

**2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1046**

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Fort Union, State Capitol

HB 1046  
1/4/2019  
30430

- Subcommittee  
 Conference Committee

Committee Clerk: Carmen Hart

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

Relating to higher education grants and tuition waivers for National Guard members

### Minutes:

Attachment 1

**Chairman Kasper** opened the hearing on HB 1046.

**Rep. Dockter** testified in support of HB 1046. I used the tuition waiver program in the National Guard. Currently, if you are not fully in the National Guard and school has already started, you cannot get your tuition waiver benefits. This bill will give the Adjutant General to have the authority to allow the National Guard member to get their tuition waiver for the semester they might be in the middle of.

**Rep. Rohr:** Do you have a dollar amount of the number of people that have been impacted?

**Rep. Dockter:** There are probably three or four every biennium that this happens to.

**Rep. C. Johnson:** I would like some clarification on a waiver versus a grant.

**Rep. Dockter:** I would leave that to the experts to explain that.

**Rep. Rohr:** Is it the intent of this that it would be retroactive then?

**Rep. Dockter:** My intention is just to make it going forward. We could put in an emergency clause to expedite this.

**Major Jay Sheldon, Office of the Adjutant General,** appeared in support. Attachment 1. (5:04)-(8:56)

**Rep. Laning:** Grants are for out of state schools?

**Major Sheldon:** The waiver program is for our university system schools. The grant program applies to schools like Jamestown or the University of Mary, those that are not in the waiver program.

No opposition.

The chair closed the hearing.

**Rep. B. Koppelman:** Can a motion be made to pass it and add an emergency clause?

**Chairman Kasper:** If any of the committee members wish to add the emergency clause, you would move to add an emergency clause.

**Rep. B. Koppelman** moved to add an emergency clause.

**Rep. Rohr** seconded the motion.

**Voice vote taken. Motion carried.**

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

**Rep. Schneider** seconded the motion.

**A roll call vote was taken. 14-0, 0 absent.**

**Rep. Laning will carry the bill.**

CM  
1/4/19

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1046

Page 1, line 3, after "members" insert "; and to declare an emergency"

Page 1, after line 23, insert:

**"SECTION 3. EMERGENCY.** This Act is declared to be an emergency  
measure."

Renumber accordingly

Date: 1-4-19  
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1046

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: 19.0246.02001

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

Motion Made By Rep. Koppelman Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson					
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

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

Absent \_\_\_\_\_

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

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

*Voice vote accepted to add emergency clause*

Date: 1-4-19  
 Roll Call Vote #: 2

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1046**

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 Rep Laning Seconded By Rep. Schneider

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner	X		Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston	X				
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Karen Rohr	X				
Rep. Austen Schauer	X				
Rep. Steve Vetter	X				

Total (Yes) 14 No 0

Absent \_\_\_\_\_

Floor Assignment Rep. Laning

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

**REPORT OF STANDING COMMITTEE**

**HB 1046: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1046 was placed on the Sixth order on the calendar.

Page 1, line 3, after "members" insert "; and to declare an emergency"

Page 1, after line 23, insert:

**"SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**2019 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1046**

# 2019 SENATE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

HB1046  
3/22/2019  
#34174

- Subcommittee  
 Conference Committee

Committee Clerk: Pam Dever

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

Relating to higher education grants & tuition waivers for national guard members; & to declare an emergency.

### Minutes:

Att # 1 - Chelsey Stopplesworth

**Chairman Davison:** Let's open HB1046.

**Rep. Jason Dockter, Dist. 7, Bismarck:** This bill allows adjutant general to waiver the completion of paper work, so the guardsman can get tuition paid. Now, if their paperwork is not completed, and they have to pay for college, they can't get the tuition money. (.44) This will be a better tool for recruiting. This fixes a technicality. This happened to about 4 soldiers each biennium. It tells the soldiers that if they sign up, they will be covered for college. The House put an emergency clause on it, so that was good. (1.43) Any questions?

**Vice Chair Meyer:** Are there any reports from the DOD saying this is a nice thing to help our ranking and quality of life in N.D.

**Rep. Dockter:** That I don't know. Retention is hard enough and hard to get them to re-up. If this occurs during their first year, that leaves a bitter taste. We need this bill. (3.05)

**Chelsey Stopplesworth, Legal extern, Office of Adjutant General:** I am here in support of this bill. (see att # 1) (3.44-6.16)

**Chairman Davison:** Any more in support? Agency? Against? Hearing is closed. What are the committee wishes?

**Sen. Shawn Vedaa:** This is a good bill. This is engrossed. I move a DO PASS on HB1046.

**Vice Chair Meyer:** I second.

**Chairman Davison:** Discussion? Take roll: **YES -- 7 NO -- 0 -0-absent**  
**HB1046 PASSED. Sen. Shawn Vedaa will carry the bill.**

3-22-19

Date:  
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE  
ROLL CALL VOTES *HB 1046*  
BILL/RESOLUTION NO. *enrolled*

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 Sen. Vedaa Seconded By Sen. Meyer

Senators	Yes	No	Senators	Yes	No
Chairman Davison	/		Senator Marcellais	/	
Vice Chairman Meyer	/		Senator Oban	/	
Senator Elkin	/				
Senator Roers	/				
Senator Vedaa	/				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Vedaa

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



**REPORT OF STANDING COMMITTEE**

**HB 1046, as engrossed: Government and Veterans Affairs Committee (Sen. Davison, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1046 was placed on the Fourteenth order on the calendar.

**2019 TESTIMONY**

**HB 1046**



#1  
1046-1-4-19

# The Office of the Adjutant General

Testimony of  
Major Jay Sheldon

Representative of the  
Office of the Adjutant General  
before the

House Government and Veterans Affairs  
Committee  
January 4, 2019

House Bill 1046

P. 1  
1046  
1-4-19

TESTIMONY OF  
MAJOR JAY G. SHELDON  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE  
04 JANUARY 2019  
HOUSE BILL 1046

Good morning Mr. Chairman, I am Major Jay Sheldon, representing the Office of the Adjutant General for the North Dakota National Guard. I am here today to testify in support of House Bill 1046. This bill contains a couple updates to Title 37 with regards to the State Tuition Assistance Waiver and Grant Program.

The tuition assistance program is a critical program for recruiting and the readiness of the North Dakota National Guard. Each year around 400 Soldiers and Airmen utilize this program to assist them in paying for their post-secondary education. Tuition assistance is the biggest recruiting tool and the primary reason many people join the national guard. In order to maintain this important program we are requesting revisions that will allow new recruits more flexibility to use the program around the beginning of and after semesters start.

Section 1 to this bill updates N.D.C.C. 37-07.1-05, Application for waiver. This program is dictated in law and used at North Dakota University System institutions. The portion of this section being removed and replaced is based on how practices have changed as a result of implemented technology and processes. Through the use of technology we no longer request certificates, but now validate applications. Next in this section there are terminology changes that are being requested to more accurately describe what is occurring during the process. Finally in Section 1 we would like to add the language, "or upon initial appointment into the national guard." The reason for this addition is to allow individuals to enlist during the semester and remain eligible for tuition assistance. Occasionally individuals have been ready to enlist prior to a semester start date and for one reason or another they were unable. When the delay occurs near a semester start time it puts the individual in a difficult situation where if they aren't able to get their initial appointment and thus they will not be able to receive tuition assistance during that semester. This can cause financial hardship for the student that could be avoided by adding this language.

Section 2 to this bill updates N.D.C.C. 37-07.2-03, Application for grant. The grant program is used at non North Dakota University System institutions. In order to synchronize the grant program with the waiver program you will see the changes and additions in this section 2 mirror most of what was requested in section 1. The focus remains on the addition of the language, "or upon appointment into the national guard."

I ask for your support of HB 1046 and will stand by for any questions that you may have.

TESTIMONY OF  
CHELSEY STOPPLEWORTH  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE  
22 MARCH 2019  
ENGROSSED HOUSE BILL 1046

HB 1046  
3-22-19  
Att #1  
PSJ

Good morning Mr. Chairman and members of the committee, I am Chelsey Stoppleworth, legal extern to the Office of the Adjutant General. I am here today to testify in support of Engrossed House Bill 1046. This bill contains a couple updates to Title 37 with regards to the State Tuition Assistance Waiver and Grant Program.

The tuition assistance program is a critical program for recruiting and the readiness of the North Dakota National Guard. Each year around 400 Soldiers and Airmen utilize this program to assist them in paying for their post-secondary education. Tuition assistance is the biggest recruiting tool and the primary reason many people join the national guard. In order to maintain this important program we are requesting revisions that will allow new recruits more flexibility to use the program around the beginning of and after semesters start.

Section 1 to this bill updates N.D.C.C. 37-07.1-05, Application for waiver. This program is dictated in law and used at North Dakota University System institutions. The portion of this section being removed and replaced is based on how practices have changed as a result of implemented technology and processes. Through the use of technology we no longer request certificates, but now validate applications. Next in this section there are terminology changes that are being requested to more accurately describe what is occurring during the process. Finally in Section 1 we would like to add the language, "or upon initial appointment into the national guard." The reason for this addition is to allow individuals to enlist during the semester and remain eligible for tuition assistance. Occasionally individuals have been ready to enlist prior to a semester start date and for one reason or another they were unable. When the delay occurs near a semester start time it puts the individual in a difficult situation where if they aren't able to get their initial appointment and thus they will not be able to receive tuition assistance during that semester. This can cause financial hardship for the student that could be avoided by adding this language.

Section 2 to this bill updates N.D.C.C. 37-07.2-03, Application for grant. The grant program is used at non North Dakota University System institutions. In order to synchronize the grant program with the waiver program you will see the changes and additions in this section 2 mirror most of what was requested in section 1. The focus remains on the addition of the language, "or upon appointment into the national guard."

I ask for your support of HB 1046 and will stand by for any questions that you may have.