

FISCAL NOTE
Requested by Legislative Council
03/31/2015

Amendment to: SB 2346

- 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				\$(350,000)		\$(360,000)
Expenditures						
Appropriations					\$135,000	

- 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 a 90% waiver of tuition and fees for ND veteran's dependents (i.e. child, stepchild, spouse, widow, widower) with a 90% 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 90% tuition and fee waiver for dependents of veteran's with a 90% disability rating.

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 waivers would result in estimated revenue reduction of about \$350,000 a biennium, for about 30 students, some of which may be current or 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.*

- 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.*

The higher ed funding formula would generate about another \$135,000/biennium for approximately 30 students and related credit hour completion.

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Date Prepared: 03/31/2015

2015 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2346

2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

SB 2346
2/5/2015
Job # 23272

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to county veterans' service officers.

Minutes:

Attachments 1

Vice Chairman Poolman: Opened the hearing on SB 2346.

Senator Dever, District 32: Testified as the sponsor and in support of the bill. In 2011 we put together a program for training of County Veteran's Service Officers and at that point we tied that training to accreditation of the National Association of County Veteran Service Officers. We made a mistake when we drafted that bill. We had "by August 1st 2011 County Veteran Service Officers must be accredited". Since 2011 several of them have dropped that accreditation because it did not say what it needed to be after 2011. This bill states that they must maintain accreditation with an organization approved by the United States Department of Veteran's Affairs. If you are new you have to gain that accreditation within 12 months and if you are a current one, it took place in 2011 and they need to have it. Our intent was to ensure that every veteran had access to a county veteran service officer who had training and who is aware of the benefits available to that veteran regardless of the population of the county they lived in. Also that their CVSO have online access to the benefits provided through the federal Department of Veteran's Affairs. This bill will allow for that and it will allow for the training. I feel a little bit uncomfortable tying that requirement to one organization so this allows for options.

(2:55) Senator Marcellais: I don't see any reference to tribal service officers. Do you think that we should amend this to include them?

Senator Dever: I do not think that the state has the authority to impose that on them. I think that tribal veteran service officers have availed themselves to that training but I am not sure that we can require them.

(3:55) Mark Landis, Burleigh County Veteran's Service Officer, President of the Professional Veteran's Advocates of North Dakota: Testified in support of the bill. See Attachment #1 for additional information to testimony.

(5:03)Chairman Dever: I understand that it was a feeling then that the National Association of County Veteran's Service Officers provided the best training and it may still be that way?

Mark Landis: I still believe that they do provide the best accreditation training for county service officers. Other organizations also provide excellent training for their people and for the functions that they perform. It is not exactly the same and I would encourage all VSO's to go to the National Association for initial accreditation training.

Senator Marcellais: In looking at my district on this chart, I have some concerns. We have over 700 veterans that we service in Rolette County but I see our service officer has been there since October 2006 and all that he has had is the American Legion training.

Mark Landis: That is correct.

Senator Marcellais: What would you recommend to encourage the training?

Mark Landis: We always encourage good training. There is annual training provided by the state with two conferences per year. The National Association also has an annual conference at various parts of the country. This year it is Wisconsin.

Senator Cook: Do we have to get some teeth in here? This is not a good report.

Mark Landis: As far as enforcement action, of course we are talking about county employees and enforcement tends to be a county issue. I am not sure what verbiage that you would put in there to do that. I would be open to looking at any that you may have.

Senator Nelson: Is there something wrong going on in Wells County? That guy has been there since 1985 and no training by anyone. He should have not have made it through this first bill with the prior deadline.

Mark Landis: This report does not show training but shows accreditation. I am sure that everyone on here has received training. Accreditation is a separate process. After you have received training, you apply for accreditation through a veteran's service organization.

Senator Nelson: The current law stated that they all had to be accredited by 2011. I am wondering why he is still on the job?

Chairman Dever: We are looking at who is currently a member of the organization not who was trained by the organization. As I recall initially, just about every county service officer was trained and accredited by national. Some since have dropped their membership.

Mark Landis: After the bill was passed in 2009, there was national training in the spring of 2010. Any NACVSO brought in a training team and the vast majority of the County Veteran's Service Officers did attend and complete that class. Some did not follow through

with the paperwork for accreditation but they did get the training. Why someone did not comply, I am not qualified to answer that question.

Chairman Dever: Probably the answer to that question is that they just didn't.

Senator Flakoll: Do these accreditations expire?

Mark Landis: Each organization has their own policies as far as maintaining accreditation. Some require continuing education units each year. There are some cross-accreditation agreements between organizations. Not of them have them.

Chairman Dever: With some of the organizations you have to be a member to acquire the accreditation.

(11:05) Ron Otto, Morton and Oliver County Veteran's Service Officer: Testified in support of the bill.

(11:50) Chairman Dever: What is "other" in reference to your accreditation?

Ron Otto: Listed a few smaller organizations.

Chairman Dever: DVA allows online access to benefits?

Ron Otto: Yes. I am the first county that brought that access into state of North Dakota. I am very familiar with that process and maintaining that process.

Senator Flakoll: Moved a Do Pass.

Senator Poolman: Seconded.

A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.

Senator Flakoll will carry the bill.

Date: 2/5
 Roll Call Vote #: 1

**2015 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2346**

Senate Government and Veterans Affairs 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 Flakoll Seconded By Poolman

Senators	Yes	No	Senators	Yes	No
Chairman Dever	✓		Senator Marcellais	✓	
Vice Chairman Poolman	✓		Senator Nelson	✓	
Senator Cook	✓				
Senator Davison	✓				
Senator Flakoll	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Flakoll

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

REPORT OF STANDING COMMITTEE

SB 2346: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
SB 2346 was placed on the Eleventh order on the calendar.

2015 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2346

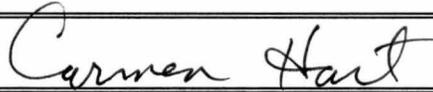
2015 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union, State Capitol

SB 2346
3/26/2015
25509

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to county veterans' service officers

Minutes:

Attachments 1-3

Chairman Kasper opened the hearing on SB 2346.

Senator Dick Dever appeared in support. In 2011 we said county veteran service officers should have training. We said they would have certification from the national association of county service officers and that they would have that by August 1, 2011. One of the reasons for the training also is that in order to access the VA through their internet online service, they had to have training and accreditation. The complication came because it didn't address what the situation was after August 2011. Some county veteran service officers who have come on board since then and some who had the certification with that organization dropped their membership. Right now it is kind of spotty. This bill comes to rectify that, and rather than specifying an organization, it says an organization certified through the US department of veterans' affairs. HB 1205 failed in the House on a vote of 47-46. There is an interest to amend that bill into this bill. It does deal with veterans. It has to do with free tuition for dependents of disabled veterans. I don't have any objection to making that amendment, but would I ask you to do is make it clear in the House that the debate on that amendment to this bill should take place on the sixth order and not on the 14th order.

Rep. Steiner You are removing national association of county veteran service officers directly out of law, and you are saying that an organization approved by the United States department of veterans' affairs. Is that national association an organization that is approved by department of veterans' affairs?

Senator Dever It is approved as are others. Some county veteran service officers will have that accreditation through several. Several have their own accreditation like the Legion and the VFW. In the century code it is kind of dangerous to specify an organization, and each of those organizations qualifies to allow the CVSO to access the internet service.

Vice Chair Rohr Do the officers stay here for the training? Do they incur a cost for that?

Senator Dever I think there is some nominal cost to that, and they are able to get that training here. Some of the training is provided by the North Dakota department of veterans' affairs.

Rep. Mooney I am curious on Line 15 where we talk about the United States department of veterans' affairs. Would we not be better off just referencing the department of veterans' affairs so that could be through our state and/or federal processes as that line of connection is presented?

Senator Dever You can amend that as you like. My preference would be to leave it with the US. People who have served in the military deserve the benefits that they receive. That should be the role of the federal government. The role of the state should be to do everything that we can do to inform them of their benefits, to advocate for them for those benefits, and do everything that we can for them to access those benefits.

Rep. Mooney I would totally agree with you. That is our paramount duty. Part of our state DVA role is to insure that our state veterans are getting their federal benefits as necessary. I was just looking at it as kind of a connectivity role as opposed to an either/or kind of role.

Senator Dever That is true. It is interesting to me to consider, and I think several of these things have come together in just the last few years, all the different organizations and entities that come together in support of veterans.

Rep. Amerman Do you know within the ND department of veterans' affairs how many organizations do accreditation?

Senator Dever I don't, but I do know that various organizations have their own representatives at the VA hospital in Fargo that work to advocate for, and it is my understanding that CVSOs will work pretty closely together with those people. I think the department of veterans' affairs does likewise?

Rep. Wallman We passed a bill for a study out of this committee that was brought to us by Senator Marcellais. That study was looking at having a special veteran service coordinator for the higher populations of Native Americans in parts of the state for veterans. Would this work with that?

Senator Dever It is my understanding that Standing Rock, Spirit Lake, and Fort Berthold all have tribal veteran service officers in addition to their county veteran service officer. Turtle Mountain is the only one that does not have one.

Rep. Alan Fehr appeared in support. Attachment 1 and 2. (12:03-17:24)

Ron Otto, County Veteran Service Officer for Morton and Oliver Counties, standing in for Mark Landis, Burleigh County Veteran Service Officer, appeared in support.

Rep. Amerman In 2009 this was pushed very hard by yourself and others that we should have a national association. Now you have the United States department of veterans'

affairs in the organization. Do you think that will be utilized more? Wouldn't it be better to have our county service officers under the ND department of veterans' affairs control?

Ron Otto I think we are comparing oranges and apples here. Accreditation under the North Dakota department of veterans' affairs on a federal level has a federal requirement that service officers would need to be employed at the minimum of 1,000 hours per year. At 1,000 hours per year, there would be quite a few veteran service officers across the state that would not make that timeline, because they only serve their counties one day or two days a week. Some have no structured hours whatsoever.

Rep. Amerman How were they accredited before they had to go to this organization?

Ron Otto There was no requirement prior to the bill for accreditation, and accreditation with a national association of county veterans' service officers is a national organization. There is no 1,000 hour requirement at that particular juncture. They had the ability to accredit any county veteran service officer once they passed the accreditation test and took the accreditation training and passed the test more to the point. In my professional opinion, the national association of county veteran service officers still has the gold standard with regard to accreditation training. You have to go through 32 hours of training with regard to accreditation. Then you must pass a 100 question test prior to gaining accreditation with them. Then at that particular moment, you have the ability to cross a credit with other organizations that have a working agreement with the national association. Disabled American Veterans is one of them, and this is the more primary one in this state. The Disabled American Veterans do the most work in the state as far as claims.

Rep. Mooney Then doesn't it make more sense that on Line 15 that it just reference the department of veterans' affairs so that line of connectivity could be that total continuum as opposed to just one which would according to this is strictly the United States department?

Ron Otto As the bill stands in its original language, I do believe that the department of veterans' affairs for the state of North Dakota will have the ability to do accreditation under the bill because it is nationally recognized. The commissioner is here and can speak to that.

Lonnie Wangen, Commissioner of Veterans' Affairs, appeared in support with the amendment. That amendment was very important. It takes quite a bit for a veteran to be 80% and 90% disabled. One thing that Dr. Fehr may not have made clear is that there is no reimbursement, and there are over 85% of the classes in the university system that have empty chairs in them. The fiscal note I am hoping and anticipating will be quite a bit lower than that, and it won't be general funds.

Rep. Laning Do you think if we were to amend this, it would endanger it from passage over in the Senate? Do you think it is at risk of losing everything though?

Lonnie Wangen I spoke with quite a few people in the House and Senate and on Senator Dever's subcommittee where this would be heard, they support it. Senator Dever was on this other bill, 1205, also. We received support in the House now for it and in the Senate, so I feel pretty confident it would pass.

Rep. Mooney I am going to ask about Line 15 of the original bill that is in front of you. Is it better stated that we leave it in as the United States department of veterans' affairs or are we better off taking that out?

Lonnie Wangen This bill says that a CVSO must maintain accreditation with an organization that is approved by United States department of veterans' affairs. There are hundreds of organizations that are accredited with the United States department of veterans' affairs. You can be accredited with the Blind Americans Association, and that would make you comply with this law. We went paperless before the VA did, and we anticipated that for you to serve a veteran you are going to need access to the VA. The way it was before with NASCO, that doesn't get you cross accreditation. It doesn't get you into the VA at all. You get accredited with the NASCO, you get some emails that you can share with each other and that is it. If you as an individual take that a step further and take TRIP training with the VA, take their cybersecurity training, and sign their MOUs, you can get accredited with the organizations that sit up here and represent our veterans every day. What that does then is you can go onto to the VA's web based claim system, and you can look at their files. That doesn't mean that if you are accredited with one organization that you can look at any power of attorney. A veteran walks into a county service officer and picks a POA such as American Legion. If that CVSO is accredited with the American Legion, they can go online and look at their records and help them out that way. If they are accredited with the VFW only and a veteran has the American Legion, they can't look at that. As I testified in the past, I felt they should be accredited with everybody, the four organizations that are up here which is department of veterans' affairs, American Legion, VFW, AMVETS, and DAV. The only way you can be accredited with DAV is NASCO. We are talking about the quality of service they are going to provide to their veterans out in the counties is going to depend on if they are cross accredited with everybody.

Rep. Mooney If we were to just say "and maintain accreditation with department of veterans' affairs, then doesn't that by default leave that full continuum?"

Lonnie Wangen I believe that would be true. If they were accredited with us, we can cross accredit with the Legion, AMVETS, and work with the VFW.

Rep. Mooney The hub, if you will?

Lonnie Wangen Right. That would do that. They can be accredited with the rest. Like I said, for the DAV, they do need NASCO, so we will still push them to take that training so they can get the DAV. Then they are accredited with everybody.

Chairman Kasper I am not clear on what you are talking about. I thought you were saying that in order to be accredited, it has to be approved by the United States department of veterans' affairs somewhere along the way so that they will have had access to the various things that they need access to.

Lonnie Wangen That is correct.

Chairman Kasper If we do not have the words United States in there, we run the risk of them not having the right accreditation and not being able to have access to the various items that they need to have?

Lonnie Wangen That would not be correct. If you are accredited with any organization that is recognized by the VA, then they can get access to the US department of veterans' affairs with that accreditation. The US department of veterans' affairs does not accredit CVSOs. They recognize organizations, so the American Legion and DAV are recognized by the VA and they have those split up in different power of attorneys. The requirements by that organization to be accredited with them are what we are talking about. If I get accredited with the DAV, then I have to have the NASCO training, TRIP training, etc. to get onto the VA's website.

Chairman Kasper For the accreditation itself, are they going to have to do more things or less or the same if we keep the words "United States"?

Lonnie Wangen If it is just as United States department of veterans' affairs, all they have to do is find any organization that will accredit them and they comply with the law.

Chairman Kasper We don't have to jump through anymore hoops by keeping the words "United States" in there?

Lonnie Wangen They wouldn't have to jump through hardly any hoops. They get accredited with one, and they don't have to take that step further to get the access or anything.

Chairman Kasper It actually makes it easier for them to be accredited?

Lonnie Wangen It makes them easier to comply with the law, but it would not gain them anymore access to service.

No opposition or neutral.

The hearing was closed.

Rep. Dockter I do have an amendment to take out "United States" if you want. Attachment 3.

Chairman Kasper I don't think we need to do that. I don't think the word "United States" impedes anything as I think I heard Lonnie say. Is that true, Lonnie?

Lonnie Wangen If it stays in the bill, we are lessening what they have now for requirements. Any county can just have any accreditation and not go to any training.

Chairman Kasper Do you think it lessens the ability of the service officer to do his or her job?

Lonnie Wangen If they get accreditations with the organizations of the NSOs it is going to give them better access to better serve their veteran service officers. NASCO provided that and required the ongoing education units. The way I see this bill is by having the NASCO part coming off, that does lessen the requirements of a county service officer by opening it up to just anybody who wanted to be accredited with.

Chairman Kasper Are you concerned that you will end up with people not qualified to do the job?

Lonnie Wangen I believe what I am going to run into as a big problem is getting the smaller counties to go to this training.

Chairman Kasper If we take the word "United States" out, will they have to go to the training?

Lonnie Wangen No, that would not require them to go to the NASCO training. If you made them accredit with us is what you are saying, then they would have to abide by the training that we have. We can set the training and say you need to go to this training, and we as a state could set it that to be accredited with us, you need to have NASCO.

Chairman Kasper You do that by rule?

Lonnie Wangen Yes, we can do that by rule. Our accreditation would be a MOU, a memorandum of understanding for our accreditation. Each organization does have that which would mean these are the rules. For example, the VFW and AMVETS with the MOU says you can't go to the board of veterans' appeals on your own. All paperwork comes through us. You need to take TRIP. You need to be accessed to the VA. They set the guidelines and the scope in that, and we as department of veterans' affairs with our accreditations, we can set the standards on that. We can say you can be accredited with us, but you have to be cross accredited with these other organizations and/or add on the TRIP training and all the other requirements.

Chairman Kasper With the word "United States" in there, you cannot do that?

Lonnie Wangen I couldn't force them. With the word "United States," they can pick the World War I Veterans of America which is still available, and there are no WWIs and not gain anything extra in training or access.

Chairman Kasper With "United States" out, you still set the rules?

Lonnie Wangen With the words out and it was under us, yes, we would set the rules.

Chairman Kasper How is it under you?

Lonnie Wangen If you took United States out according to the North Dakota century code when it says "the department of veterans' affairs," Article VIII refers to North Dakota department of veterans' affairs.

Chairman Kasper That gives you the authority to get the proper training?

Lonnie Wangen That is correct.

Chairman Kasper My father went to the training every year. We need to do our best to keep our veterans informed.

Rep. Mooney One of the reasons that I zeroed in on the department of veterans' affairs is because many of those programs or affiliated associations of accreditation can be provided at no additional charge. If we leave it through this other route, the counties on the hook often times have to pay for those training fees, and that doesn't seem appropriate either.

Rep. Dockter went over the amendment, Attachment 3. He made a motion to adopt the amendment, 15.0980.01006.

Rep. B. Koppelman seconded the motion.

Voice vote. Motion carries.

Rep. B. Koppelman Referring to Rep. Fehr's amendment, we had this bill in education and passed it out at the 50% level. Then it was amended to 75 in appropriations. The toughest thing we were grappling with at 50% was the need of a dependent of somebody who is simply 50% versus somebody who is 90 or 100. I would like to move this amendment, 15.0980.01008.

Rep. Steiner seconded the motion.

Rep. Louser I went back and looked at the record to see on this committee how this went. It was 10-4 that voted yes. It was a 48-47(?) vote on the floor. I think it would be wise to take Senator Dever's advice and not jeopardize this bill's passage in its current form and have it debated on the sixth order.

Rep. Laning We were notified today that everything on the 6th automatically goes to the 14th. Do we have an option there?

Chairman Kasper We can make the proper motion to divide the amendment here separately.

Rep. Amerman It would be as we have always done. When the speaker says are there any amendments on the 6th order that wish to be argued separately, then you...

Rep. B. Koppelman I think we would have to have a dividing motion, because we took Rep. Dockter's amendment also.

Chairman Kasper I can speak with the speaker and the legislative group down in front to get the proper motion.

Rep. Seibel In this amendment we are going to have renumber something, because we already have a Section 1.

Rep. B. Koppelman I think the renumbering happens automatically on an amendment.

Rep. Amerman Usually when you debate the amendment on the 6th order, somebody doesn't like it and you want to get rid of it. We all like it. How are we going to do that?

Chairman Kasper Whoever speaks to the amendment would have to make it clear the concerns of the committee.

Rep. B. Koppelman I don't see a scenario where the funding amendment passes and the bill fails. I can't imagine that many people having a grind with Dever's bill, so I don't think this as big a risk as we think.

Chairman Kasper That is a good point.

Voice vote. Motion carries.

Rep. Mooney made a motion for a DO PASS AS AMENDED AND REREFER TO APPROPRIATIONS.

Rep. M. Johnson seconded the motion.

A roll call vote was taken. 14 Yeas, 0 Nays, 0 Absent.

Rep. Dockter will carry the bill.

15.0980.01006
Title.

Prepared by the Legislative Council staff for
Representative Dockter
March 24, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

Page 1, line 1, after "reenact" insert "subsection 1 of section 15-10-18.2, section 15-10-18.3, and"

Page 1, line 2, after "to" insert "tuition reduction for dependents of disabled veterans based on disability ratings and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

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 ninety to 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 ninety to 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 ninety to 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.

SECTION 2. AMENDMENT. Section 15-10-18.3 of the North Dakota Century Code is amended and reenacted as follows:

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

1. Any dependent, as defined in section 15-10-18.2, except dependents of veterans with a service-connected disability rating or a total disability rating of ninety percent, 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. a. Due to the return of the prisoner of war;
 2. b. Due to the return of the individual missing in action; or
 3. c. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.
2. Any dependent, as defined in section 15-10-18.2, of a veteran with a service-connected disability rating or a total disability rating of ninety percent, 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, at a rate of tuition and fees that are reduced by the percentage of the disabled veteran's service-connected disability rating or total disability rating, whichever is higher; provided, however, that the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent; and further provided that tuition and fee charges eligible for this reduction 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 subsection because of the subsequent death of the veteran through whom the benefit was obtained."

Renumber accordingly

March 26, 2015

Handwritten:
3-27-15
1 of 3

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

Page 1, line 1, replace "section" with "subsection 1 of section 15-10-18.2 and sections 15-10-18.3 and"

Page 1, line 2, after "to" insert "tuition reduction for dependents of disabled veterans based on disability ratings and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

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 ninety or 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 ninety or 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 ninety or 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.

HA
3-27-15
2 of 3

SECTION 2. AMENDMENT. Section 15-10-18.3 of the North Dakota Century Code is amended and reenacted as follows:

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

1. Any dependent, as defined in section 15-10-18.2, except dependents of veterans with a service-connected disability rating or a total disability rating of ninety percent, 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- a. Due to the return of the prisoner of war;
 - 2- b. Due to the return of the individual missing in action; or
 - 3- c. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.
2. Any dependent, as defined in section 15-10-18.2, of a veteran with a service-connected disability rating or a total disability rating of ninety percent, 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, at a rate of tuition and fees that are reduced by the percentage of the disabled veteran's service-connected disability rating or total disability rating, whichever is higher; provided, however, that the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent; and further provided that tuition and fee charges eligible for this reduction 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 subsection because of the subsequent death of the veteran through whom the benefit was obtained.

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly

24
3-27-15
393

Date: 3-26-15
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2346**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: 15.0980.01006

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 Dockter Seconded By B. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Bill Amerman		
Vice Chair Karen Rohr			Rep. Gail Mooney		
Rep. Jason Dockter			Rep. Mary Schneider		
Rep. Mary C. Johnson			Rep. Kris Wallman		
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Jay Seibel					
Rep. Vicky Steiner					

*Voice
 vote
 motion
 carries*

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 3-26-15
 Roll Call Vote #: 2

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2346**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: 15.0998.01008

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 B. Koppelman Seconded By Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Bill Amerman		
Vice Chair Karen Rohr			Rep. Gail Mooney		
Rep. Jason Dockter			Rep. Mary Schneider		
Rep. Mary C. Johnson			Rep. Kris Wallman		
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Jay Seibel					
Rep. Vicky Steiner					

*Vote
 Vote
 motion
 carried*

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 3-26-15
 Roll Call Vote #: 3

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2346**

House Government and Veterans Affairs 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 Mooney Seconded By M. Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman	X	
Vice Chair Karen Rohr	X		Rep. Gail Mooney	X	
Rep. Jason Dockter	X		Rep. Mary Schneider	X	
Rep. Mary C. Johnson	X		Rep. Kris Wallman	X	
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Jay Seibel	X				
Rep. Vicky Steiner	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Dockter

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

REPORT OF STANDING COMMITTEE

SB 2346: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2346 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "subsection 1 of section 15-10-18.2 and sections 15-10-18.3 and"

Page 1, line 2, after "to" insert "tuition reduction for dependents of disabled veterans based on disability ratings and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

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 ninety or 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 ninety or 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 ninety or 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.

SECTION 2. AMENDMENT. Section 15-10-18.3 of the North Dakota Century Code is amended and reenacted as follows:

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

1. Any dependent, as defined in section 15-10-18.2, except dependents of veterans with a service-connected disability rating or a total disability rating of ninety percent, 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. a. Due to the return of the prisoner of war;
 2. b. Due to the return of the individual missing in action; or
 3. c. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.
2. Any dependent, as defined in section 15-10-18.2, of a veteran with a service-connected disability rating or a total disability rating of ninety percent, 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, at a rate of tuition and fees that are reduced by the percentage of the disabled veteran's service-connected disability rating or total disability rating, whichever is higher; provided, however, that the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent; and further provided that tuition and fee charges eligible for this reduction 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 subsection because of the subsequent death of the veteran through whom the benefit was obtained.

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Re-number accordingly

2015 HOUSE APPROPRIATIONS

SB 2346

2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2346
4/1/2015
Job #25723

- Subcommittee
 Conference Committee

Committee Clerk Signature

Beckie Strega

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 sections 15-10-18.3 and 37-14-18 of the North Dakota Century Code, relating to tuition reduction for dependents of disabled veterans based on disability ratings and county veterans' service officers

Minutes:

Attachment #1

Chairman Jeff Delzer opened the meeting.

Representative Jim Kasper District 46, Fargo: Spoke on the bill.

Chairman Jeff Delzer: What does section 3 of the bill do? It has something to do with the county service officers.

Kasper: Section 3 deals with how the Department of Veterans Affairs county service officers are appointed. They must maintain their accreditation.

Chairman Jeff Delzer: Did this bill come to you this way?

Kasper: Yes.

Chairman Jeff Delzer: What were your amendments?

Kasper: Reviewed all the amendments changes. (Attachment #1)

Chairman Jeff Delzer: You added sections 1 and 2, correct? And that's the 90%

Kasper: That was an amendment offered by Representative Fehr, we added section 1 and made it 90%.

Chairman Jeff Delzer: The Senate sent over section 3, and you made some changes to that?

Kasper: That's correct.

Chairman Jeff Delzer: Is there a new fiscal note on this?

Kasper: I have a fiscal note with a reduction in revenues of \$350,000 for the biennium. They are assuming there would be appropriations of \$135,000, indicating that the additional appropriation may be required because the colleges would request due to more students in classrooms.

Representative Pollert: On page 3, section 3, regarding the accreditation, was that changed in the original bill? It looks like the accreditation will now go under the county commissioners. Was that a change by the House or the Senate?

Kasper: I would have to go back and research this.

Chairman Jeff Delzer: I believe it was a change in the House, but we will have to check that out.

Representative Nelson: Lines 22 and 23 state the appointment must be maintained with the concurrence of the Commissioner of Veterans Affairs in accordance with veterans preferences. Does that change the process on how veterans services offices are put forward. Does that move some of the local control to the commissioner?

Kasper: This is making it easier for the accreditation because we are no longer going to an organization approved by the United States, and we are say it's a department of veterans affairs. They would have to maintain the accreditation and the process.

Chairman Jeff Delzer: When you change with prior advice to concurrence, you are taking away from the counties and giving it to the executive director of Department of Veterans Affairs to pick the CVO's. Do you see it that way?

Kasper: I do not see much of a conflict between the counties and the head of the veteran's affairs commission. If you prefer, you may change the word.

Representative Nelson: This is about the appointment, not the accreditation. It appears that the commissioner has more say in who is appointed now with the new language than before. Do you agree?

Kasper: I would agree.

Representative Bellew: Sections 1 in the first half (inaudible)

Chairman Jeff Delzer: It came to us at 50%. It died on the floor, 47-42.

Representative Hogan: Currently there is no state funding for county veteran services office. The appointment would be done in concurrence and the veteran's commissioner would make that decision. It's all local funding?

Kasper: Yes, to my knowledge.

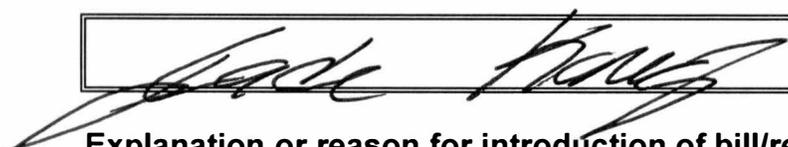
Chairman Jeff Delzer closes the meeting.

2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2346
4/9/2015
25982

- Subcommittee
 Conference Committee

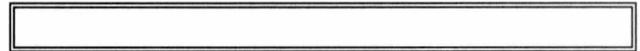


A rectangular box containing a handwritten signature in black ink, which appears to be "Wade Koenig".

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 sections 15-10-18.3 and 37-14-18 of the North Dakota Century Code, relating to tuition reduction for dependents of disabled veterans based on disability ratings and county veterans' service officers

Minutes:



An empty rectangular box with a double-line border, likely intended for a date or time stamp.

Chairman Jeff Delzer: Spoke on the bill. What it does is changes who can hire county service officers from the county to the Department of Veteran Affairs Commissioner. Section 1 of the bill the House side said anybody with 50 percent disability should get college tuition, we changed that to 75 percent. We had a do not pass on the bill it went to the floor and the bill died and they added this to this bill at 90 percent. I think what we should do is take that first section out of the bill, because the floor already kind of spoke on that and we should take the other up. Personally I cannot support giving the commissioner of veteran's affairs the opportunity to decide who gets hired as a county service officer.

Representative Pollert: I do not agree about Section 3 that was amended in. I don't think that is a good idea.

Chairman Jeff Delzer: Section 1 and 2 of the bill also had 350,000 dollar cost to the higher Ed system.

Representative Pollert: I would make the motion to amend out sections 1 and 2.

Representative Bellew: Second.

Representative Nelson: From what I have heard and what I believe myself is that we don't like section 1, we don't like section 2 and we don't like section 3 of this bill.

Chairman Jeff Delzer: You can make a substitute motion. I don't know who many people on the floor will support 3 but it did come out of GVA with a 14-0 do pass.

House Appropriations Committee
SB 2346
4/9/2015
Page 2

Motion to further amend and remove sections 1 and 2.
Motion made by Representative Pollert.
Seconded by Representative Bellew.
Voice vote.
Motion carries.

Representative Pollert: I move a Do Not Pass As Amended.

Representative Bellew: Second.

Motion for a Do Not Pass As Amended
Motion made by Representative Pollert.
Second by Representative Bellew.
Total yes 23. No 0. Absent 0.
Motion carries.
Floor assignment Representative Bellew.

SK
4/10/15

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

In lieu of the amendments adopted by the House as printed on page 1230-1232 of the House Journal, Senate Bill No. 2346 is amended as follows:

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Re-number accordingly

Date: 4/9/15
 Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES

BILL/RESOLUTION NO. 2346

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: Pollert Seconded By: Bellew

Representatives	Yes	No	Absent
Chairman Jeff Delzer	✓		
Vice Chairman Keith Kempenich	✓		
Representative Bellew	✓		
Representative Brandenburg	✓		
Representative Boehning	✓		
Representative Dosch	✓		
Representative Kreidt	✓		
Representative Martinson	✓		
Representative Monson	✓		
Representative Nelson	✓		
Representative Pollert	✓		
Representative Sanford	✓		
Representative Schmidt	✓		
Representative Silbernagel	✓		
Representative Skarphol	✓		
Representative Streyle	✓		
Representative Thoreson	✓		
Representative Vigesaa	✓		
Representative Boe	✓		
Representative Glassheim	✓		
Representative Guggisberg	✓		
Representative Hogan	✓		
Representative Holman	✓		
TOTALS	23	0	0

Floor Assignment: Bellew

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

REPORT OF STANDING COMMITTEE

SB 2346, as amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2346, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1230-1232 of the House Journal, Senate Bill No. 2346 is amended as follows:

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly

2015 TESTIMONY

SB 2346

ACCREDITATION STATUS

North Dakota County Veterans Service Officers

Date: February 4, 2015

COUNTY	VSO	APPOINTED	AL	AMVETS	DAV	NACVSO	NDDVA	VFW	VVA	OTHER
ADAMS	Scott, A.	5/28/1996	X			X	X			
BARNES	Crump, S.	7/8/2013				X	X			
BENSON	Daeley, D.	12/20/2008	X	X	X	X		X	X	X
BILLINGS	See Stark County									
BOTTINEAU	Nahinurk, D.	6/7/1994	X				X	X		X
BOWMAN	Sadowsky, P.	11/1/1994	X	X	X	X	X			X
BURKE	Isakson, L.	6/1/2013				X				
BURLEIGH	Landis, M.	8/18/2003	X	X	X	X		X		
CASS	Thorstad, D.	2015	X	X			X	X	X	X
CAVALIER	Hiltner, L.	11/1/2005								
DICKEY	Dathe, G.	7/1/2014								
DIVIDE	Fettig, R.	1/1/1983	X	X	X	X	X	X	X	X
DUNN	See Stark County									
EDDY	Valdivia, J.	7/5/2011								
EMMONS	Ohlhauser, J.	6/5/2007	X		X	X	X	X	X	X
FOSTER	Swart, C.	5/1/2008	X		X	X		X		X
GOLDEN VALLEY	Gerving, H.	4/1/2010	X	X	X	X	X	X	X	X
GRAND FORKS	Lombardi, L.	2013	X	X		X	X	X		X
GRANT	Witkowski, R.	3/17/2010				X				
GRIGGS	Kubischta, D.	1996	X	X	X	X	X	X	X	X
HETTINGER	See Stark County									
KIDDER	Ziesch, D.	2014								
LAMOURE	Ulmer, A.	7/15/2011				X	X			
LOGAN	Hilzendegeger, J.	2/4/1999	X	X	X	X	X	X	X	X
MCHENRY	Davenport, J.									
MCINTOSH	Olson, D.									
MCKENZIE	Samuelson, J.	7/1/1997	X				X	X	X	X
MCLEAN	Schreiner, T.	9/12/2000	X	X	X	X	X	X	X	X

2/5
SB 2346
#1
Pg 1

COUNTY	VSO	APPOINTED	AL	AMVETS	DAV	NACVSO	NDDVA	VFW	VVA	OTHER
MERCER	Crowley, R.	10/18/2010	X		X	X	X	X		X
MORTON	Otto, R.	12/15/1987		X	X	X		X	X	X
MOUNTRAIL	Wing, G.	4/23/1990	X	X		X	X	X		X
NELSON	See Ramsey County									
OLIVER	See Morton County									
PEMBINA	Gauthier, E.	6/27/2013					X			
PIERCE	Fjellanger, L.	3/1/2007	X							
RAMSEY	Twete, S.	5/2/2007	X	X	X	X	X	X	X	X
RANSOM	Hanna, J.	1/2/2013				X	X			
RENVILLE	Price, L.									
RICHLAND	Vetter, M.	8/1/2014								
ROLETTE	Boucher, G.	10/1/2006	X							
SARGENT	See Ransom County									
SHERIDAN	Paulus, J.	9/2/2007	X	X	X	X	X	X	X	X
SIOUX	Heinen, G.	10/8/1999	X		X	X		X	X	X
SLOPE	Holzemer, E.	2005	X		X	X		X	X	X
STARK	Clifton, J.	2015	X	X	X	X	X		X	X
STEELE	See Griggs County									
STUTSMAN	Tobin, W.	9/16/1996	X	X	X	X	X	X		
TOWNER	Benson, K.	9/19/2012					X			
TRAILL	Cost, E.	2014		X		X	X	X		
WALSH	Kratochvil, C.	7/1/2013	X	X	X	X	X	X	X	X
WARD	Braun, D.	11/20/1996	X	X	X	X	X	X		
WELLS	Johnson, D.	7/1/1985								
WILLIAMS	Carns, G.	11/17/2010		X	X	X			X	X
Accreditation information obtained from the website of the VA Office of General Counsel										

#1
pg 2

1 2346
3-26-15

Testimony on SB 2346 Rep Alan Fehr, District 36

Mr Chairman and members of the Government and Veteran Affairs Committee, I am Representative Alan Fehr of District 36.

I support SB 2346, a relatively simple bill that expands accrediting options for County Veteran Service Officers. I hope that you will pass SB 2346.

I'm also asking you to consider an amendment, unrelated to County Veteran Service Officers, which would expand tuition waivers to dependents of disabled veterans at our state colleges.

Veterans who are assessed by the VA for a service-connected disability are given a disability rating, which is in increments of 10, such as 100% disabled, 90% disabled, 80% disabled, etc. In current law, the dependents of 100% disabled veterans are given a waiver of tuition and fees at ND colleges and universities if they are working on an undergraduate degree or certificate program.

This amendment would expand this waiver of tuition and fees to include dependents of 90% disabled veterans but their waiver would be 90% of tuition and fees.

I was asked to offer this amendment by the Commissioner of Veteran Affairs. You may remember seeing and voting on this as a bill in the House chambers, as it had been introduced by Rep Mike Schatz as HB 1205. The original version of HB 1205, of which I was a co-sponsor, would have expanded the disability rating to 50%, meaning that dependents of veterans with a disability rating of 50% to 100% would have qualified for a reduction of tuition and fees. The reduction of tuition and fees would have been determined by the disability rating. In other words, a disability rating of 50% would have meant a 50% reduction of tuition and fees for dependents.

At a 50% disability rating, the fiscal note was \$2.3 million. Appropriations amended the bill to a 75% disability rating and the fiscal note dropped to \$930,000. It was voted 47-46 on the House floor, missing by one vote the 48 votes needed to pass.

The amendment in front of you reduces the fiscal note to \$350,000 by raising the disability rating to 90%.

There is one more critical point on the fiscal note. You will notice that there are no general funds for the 2015-2017 biennium. That is because the colleges and universities would be allowing tuition and fee waivers, often filling seats that are currently unfilled. In other words, most classrooms are not full to capacity and colleges are able to admit one more student to their classes at minimal cost to the college. The estimate is that they will request an appropriation of \$140,000 in the following biennium to cover their costs.

Chairman and members of the committee, I hope you can support this amendment. If you cannot, please support and pass SB 2346 without this amendment.

Thank you. I am happy to address any questions.

P2

North Dakota Legislative Branch

Verify Submit

Fiscal Notes

Details

Bill Number: HB 1205 **Amendment:** 15.0655.01001 **Engrossment:** 15.0655.02000
Original: 15.0655.01000 **In Context:** 15.0655.01001
Fiscal Note: 15.0655.02000
Requested: 02/24/2015 11:37 AM
Revision Requested:
Next Hearing:
Engrossment Status:
Agency Contact:
Assigned To/Due:
Agency Comments:

Fiscal Note

1A. 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.

(350,000) (360,000)

	2013-2015		2015-2017		2017-2019	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenue				(\$930,000)		(\$900,000)
Expenditures						
Appropriations					\$400,000	

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

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

135,000

2A. 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.

2B. 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.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

Page 1, line 1, after "reenact" insert "subsection 1 of section 15-10-18.2, section 15-10-18.3, and"

Page 1, line 2, after "to" insert "tuition reduction for dependents of disabled veterans based on disability ratings and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

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 ninety to 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 ninety to 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 ninety to 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.

SECTION 2. AMENDMENT. Section 15-10-18.3 of the North Dakota Century Code is amended and reenacted as follows:

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

1. Any dependent, as defined in section 15-10-18.2, except dependents of veterans with a service-connected disability rating or a total disability rating of ninety percent, 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. a. Due to the return of the prisoner of war;
 2. b. Due to the return of the individual missing in action; or
 3. c. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.
2. Any dependent, as defined in section 15-10-18.2, of a veteran with a service-connected disability rating or a total disability rating of ninety percent, 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, at a rate of tuition and fees that are reduced by the percentage of the disabled veteran's service-connected disability rating or total disability rating, whichever is higher; provided, however, that the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent; and further provided that tuition and fee charges eligible for this reduction 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 subsection because of the subsequent death of the veteran through whom the benefit was obtained."

Renumber accordingly

15.0980.01006
Title.

#3 2346 3-26-15
Prepared by the Legislative Council staff for
Representative Dockter
March 24, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly

15.0980.01010
Title.

Prepared by the Legislative Council staff for
House Appropriations Committee
April 9, 2015

#1
House Approps
4/1/15
SB 2346

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

In lieu of the amendments adopted by the House as printed on page 1230 and 1231 of the House Journal, Senate Bill No. 2346 is amended as follows:

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly