North Dakota Century Code, relating to conditions for public transportation funding.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

39-04.2-04. Distribution of funds - Continuing appropriation.

1. Moneys in the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director. If a transportation provider receives funds from the public transportation fund, that transportation provider shall provide transportation to a disabled veteran at no charge if the transportation is within a funded transportation program, the disabled veteran qualifies for United States department of veterans' affairs health care benefits, and the disabled veteran otherwise qualifies for the funded transportation program. Moneys in the public transportation fund are appropriated to the department of transportation on a continuing basis for distributions authorized under this section.
2. Each county shall receive a base amount of four-tenths of one percent of the appropriation for the program plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, ~~then~~ the base amount must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county. Funds not expended by a county during a contract period, or previous contract periods, may be redistributed under guidelines established by the director. In addition, unexpended funds may also be used by the director for transit coordination purposes."

Renumber accordingly

**2015 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 HB NO.1469**

Senate TRANSPORTATION Committee

Subcommittee

Amendment LC# or Description: To return bill to its original form

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 Vice Chairman Casper Seconded By Senator Sinner

Senators	Yes	No	Senators	Yes	No
Chairman Oehlke			Senator Axness		
Vice Chairman Casper			Senator Sinner		
Senator Campbell					
Senator Rust					
VOICE VOTE:			ALL IN FAVOR		

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

The House had turned original bill into a study, proposed amendment was to turn it back into a bill

**2015 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 HB NO.1469**

Senate _____ **TRANSPORTATION** _____ Committee

Subcommittee

Amendment LC# or Description: 15.0964.02003

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 Senator Sinner Seconded By Vice Chairman Casper

Senators	Yes	No	Senators	Yes	No
Chairman Oehlke	X		Senator Axness	X	
Vice Chairman Casper	X		Senator Sinner	X	
Senator Campbell	X				
Senator Rust	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Vice Chairman Casper

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

REPORT OF STANDING COMMITTEE

HB 1469, as engrossed: Transportation Committee (Sen. Oehlke, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1469 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-04.2-04 of the North Dakota Century Code, relating to conditions for public transportation funding.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

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2. Each county shall receive a base amount of four-tenths of one percent of the appropriation for the program plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, ~~then~~ the base amount must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county. Funds not expended by a county during a contract period, or previous contract periods, may be redistributed under guidelines established by the director. In addition, unexpended funds may also be used by the director for transit coordination purposes."

Re-number accordingly

2015 CONFERENCE COMMITTEE

HB 1469

2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1469
4/3/2015
#25794

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to conditions for public transportation funding.

Minutes:

Chairman Sukut opened the Conference Committee on HB 1469. He stated that the House Transportation Committee hog housed the original bill into a study, and the Senate Transportation Committee hog housed the bill back to the original bill. We have before us two hog housed bills to consider.

Chairman Sukut called for comments.

Senator Casper: I carried this bill on the floor. The thinking of the Senate and the Committee on this was that there wasn't a fiscal note along with it, and we heard from Lonnie Wangan that they really already have the numbers on the people who would be using this ride sharing. It sounded like there was a rural part and an urban part. The rural part has ride vans that are already out there working under a contract. Those folks offered to provide the rides to veterans at no cost. Secondly, in the urban areas the folks could use a pass card for the bus. At the end of the day since there was no cost to us, we were basically just authorizing them to do this. That is why we did what we did.

Senator Sinner: The Veterans' Affairs Department also stated that they have already studied this quite substantially. They didn't feel it was necessary to study it any more.

Senator Rust: We think that the transportation is already there. It is for a group of people that have given a lot to our country. Why study it when we basically already know the information. Let's do the right thing here, and allow them to ride because it is already there anyway.

Representative Gary Paur: I believe that there is no fiscal note because it **doesn't** cost the **state** anything, but it **does cost** the carriers. They are the ones that are stopping and picking up these people and hauling them places. **They** are absorbing the costs. If you get another 12,000 people in the system that don't pay their share, that is a lot of cost. It is not

coming out of the **state's** pockets, but it is coming out of **someone's** pockets. (the different transportation systems)

Senator Casper: The way it was explained to me was that the folks that are providing the transportation had agreed to provide it at no cost because they are getting funding from someplace else. They were willing to absorb the rest. No one came to testify against it, in regard to Representative Gary Paur comments.

Senator Rust: We have a bill that provides a certain amount of funding for senior vans and those kinds of things. In that bill we went to 50% at one time, to 65%, and now it is up to 75% or 85%. There is a bill to go to 100% on that. That is mostly where those individuals ride. So, there is some funding that goes to those carriers. We did not get any testimony about this costing the carriers in the metropolitan areas.

Chairman Sukut: In the House Committee there were other issues that seemed more important than the funding part of it. There were funds and grants available to cover a lot of the costs, but there were concerns that were not answered.

Questions asked from Darrel Francis, Souris Basin Transportation Director, Minot, were read from previous testimony:

- Does this apply to all types of rides, or is it intended for medical rides?
- Would all disabled veterans have the same sort of ID that would qualify them for free rides?
- What about the rest of the veterans? Will this encourage other groups to want free rides also?
- Are these rides to be provided within the transit agencies regular schedules or is the expectation that the ride will be given whenever a disabled veteran requests one?
- Fargo Metro Transit already provides free rides to disabled veterans on their fixed route system to be consistent with what happens in Moorhead, MN. Will this apply to para-transit rides in Fargo also? The transit ride providers in North Dakota are very diverse as far as what is a normal average ride.

There were a number of concerns that were not answered.

- Where all the services were provided?
- What services were provided in the cities and throughout the state?

We had a ton of questions. A lot of this is already being handled and many disabled veterans' rides are already being provided. The grants out there will reimburse for medical purposes. We weren't really sure if this was even needed. There is just more information that needed to be collected. We decided in order to make a good decision; we need to have a lot more information. That is where the study came from on our side. We feel the study is needed.

Our thoughts are that the Senate can *recede* from your amendments and we move back to the original bill. Or, we can agree with your amendments and bring the bill to the floor. We feel very confident that we can kill the bill.

Senator Sinner: Can we amend the bill?

Chairman Sukut: And how would you amend it?

Senator Sinner: I would do two things:

1. All of the disabled veterans that are requesting rides must have a Federal ID card showing that he is disabled.
2. This will only apply to routes that are currently in place. There will be no special rides or special routes, and I would add a study on the end.

Senator Rust: Looking at the original bill it says, "If, a transportation provider receives funds from a public transportation fund." So, if they are not receiving funds, then it doesn't apply to them. "If they receive it, then they **shall** provide transportation to a disabled veteran at no cost." "If the transportation is within the funded transportation program, the disabled veteran qualifies for United States Department of Veterans' Affairs Health Care Benefits, and the disabled veteran otherwise qualifies for the transportation program." It seems to me that there are a lot of **ifs** in there that need to be met. So, we are not throwing it open to a wide variety of people to use this. That is why I voted to move it back to the original bill. The transportation provider is getting funds, and there is one of three conditions that would have to be met.

Chairman Sukut: The question still remains as to how many of these needs are already being met. We are not really sure who is providing for those needs, where are they are provided for, and how they are being met. If...

Senator Rust: If they are already being met, then it is no consequence to the bill.

Chairman Sukut: Then we don't need the bill.

Senator Sinner: If they are not being met, then we are going to let the veterans go without this service, and we are going to vote against the veterans?

Chairman Sukut: If the needs are not being met, we need to find out. If they are not being met, then this bill has merit.

Senator Sinner: That is why I say, let's dumb it down a little bit, make it more restrictive, and add a study on the end. Then everybody wins.

Senator Sukut: We can bring that in for consideration.

Senator Casper: The information that we were provided by the Veterans' Affairs Department gave us the numbers on what was happening and what wasn't happening. Making them go study it again, when the numbers are already there, ... There are certainly not getting rides; that is why they brought the bill to us in the first place.

Representative Gary Paur: Senator Rust, you are saying, **If** they are receiving funds they have to do this. **If** they are ... Those are what are called unfunded mandates. It is the same thing the federal government does to us. If you are receiving federal highway funds, you must keep this speed limit so low, you must wear seat belts, or we will take the funding

away. All we are doing here is making an unfunded mandate. We aren't paying for these veterans to have a ride; we are mandating that they give them free rides.

Senator Rust: If they are going the place anyway and have the room, where is the rub?

Chairman Sukut: Let's take a look at Senator Sinner's suggestion, and we will meet on Monday.

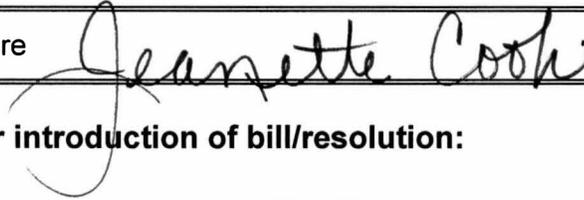
2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1469
4/6/2015
#25851

Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to conditions for public transportation funding.

Minutes:

Attachment #1

Chairman Sukut brought HB 1469 before the committee.

Amendments were provided to the committee. See attachment #1.

Chairman Sukut: I think that the amendments contradict themselves. In one hand we are going to go ahead and furnish the transportation for the disabled veteran, and in the other hand we are going to do a study to determine whether or not we should be doing it.

Senator Sinner: The amendments in Section 1 of the bill require that the transportation company allow for disabled veterans to ride the bus along their current routes that are already fixed. They must produce a Veteran's Health Identification Card which is issued by the Department of Veteran's Affairs.

The study in Section 2 of the bill can tell us if there are other veterans that are in need of these services, and whether or not they can also be served by this service. That would not just be the disabled but the regular veterans. There are currently 12,000 disabled veterans in North Dakota that will be able to take advantage of this.

Senator Sinner moved the amendments. (Attachment #1)
Senator Rust seconded the motion.

Senator Rust: Would you reiterate your concerns?

Chairman Sukut: When it comes to the disabled veterans and currently getting those veterans to a medical facility that has been handled with federal funds, state funds, and grants. Lonnie Wangan testified to that. He also said in part of his testimony that there weren't a lot of veterans that would use that, primarily due to the fact that it isn't very efficient.

The other part that we are looking at is moving disabled veterans within their community. We saw **no studies** in our testimony. There was no indication as to how many veterans we are really looking at in terms of those that currently need services. There is no data about the cost that would indicate to the transit providers what that cost will be. Without doing a study to take a look at the costs, we are really putting those transit providers in a position where they will not know how much it will cost them. We think we need to know more about what is going on. How serious is this problem? Do we have a solution that is looking for a problem, or is there really a need out there? If there is, we should be taking a look at it.

Representative Gary Sukut: My objection to this is that it is an unfunded mandate. If we are going to go down this road, then we need to appropriate money to compensate the public transportation systems. To just require them to take on 12,000 passengers is not good policy.

Senator Sinner: These are public transportation funds that are already going on fixed routes. How will it cost more money unless the buses are over-filled? Fargo is already doing this service. Tell me how it will cost more money. Why is your concern the cost? I don't know where the cost is coming from.

Chairman Sukut: The executive director from the Souris Basin Transportation in Minot, Darrell Francis, had a number of concerns about the cost:

- Does this apply to all types of rides, or is it intended for medical rides?
- Would all disabled veterans have the same sort of ID that would qualify them for free rides?
- What about the rest of the veterans? Will this encourage other groups to want free rides also?
- Are these rides to be provided within the transit agencies regular schedules or is the expectation that the ride will be given whenever a disabled veteran requests one?
- Fargo Metro Transit already provides free rides to disabled veterans on their fixed route system to be consistent with what happens in Moorhead, MN.

If this is the mode of operation all the way through, why are we talking about this bill at all, if they're already giving free rides in the cities, and the medical part is covered? Maybe it needs to be studied further, or maybe it just needs to go away.

There are issues out there, and there are concerns out there. We kind of know what happens in the larger cities, but what is out there for a lot the other cities? What are they doing, and how are the services being handled there? *We just think that needs to be studied, and there are more things that need to be looked at.*

A roll call vote was taken on the amendments.

House: Yea 1 Nay 2

Senate: Yea 3 Nay 0

Motion failed.

There are two other options:

1. Senate can recede from their amendments. We would go back to the House bill.
2. The House can accede to the Senate amendments and bring the bill to the floor.

There is a good chance that the bill would fail on the floor, and I would at least like to see the study. It deserves to be studied and looked at. I would hope that you would consider receding from the amendments and let the study go forward.

Senator Casper: I would rather see the study, than see the bill go back and be killed on the floor.

**Senator Casper moved that the Senate recede from the Senate amendments.
Representative Gary Paur seconded the motion.**

A roll call vote was taken:

House: Aye 3 Nay 0

Senate: Aye 2 Nay 1

The motion carried.

That the Senate recede from its amendments as printed on pages 389 and 390 of the House Journal and page 891 of the Senate Journal and that Engrossed House Bill No. 1469 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-04.2-04 of the North Dakota Century Code, relating to conditions for public transportation funding; and to provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

39-04.2-04. Distribution of funds - Continuing appropriation.

1. Moneys in the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director. If a transportation provider receives funds from the public transportation fund, that transportation provider shall provide transportation along its **fixed route** to a disabled veteran at no charge if the transportation is within a funded transportation program, the disabled veteran qualifies for United States department of veterans' affairs health care benefits, **the disabled veteran has a veteran health identification card**, and the disabled veteran otherwise qualifies for the funded transportation program. Moneys in the public transportation fund are appropriated to the department of transportation on a continuing basis for distributions authorized under this section.

2. Each county shall receive a base amount of four-tenths of one percent of the appropriation for the program plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the

director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county. Funds not expended by a county during a contract period, or previous contract periods, may be redistributed under guidelines established by the director. In addition, unexpended funds may also be used by the director for transit coordination purposes."

SECTION 2. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying the provisions of transportation services to veterans and the impact on those who provide or will provide free transportation services to veterans. The study may include a determination of cities that have public transportation systems, the availability of transportation services for veterans, feedback from transportation providers regarding the provision of free transportation services to veterans, and the impact on cities that have public transportation systems. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

Renumber accordingly

Date: 4/6/15
 Roll Call Vote #: 1

2015 HOUSE CONFERENCE COMMITTEE
 ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1469 as (re) engrossed

House "Enter committee name" Committee

- Action Taken
- HOUSE accede to Senate Amendments
 - HOUSE accede to Senate Amendments and further amend
 - SENATE recede from Senate amendments
 - SENATE recede from Senate amendments and amend as follows
 - Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Sinner Seconded by: Rust

Representatives	4/3	4/6		Yes	No	Senators	4/3	4/6		Yes	No
<i>Chairman</i> Sukut	X	X			X	Senator Jonathan Casper	X	X		X	
Representative Gary Paur	X	X			X	Senator David S. Rust	X	X		X	
Representative Ben Hanson	X	X		X		Senator George Sinner	X	X		X	
Total Rep. Vote						Total Senate Vote					

Vote Count Yes: 4 No: 2 Absent: _____

House Carrier No Carrier Senate Carrier No Carrier

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Amendments - Attachment #1
 Failed.

Date: 4/6/15
 Roll Call Vote #: #2

**2015 HOUSE CONFERENCE COMMITTEE
 ROLL CALL VOTES**

BILL/RESOLUTION NO. HB1469 as (re) engrossed

House "Enter committee name" Committee

- Action Taken
- HOUSE accede to Senate Amendments
 - HOUSE accede to Senate Amendments and further amend
 - SENATE recede from Senate amendments
 - SENATE recede from Senate amendments and amend as follows
 - Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Casper Seconded by: Paur

Representatives				Yes	No	Senators				Yes	No
Representative Gary Sukut				X		Senator Jonathan Casper				X	
Representative Gary Paur				X		Senator David S. Rust				X	
Representative Ben Hanson				X		Senator George Sinner					X
Total Rep. Vote						Total Senate Vote					

Vote Count Yes: 5 No: 1 Absent: 0

House Carrier _____ Senate Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

HB 1469, as engrossed: Your conference committee (Sens. Casper, Rust, Sinner and Reps. Sukut, Paur, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1131-1132 and place HB 1469 on the Seventh order.

Engrossed HB 1469 was placed on the Seventh order of business on the calendar.

2015 TESTIMONY

HB 1469

#1

HB 1469
1-29-15

1 of 3

Testimony for HB 1469 - House Transportation Committee
January 29, 2015
Rep. Joshua A. Boschee, District 44

Good morning Chairman Ruby and members of the committee. For the record, my name is Josh Boschee and I have the privilege of representing District 44 in north Fargo.

HB 1469 is a bill to amend section 39-04.2-04 of the Century Code to require transportation providers that receive funds from the public transportation fund to provide rides to veterans who qualify for US Department of Veteran's Affairs health care benefits. The intent of the bill is to reduce the transportation costs of disabled veterans who live throughout our state.

According to the state Department of Veterans Affairs, there are approximately 12,000 veterans who would qualify for this benefit based on their receiving healthcare benefits from the US Department of Veteran's Affairs.

In preparing for this legislation, I learned that the state Department of Veterans Affairs has recently been awarded a grant to assist with the transportation costs for veterans in the 36 highly rural counties of our state. Attached to my testimony is the breakdown of those counties for your review.

It is my intention of this legislation, not to limit transportation providers from receiving funds such as this to assist in their operation. Additionally, if the disabled veteran is able to receive reimbursement from other sources such as the VA, Medicare, Medicaid or private insurance to cover the cost of transportation, it is my intention that those sources are accessed to cover the transportation costs. Finally, I believe that the transportation provider should be able to limit destinations of travel based on their established policies and procedures.

With that in mind, I offer the following amendments:

- Page 1, Line 14 strike "disabled"
- Page 1, Line 16 strike "disabled"
- Page 1, Line 16, following "veteran" add " The veteran is not eligible for this benefit if the veteran also qualifies for transportation reimbursement through the department of veterans affairs, department of human services, or other program. Transportation will only be made available to the veteran based on the established routes and procedures of the transportation provider."

These amendment are intended to clarify the intent of the legislation by ensuring providers are not dramatically impacted by this addition to the statute.

Thank you Mr. Chairman and members of the committee. I stand for any questions.

The chart below provides the number of Veterans in North Dakota in receipt of compensation by combined degree of disability as of December 31, 2014.

0%	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%	Total
21	3,323	1,435	1,355	1,126	797	1,062	805	736	414	925	11,999

#B1469
1-29-15
#1Areas Affected by Project
Cities

COUNTY	Cities
1 ADAMS	Hettinger, Reeder, Bucyrus, Haynes
2 BENSON	Leeds, Maddock, Minnewaukan, Oberon, Esmond, Warwick, Brinsmade, Knox, York
3 BILLINGS	Medora
4 BOTTINEAU	Bottineau, Westhope, Lansford, Willow City, Newburg, Maxbass, Souris, Landa, Gardena, Kramer, Antler, Overly.
5 BOWMAN	Bowman, Scranton, Rhame, Cascoyne.
6 BURKE	Bowbells, Powers Lake, Lignite, Portal, Columbus, Flaxton.
7 CAVALIER	Langdon, Munich, Osnabrock, Milton, Nekoma, Alsen, Wales, Sarles, Calio, Calvin, Loma, Hannah.
8 DICKEY	Oakes, Ellendale, Forbes, Fullerton, Monango, Ludden.
9 DIVIDE	Crosby, Noonan, Ambrose, Fortuna.
10 DUNN	Killdeer, Halliday, Dunn Center, Dodge.
11 EDDY	New Rockford, Sheyenne.
12 EMMONS	Linton, Strasburg, Hazelton, Hague, Braddock
13 FOSTER	Carrington, Glenfield, Grace City, McHenry
14 GOLDEN VALLEY	Beach, Gola, Sentinel Butte.
15 GRANT	Elgin, Carson, New Leipzig, Leith.
16 GRIGGS	Cooperstown, Binford, Hannaford.
17 HETTINGER	Mott, New England, Regent.
18 KIDDER	Steele, Tappen, Tuttle, Pettibone, Dawson, Robinson.
19 LAMOURE	LaMoure, Edgeley, Kulm, Marion, Verona, Jud, Dickey, Berlin.
20 LOGAN	Napoleon, Gackle, Lehr, Fredonia.
21 McHENRY	Velva, Towner, Drake, Granville, Anamoose, Upham, Deering, Karlsrugh, Voltaire, Balfour, Bantry, Kief, Bergen.
22 McINTOSH	Wishek, Ashley, Zeeland, Venturia
23 McKENZIE	Watford City, Alexander, Arnegard.
24 McLEAN	Garrison, Washburn, Underwood, Wilton, Turtle Lake, Max, Riverdale, Mercer, Coleharbor, Butte, Benedict, Ruso.
25 MOUNTRAIL	New Town, Stanley, Parshall, Plaza, Ross, White Earth, Palermo.
26 NELSON	Lakota, McVile, Michigan City, Aneta, Petersburg, Tona, Pekin.
27 OLIVER	Center
28 PIERCE	Rugby, Balta, Wolford.
29 RENVILLE	Mohall, Glenburn, Sherwood, Tolley, Loraine, Grano
30 SARGENT	Gwinner, Milnor, Forman, Rutland, Cogswell, Havana, Cayuga
31 SHERIDAN	McClusky, Goodrich, Martin.
32 SIOUX	Fort Yates, Selfridge, Solen.
33 SLOPE	Marmarth, Amidon.
34 STEELE	Finley, Hope, Sharon, Luverne.
35 TOWNER	Cando, Bisbee, Rocklake, Egeland, Hansboro, Perth.
36 WELLS	Harvey, Fessenden, Bowdon, Sykeston, Hurdsfield, Cathay, Hamberg.

#2 HB 1469
1-29-15

1 of 1

FY2015 SA Calculations - Per Agency

	Total Award per Agency
Benson County Transportation	\$ 54,090.50
Bis-Man Transit	\$ 698,661.67
CANDO	\$ 54,457.50
Cavalier County Sr. Meals	\$ 65,702.94
City of Glen Ullin	\$ 12,196.93
City of Jamestown (Taxi)	\$ 27,381.43
City of Minot	\$ 97,511.83
Dickey County Senior Citizens	\$ 74,045.29
Dickinson Public Transit (Stark County Council on Aging/Eldercare)	\$ 195,768.96
Fargo Metro Transit	\$ 791,416.79
Golden Valley Council on Aging	\$ 95,854.33
Grand Forks Public Transit	\$ 437,961.22
Handi-Wheels Transportation	\$ 37,371.84
Hazen Busing	\$ 50,893.56
James River Sr Citizens	\$ 264,023.00
Kenmare Meals & Wheels	\$ 37,941.93
Kidder/Emmons Senior Services	\$ 55,674.10
Nelson County	\$ 77,339.65
Nutrition United	\$ 88,105.70
Pembina County Meals & Transportation	\$ 87,717.48
Devils Lake Transit / Senior Meals and Services	\$ 169,062.33
Sitting Bull College	\$ 92,378.45
Souris Basin Transportataion	\$ 723,663.82
South Central Adult Services	\$ 478,713.53
Southwest Transportation Services	\$ 215,989.03
Spirit Lake Nation	\$ 28,779.92
Trenton Indian Services Area	\$ 35,316.25
Turtle Mountain Transit	\$ 41,606.77
Valley Senior Services (Fargo)	\$ 610,358.01
Walsh Co Transportation	\$ 111,573.00
West River Transit	\$ 354,780.46
Wildrose Senior Transportation	\$ 15,034.12
N/W Dakota Public Transit - Williston	\$ 268,095.90
	\$ 6,449,468.24

36153

#3 HB 1469
1-29-15

Prepared for
Representative Boschee

PROPOSED AMENDMENTS FOR HB 1469

Page 1, line 14, remove "disabled"

Page 1, line 16, remove "disabled"

Page 1, line 15, after "who" insert "does not also qualify for transportation reimbursement through the department of veterans' affairs, department of human services, or any other program."

Page 1, line 15, remove "otherwise qualifies for the"

Page 1, line 16, remove "funded transportation program"

Page 1, line 16, after the underscored period insert "Transportation may only be available to a veteran based on the established routes and procedures of the transportation provider."

HB 1469
1-29-15

1 of 2

#4

Testimony for HB 1469
Concerning Public Transit and Free Rides for Disabled Veterans
House Transportation Committee
January 29, 2015

Chairman Ruby and members of the committee, I am Darrell Francis, Executive Director of Souris Basin Transportation in Minot. We provide transit services in 7 counties in the North Central part of the state and I am also a board member of the Dakota Transit Association.

Last week, several days after HB 1469 was introduced, the 33 public transit providers in North Dakota happened to have their regular quarterly meeting and were able to discuss this bill that provides free rides for disabled veterans. While transit agencies already provide many rides to disabled persons and disabled veterans, the wording of this bill brought up several questions. We are asking for clarification on the following 7 items:

1. Does this apply to all types of rides or is it intended for medical rides?
2. Would all disabled veterans have some sort of ID that would qualify them for the free rides?
3. What about the rest of the veterans?
4. Will this encourage other groups to want free rides also?
5. Are these rides to be provided within the transit agencies' regular schedule or is the expectation that the ride will be given whenever a disabled veteran requests one?

6. Fargo Metro Area Transit already provides free rides to disabled veterans on their fixed route system to be consistent with what happens in Moorhead, MN. Will this apply to paratransit rides in Fargo also?

7. The transit providers in North Dakota are very diverse as far as what a normal or average ride is. For some systems that would be a fixed route ride. For other systems, a 5 mile across town paratransit and/or demand response door to door ride would be the most typical ride provided. For some other systems their most normal ride would be a 50-150 mile round trip ride to go to a larger community with the riders day being 6-8 hours long. For the most rural systems, their typical ride is a 200-300 mile round trip ride with the passengers day from start to finish at least 12 hours in length. Obviously, the cost to do these various types of rides is different. Is it the intention of this legislation that the cost to provide these rides be covered by the transit agencies?

Transit providers request that these questions be clarified in the legislation so all concerned know what is intended and how to implement this. I thank your time in consideration of this testimony and would be happy to answer any questions that you may have.

HB 1469
2-5-15

#1

Prepared for
Representative Meier

PROPOSED AMENDMENTS FOR HB 1469

Page 1, line 1 after "to" replace the remainder of the bill with "provide for a legislative management study of the impact on transportation providers who provide or will provide free services to veterans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying the impact on transportation providers who provide or will provide free services to veterans. The study may include determination of cities which currently have public transportation systems, availability of transportation to veterans, feedback from transportation providers on providing free services to veterans, and the impact on cities that already have transit systems. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

A-1

Testimony for HB 1469 - Senate Transportation Committee
March 13, 2015
Rep. Joshua A. Boschee, District 44

Good morning Chairman Oehlke and members of the committee. For the record, my name is Josh Boschee and I have the privilege of representing District 44 in north Fargo.

HB 1469 is a study to look at providing free transportation services for veterans throughout the state and the potential impact on transportation providers.

The bill as introduced was intended to provide free transportation services for disabled veterans. It was introduced based on a conversation that occurred about increasing access to disabled veterans. Amendments were recommended to ensure the transportation providers could be reimbursed if funds were available from the VA, private insurer or the Commissioner of Veterans Affairs. The proposed amendments would have ensured that the few gaps of transportation coverage throughout the state were filled in, without the transportation providers taking a big hit in terms of their revenue. The bill was supported by the Commissioner of Veterans Affairs and the transportation providers throughout the state, with no opposition.

According to the state Department of Veterans Affairs, there are approximately 12,000 veterans who would qualify for this benefit based on their receiving healthcare benefits from the US Department of Veteran's Affairs.

In preparing for this legislation, I learned that the state Department of Veterans Affairs has recently been awarded a grant to assist with the transportation costs for veterans in the 36 highly rural counties of our state. Attached to my testimony is the breakdown of those counties for your review.

Upon the request of the Commissioner of Veterans Affairs, I would ask the committee to discuss the merits of amending the version in front of you back to the original version, with the proposed amendments. The Commissioner will follow me with additional clarifying details.

Thank you Mr. Chairman and members of the committee. I stand for any questions.

HB 1469
3-13-15
1.2

The chart below provides the number of Veterans in North Dakota in receipt of compensation by combined degree of disability as of December 31, 2014.

0%	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%	Total
21	3,323	1,435	1,355	1,126	797	1,062	805	736	414	925	11,999

If you amend back to the original version, please include this language:

- Page 1, Line 14 strike "disabled"
- Page 1, Line 16 strike "disabled"
- Page 1, Line 16, following "veteran" add " The veteran is not eligible for this benefit if the veteran also qualifies for transportation reimbursement through the department of veterans affairs, department of human services, or other program. Transportation will only be made available to the veteran based on the established routes and procedures of the transportation provider."

HB 1469
 3-13-15
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FY2015 SA Calculations - Per Agency

	Total Award per Agency
Benson County Transportation	\$ 54,090.50
Bis-Man Transit	\$ 698,661.67
CANDO	\$ 54,457.50
Cavalier County Sr. Meals	\$ 65,702.94
City of Glen Ullin	\$ 12,196.93
City of Jamestown (Taxi)	\$ 27,381.43
City of Minot	\$ 97,511.83
Dickey County Senior Citizens	\$ 74,045.29
Dickinson Public Transit (Stark County Council on Aging/Eldercare)	\$ 195,768.96
Fargo Metro Transit	\$ 791,416.79
Golden Valley Council on Aging	\$ 95,854.33
Grand Forks Public Transit	\$ 437,961.22
Handi-Wheels Transportation	\$ 37,371.84
Hazen Busing	\$ 50,893.56
James River Sr Citizens	\$ 264,023.00
Kenmare Meals & Wheels	\$ 37,941.93
Kidder/Emmons Senior Services	\$ 55,674.10
Nelson County	\$ 77,339.65
Nutrition United	\$ 88,105.70
Pembina County Meals & Transportation	\$ 87,717.48
Devils Lake Transit / Senior Meals and Services	\$ 169,062.33
Sitting Bull College	\$ 92,378.45
Souris Basin Transportataion	\$ 723,663.82
South Central Adult Services	\$ 478,713.53
Southwest Transportation Services	\$ 215,989.03
Spirit Lake Nation	\$ 28,779.92
Trenton Indian Services Area	\$ 35,316.25
Turtle Mountain Transit	\$ 41,606.77
Valley Senior Services (Fargo)	\$ 610,358.01
Walsh Co Transportation	\$ 111,573.00
West River Transit	\$ 354,780.46
Wildrose Senior Transportation	\$ 15,034.12
N/W Dakota Public Transit - Williston	\$ 268,095.90
	\$ 6,449,468.24

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Areas Affected by Project
Cities

COUNTY	Cities
1 ADAMS	Hettinger, Reeder, Bucyrus, Haynes
2 BENSON	Leeds, Maddock, Minnewaukan, Oberon, Esmond, Warwick, Brinsmade, Knox, York
3 BILLINGS	Medora
4 BOTTINEAU	Bottineau, Westhope, Lansford, Willow City, Newburg, Maxbass, Souris, Landa, Gardena, Kramer, Antler, Overly.
5 BOWMAN	Bowman, Scrnaton, Rhame, Cascoyne.
6 BURKE	Bowbells, Powers Lake, Lignite, Portal, Columbus, Flaxton.
7 CAVALIER	Langdon, Munich, Osnabrock, Milton, Nekoma, Alsen, Wales, Sarles, Calio, Calvin, Loma, Hannah.
8 DICKEY	Oakes, Ellendale, Forbes, Fullerton, Monango, Ludden.
9 DIVIDE	Crosby, Noonan, Ambrose, Fortuna.
10 DUNN	Killdeer, Halliday, Dunn Center, Dodge.
11 EDDY	New Rockford, Sheyenne.
12 EMMONS	Linton, Strasburg, Hazelton, Hague, Braddock
13 FOSTER	Carrington, Glenfield, Grace City, McHenry
14 GOLDEN VALLEY	Beach, Golva, Sentinel Butte.
15 GRANT	Elgin, Carson, New Leipzig, Leith.
16 GRIGGS	Cooperstown, Binford, Hannaford.
17 HETTINGER	Mott, New England, Regent.
18 KIDDER	Steele, Tappen, Tuttle, Pettibone, Dawson, Robinson.
19 LAMOURE	LaMoure, Edgeley, Kulm, Marion, Verona, Jud, Dickey, Berlin.
20 LOGAN	Napoleon, Gackle, Lehr, Fredonia,
21 McHENRY	Velva, Towner, Drake, Granville, Anamoose, Upham, Deering, Karlsrugh, Voltaire, Balfour, Bantry, Kief, Bergen.
22 McINTOSH	Wishek, Ashley, Zeeland, Venturia
23 McKENZIE	Watford City, Alexander, Arnegard.
24 McLEAN	Garrison, Washburn, Underwood, Wilton, Turtle Lake, Max, Riverdale, Mercer, Coleharbor, Butte, Benedict, Ruso.
25 MOUNTRAIL	New Town, Stanley, Parshall, Plaza, Ross, White Earth, Palermo.
26 NELSON	Lakota, McVile, Michigan City, Aneta, Petersburg, Tona, Pekin.
27 OLIVER	Center
28 PIERCE	Rugby, Balta, Wolford.
29 RENVILLE	Mohall, Glenburn, Sherwood, Tolley, Loraine, Grano
30 SARGENT	Gwinner, Milnor, Forman, Rutland, Cogswell, Havana, Cayuga
31 SHERIDAN	McClusky, Goodrich, Martin.
32 SIOUX	Fort Yates, Selfridge, Solen.
33 SLOPE	Marmarth, Amidon.
34 STEELE	Finley, Hope, Sharon, Luverne.
35 TOWNER	Cando, Bisbee, Rocklake, Egeland, Hansboro, Perth.
36 WELLS	Harvey, Fessenden, Bowdon, Sykeston, Hurdsfield, Cathay, Hamberg.

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Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1469

Introduced by

Representatives Boschee, Amerman, Klein, Laning, Schneider
Senator Dotzenrod

1 A BILL for an Act to amend and reenact section 39-04.2-04 of the North Dakota Century Code,
2 relating to conditions for public transportation funding.

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

4 **SECTION 1. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-04.2-04. Distribution of funds - Continuing appropriation.**

7 1. Moneys in the public transportation fund must be disbursed under guidelines issued by
8 the director. The funds must be used by transportation providers to establish and
9 maintain public transportation, especially for the elderly and handicapped, and may be
10 used to contract to provide public transportation, as matching funds to procure money
11 from other sources for public transportation and for other expenditures authorized by
12 the director. If a transportation provider receives funds from the public transportation
13 fund, the transportation provider shall provide transportation within a funded
14 transportation program to a disabled veteran who qualifies for United States
15 department of veterans' affairs health care benefits and who otherwise qualifies for the
16 funded transportation program without any charge to the disabled veteran. Moneys in
17 the public transportation fund are appropriated to the department of transportation on
18 a continuing basis for distributions authorized under this section.

19 2. Each county shall receive a base amount of four-tenths of one percent of the
20 appropriation for the program plus one dollar and fifty cents per capita of population in
21 the county, based upon the latest regular or special official federal census. Each year
22 the director shall increase or decrease the one dollar and fifty cents per capita amount
23 in order to distribute all funds appropriated for the biennium. If there are multiple
24 transportation providers in one county, then the base amount must be divided equally

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Sixty-fourth
Legislative Assembly

1 among the providers and the additional per capita amount must be based upon the
2 percentage of elderly and handicapped ridership provided by each transportation
3 provider within the county. Funds not expended by a county during a contract period,
4 or previous contract periods, may be redistributed under guidelines established by the
5 director. In addition, unexpended funds may also be used by the director for transit
6 coordination purposes.

#1

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1 of 2

That the Senate recede from its amendments as printed on pages 389 and 390 of the House Journal and page 891 of the Senate Journal and that Engrossed House Bill No. 1469 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 39-04.2-04 of the North Dakota Century Code, relating to conditions for public transportation funding; and to provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

39-04.2-04. Distribution of funds - Continuing appropriation.

1. Moneys in the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director. If a transportation provider receives funds from the public transportation fund, that transportation provider shall provide transportation along its **fixed route** to a disabled veteran at no charge if the transportation is within a funded transportation program, the disabled veteran qualifies for United States department of veterans' affairs health care benefits, the disabled veteran has a veteran health identification card, and the disabled veteran otherwise qualifies for the funded transportation program. Moneys in the public transportation fund are appropriated to the department of transportation on a continuing basis for distributions authorized under this section.

2. Each county shall receive a base amount of four-tenths of one percent of the appropriation for the program plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the

director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county. Funds not expended by a county during a contract period, or previous contract periods, may be redistributed under guidelines established by the director. In addition, unexpended funds may also be used by the director for transit coordination purposes."

SECTION 2. LEGISLATIVE MANAGEMENT STUDY. During the 2015-16 interim, the legislative management shall consider studying the provisions of transportation services to veterans and the impact on those who provide or will provide free transportation services to veterans. The study may include a determination of cities that have public transportation systems, the availability of transportation services for veterans, feedback from transportation providers regarding the provision of free transportation services to veterans, and the impact on cities that have public transportation systems. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

Renumber accordingly