2023 SENATE AGRICULTURE AND VETERANS AFFAIRS

SB 2094

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee
Fort Union Room, State Capitol

SB 2094
1/5/2023

A bill relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

9:31 AM Chairman Luick called the meeting to order.
Members present: Chairman Luick, Vice Chairman Myrdal, Senator Lemm, Senator Weber, Senator Weston. Absent: Senator Hogan.

Discussion Topics:

- National Guard grants
- Out-of-state postsecondary education
- Wording

9:32 AM Jackie Huber, Deputy Adjutant General for the ND National Guard, testified in favor of SB 2094. #12420.

9:43 AM Chris Martens, Attorney Advisor with the National Guard, recommended an amendment. In subparagraph 4 it says "for the purpose of this section out-of-state means…" and it should say "for the purpose of this section out-of-state includes…"

9:45 AM Katherine Grinberg, Executive Vice President of Fargo Moorhead-West Fargo Chamber of Commerce, testified by video in support of SB 2094. #12400

10:01 AM Senator Myrdahl moved Do Pass on SB 2094.
Senator Lemm seconded the motion.

Roll call vote:

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	Y
Senator Kathy Hogan	A
Senator Randy D. Lemm	Y
Senator Mark F. Weber	Y
Senator Kent Weston	Y

Roll Call Vote: 5 yes, 0 No, 1 Absent DO PASS SB 2094

10:11 AM Chairman Luick recessed.
10:12 AM Chairman Luick reopened the meeting.

10:12 AM Senator Myrdal moved to reconsider a Do Pass motion on SB 2094.
10:12 AM Senator Lemm seconded the motion.

Roll Call Vote to reconsider the Do Pass

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	Y
Senator Kathy Hogan	A
Senator Randy D. Lemm	Y
Senator Mark F. Weber	Y
Senator Kent Weston	Y

Motion passed 5-0-1 to reconsider.

10:13 AM Chris Martens, Attorney Advisor with the National Guard, recommended amendment in line 22, page 1, in subparagraph 4, the word “means” be changed to the word “includes”.

10:13 AM Senator Myrdahl moved to amend SB 2094 by striking the word “means” and replace it with “includes”. LC 23.8100.01001
Senator Lemm seconded the motion.

Roll call vote.

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	Y
Senator Kathy Hogan	A
Senator Randy D. Lemm	Y
Senator Mark F. Weber	Y
Senator Kent Weston	Y

Motion passed 5-0-1

10:15 AM Senator Myrdal moved DO PASS as Amended.
10:15 AM Senator Lemm seconded.

Roll call vote.

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	Y
Senator Kathy Hogan	A
Senator Randy D. Lemm	Y
Senator Mark F. Weber	Y
Senator Kent Weston	Y

Motion passed 5-0-1 DO PASS SB 2094 AS AMENDED.

Senator Weber will carry the bill.

10:15 AM Chairman Luick adjourned the meeting.

Brenda Cook, Committee Clerk

AG
1-5-23
(1-1)

23.8100.01001
Title.02000

Adopted by the Senate Agriculture and
Veterans Affairs Committee
January 5, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2094

Page 1, line 22, replace "means" with "includes"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2094: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2094 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 22, replace "means" with "includes"

Renumber accordingly

2023 SENATE APPROPRIATIONS

SB 2094

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2094
1/18/2023

A BILL for an Act relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

10:32 AM Chairman Bekkedahl opened the hearing on SB 2094.

Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

Members absent: Senator Meyer

Discussion Topics:

- National Guard member tuition grants
- Recruiting and retention
- State comparison
- Tuition grant requests
- Reciprocity

10:33 AM Brigadier General Jackie Huber, North Dakota National Guard, appeared to introduce the bill and testified in favor. (no written testimony)

Chairman Bekkedahl assigned this Bill to the Education and Environment Division.

10:45 AM Chairman Bekkedahl closed the hearing.

Kathleen Hall, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations - Education and Environment Division
Sakakawea Room, State Capitol

SB 2094
1/27/2023

A BILL for an Act relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

10:09 AM Chairman Sorvaag opened the hearing on SB 2094.

Members present: Senators Sorvaag, Krebsbach, Rust, Schaible, and Meyer

Discussion Topics:

- North Dakota National Guard
- Recruiting retention

10:09 AM Jackie Huber, Deputy Adjutant General for the North Dakota National Guard, overview of the bill, testified in favor. Testimony # 17276

10:16 AM Cale Dunwoody, Director of Public Policy FMWF Chamber of Commerce, testified in favor. Testimony # 17354

10:17 AM Al Dormann, Adjutant General North Dakota National Guard, testified in favor. (no written testimony)

10:19 AM Chairman Sorvaag closed the hearing.

Kathleen Hall, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations - Education and Environment Division
Sakakawea Room, State Capitol

SB 2094
1/31/2023

A BILL for an Act relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

9:07 AM Chairman Sorvaag called the meeting to order on SB 2094.

Members present: Senators Sorvaag, Krebsbach, Rust, Schaible, and Meyer

Discussion Topics:

- North Dakota National Guard
- Tuition grants

9:11 AM Senator Schaible moved DO PASS as engrossed;
Senator Rust seconded the motion

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Karen K. Krebsbach	Y
Senator Scott Meyer	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y

Motion passes 5 yes – 0 no – 0 absent

Senator Sorvaag will carry SB 2094 to full committee.

9:21 AM Chairman Sorvaag closed the hearing.

Kathleen Hall, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2094
2/1/2023

A bill relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions; and to provide a legislative management report.

8:44AM Chairman Bekkedahl opened the meeting on SB 2094.
Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

Discussion Topics:

- Fiscal Note
- Guard member tuition assistance
- Includes out of state
- Workforce competition
- Adjutant General budget
- Bill action

8:45AM Senator Sorvaag moved a Do Pass.

8:45AM Senator Schaible Seconded.

8:51AM Roll call vote:

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y

Motion carried 16-0-0

8:52AM Chairman Bekkedahl closed the meeting.

Carie Winings, Chief Clerk

REPORT OF STANDING COMMITTEE

SB 2094, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2094 was placed on the Eleventh order on the calendar. This bill affects workforce development.

2023 HOUSE EDUCATION

SB 2094

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2094
3/6/2023

Relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

2:31 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Hager, Hauck, Heilman, Hoverson, Jonas, Marschall, Murphy, Novak, and Timmons. Absent: Representatives Dyk and Longmuir.

Discussion Topics:

- Tuition assistance program
- Recruiting and Retention
- Competitive benefits
- Flexibility

Jackie Hubers, Brigadier General, ND National Guard, introduced the bill
Katherine Grindberg, Executive Vice Preside of Fargo West Fargo Chamber of Commerce, Testimony 22135
Sheldon Jay, Testimony 22108

2:45 PM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2094
3/7/2023

Relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

3:46 PM

Chairman Heinert opened the meeting. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, and Timmons. Absent: Representative Novak.

Discussion Topics:

- New section
- Committee action

Rep Heilman moved a Do Not Pass, seconded by Rep Hoverson.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	N
Representative Liz Conmy	N
Representative Scott Dyk	Y
Representative LaurieBeth Hager	N
Representative Dori Hauck	Y
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	N
Representative Donald W. Longmuir	N
Representative Andrew Marschall	Y
Representative Eric James Murphy	N
Representative Anna S. Novak	AB
Representative Kelby Timmons	Y

7-6-1 Motion carried. Rep Heilman is carrier.

3:56 PM Meeting adjourned.

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2094, as engrossed: Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2094 was placed on the Fourteenth order on the calendar.

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2094
3/14/2023

Relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

3:46 PM

Chairman Heinert opened the meeting. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, and Timmons. Absent: Representative Novak.

Discussion Topics:

- Committee action

Rep Murphy moved to Reconsider SB 2094, seconded by Rep Hoverson. Voice vote, motion carried.

Rep Murphy moved to amend SB 2094 with an Emergency Clause and in Section 2 Line 22 removed “includes” and replace with “excludes”.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	AB
Representative Dori Hauck	Y
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	Y
Representative Anna S. Novak	AB
Representative Kelby Timmons	y

12-0-2 Motion carried.

Rep Murphy moved a Do Pass as Amended, seconded by Rep Jonas.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	AB
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	AB

Representative Dori Hauck	Y
Representative Matt Heilman	N
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	Y
Representative Anna S. Novak	AB
Representative Kelby Timmons	Y

10-1-3 Motion carried. Rep Murphy is carrier.

3:56 PM Meeting adjourned.

Kathleen Davis, Committee Clerk

Adopted by the House Education Committee

March 14, 2023

3-14-23

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2094

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

Page 1, line 22, replace "includes" with "does not include"

Page 1, after line 24, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2094, as engrossed: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2094 was placed on the Sixth order on the calendar.

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

Page 1, line 22, replace "includes" with "does not include"

Page 1, after line 24, insert:

"**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

2023 SENATE AGRICULTURE AND VETERANS AFFAIRS

SB 2094

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee
Fort Union Room, State Capitol

SB 2094
3/24/2023

A bill relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions; and to declare an emergency.

2:26 PM Chairman Luick opened the meeting. Members present: Chairman Luick, Vice Chairman Myrdal, Senator Lemm, Senator Hogan, Senator Weston, Senator Weber.

Discussion Topics:

- Discussion on SB 2094

2:26 PM Committee discussion on SB 2094.

2:27 PM Committee did not concur with House amendments.

2:27 PM Chairman Luick adjourned.

Brenda Cook, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee
Fort Union Room, State Capitol

SB 2094
3/30/2023

A bill relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

10:02 AM Chairman Luick called the meeting to order. Members present: Chairman Luick, Vice Chairman Myrdal, Senator Lemm, Senator Hogan, Senator Weston, Senator Weber.

Discussion Topics:

- House changes

10:04 AM Chairman Luick reviewed the House changes.

10:05 AM Chairman Luick closed the meeting.

Brenda Cook, Committee Clerk

2023 CONFERENCE COMMITTEE

SB 2094

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee
Fort Union Room, State Capitol

SB 2094
4/7/2023
Conference Committee

A bill relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

9:27 AM Senator Weber opened the Conference Committee meeting. Members present: Chairman Weber, Senator Lemm, Senator Hogan, Representative Jonas, Representative Heilman, Representative Conmy.
Absent: None.

Discussion Topics:

- Recruiting
- Online classes
- Educational value

9:27 AM Committee discussion on SB 2094.

9:34 AM Major Dohrmann, North Dakota National Guard, provided information to the committee, and answered questions. #27376

9:46 AM Chairman Weber adjourned.

Brenda Cook, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee
Fort Union Room, State Capitol

SB 2094
4/13/2023
Conference Committee

A bill relating to the expansion of the national guard tuition grants to include out-of-state postsecondary education institutions.

2:30 PM Chairman Weber opened the conference committee meeting.

Members present: Chairman Weber, Senator Lemm, Senator Hogan, Representative Jonas, Representative Heilman, Representative Conmy.

Discussion Topics:

- Proposed amendment 23.8100.02003
- Conference committee action

2:37 PM Committee discussion on SB 2094

2:38 PM Senator Hogan moved to adopt the proposed amendments to SB 2094. LC 23.8100.02003 (#27549)

2:38 PM Representative Conmy seconded the motion.

2:40 PM Adjutant General Al Dohrmann, North Dakota National Guard, provided information to the committee (27548).

Roll call vote: 6-0-0 Motion passed.

2:45 PM Representative Jonas moved the House recede from House amendments and further amend SB 2094 with LC 23.8100.02003.

2:45 PM Representative Heilman seconded the motion.

Roll call vote: 6-0-0 Motion passed.

Representative Jonas is the House bill carrier.

Senator Weber is the Senate bill carrier.

2:46 PM Chairman Weber adjourned.

Brenda Cook, Committee Clerk

SK
4/13
1 of 1

23.8100.02003
Title.04000

Adopted by the Conference Committee

April 13, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2094

That the House recede from its amendments as printed on page 1049 of the Senate Journal and pages 1227 and 1228 of the House Journal and that Engrossed Senate Bill No. 2094 be amended as follows:

Page 1, line 3, after "institutions" insert "; and to provide for a legislative management report"

Page 1, line 8, after "**Terms**" insert "**- Report**"

Page 1, after line 24, insert:

"5. Before June 1, 2024, the national guard shall provide a report to the legislative management regarding tuition grant usage, including the number of grants awarded for the use at out-of-state institutions and grants awarded for online or remote coursework."

Renumber accordingly

Date: 4/13/2023
Roll Call Vote 1

2023 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2094 Engrossed

Senate Agriculture/Veterans Affairs Committee

Action Taken
- ☐ **SENATE accede to House Amendments**
- ☐ **SENATE accede to House Amendments and further amend**
- ☐ **HOUSE recede from House amendments**
- ☒ **HOUSE recede from House amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: *Representative Jonas* Seconded by: *Representative Heilman*

Senators	4-*13*			**Yes**	**No**		**Representatives**	4-13			**Yes**	**No**
W*eber*	X			X			Jonas	X			X	
Lemm	X			X			Heilman	X			X	
Hogan	X			x			Conmy	X			X	
Total Senate Vote				3			Total Rep. Vote				3	

Vote Count Yes: 6 No: 0 Absent: 0

Senate Carrier Weber House Carrier Jonas

LC Number 23.8100 . 02003 of amendment

LC Number 23.8100 . 04000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 23.8100.02003
Senate Carrier: Weber
House Carrier: Jonas

REPORT OF CONFERENCE COMMITTEE

SB 2094, as engrossed: Your conference committee (Sens. Weber, Lemm, Hogan and Reps. Jonas, Heilman, Conmy) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1049, adopt amendments as follows, and place SB 2094 on the Seventh order:

That the House recede from its amendments as printed on page 1049 of the Senate Journal and pages 1227 and 1228 of the House Journal and that Engrossed Senate Bill No. 2094 be amended as follows:

Page 1, line 3, after "institutions" insert "; and to provide for a legislative management report"

Page 1, line 8, after "**Terms**" insert "**- Report**"

Page 1, after line 24, insert:

"5. Before June 1, 2024, the national guard shall provide a report to the legislative management regarding tuition grant usage, including the number of grants awarded for the use at out-of-state institutions and grants awarded for online or remote coursework."

Renumber accordingly

Engrossed SB 2094 was placed on the Seventh order of business on the calendar.

TESTIMONY

SB 2094

THE CHAMBER
FARGO MOORHEAD WEST FARGO

FMWF Chamber Support for SB 2094

January 5th, 2023

Chairman Luick and members of the Senate Agriculture and Veterans Affairs Committee:

For the record, my name is Katherine Grindberg and I have the pleasure of serving as the Executive Vice President for the Fargo Moorhead West Fargo (FMWF) Chamber of Commerce. The Chamber's mission is to be a catalyst for economic growth and prosperity for businesses, members, and the greater community. Today, on behalf of our over 1,900 members, I offer testimony in support of Senate Bill 2094.

As you know, workforce is a major challenge facing every employer across this great state and the North Dakota National Guard is not exempt from these challenges to attract and retain talented individuals. Our local National Guard units have seen firsthand the recruiting challenges that exist in the current employment market. These challenges are heightened given the current language that exists within Chapter 37 of the North Dakota Century Code, relating to National Guard tuition grants. Under current law, North Dakota Guardsmen and Guardswomen cannot utilize state tuition assistance if enrolled in a post-secondary institution that is located outside of the state, including remote course options.

With the growing number of online or remote courses of study and our community's proximity to post-secondary institutions in Minnesota, this adjustment to state law would allow our National Guard recruiters to tap into new candidate pools that want to join the North Dakota National Guard but may be interested in attending a post-secondary institution in a neighboring community. For example, States like Minnesota allow for 100 percent undergraduate tuition reimbursement, up to the resident undergraduate rate at the University of Minnesota for 144 semester credits, for their guard members regardless of institution and location.

Just last year, 66 high-interested recruits decided not to enlist in the North Dakota Air National Guard's 119th Wing in Fargo simply because they were considering a college out of state or online and would not receive tuition assistance should they decide to go there. Our state must continue to find creative solutions to compete for highly skilled workers and navigate the waters of this national workforce shortage. Senate Bill 2094 does exactly that by expanding opportunities for the men and women that serve our state and nation.

On behalf of our members, I would like to thank committee members for their time this morning and would urge a DO PASS recommendation.

Respectfully,

Katherine Grindberg

Executive Vice President
FMWF Chamber of Commerce
kgrindberg@fmwfchamber.com

TESTIMONY OF
BRIGADIER GENERAL JACKIE HUBER
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE AG AND GOVERNMENT AFFAIRS
05 JANUARY 2023
SENATE BILL 2094

Greetings, Chairman Luick and members of the committee, I am Jackie Huber, Deputy Adjutant General for the North Dakota National Guard (NDNG). I am here today to testify in support of Senate Bill 2094. This bill proposes to establish a new section of law 37-07.2 and would grant eligibility for North Dakota National Guard Members State Tuition Assistance (STA) beyond the boundaries of North Dakota. There are 619 NDNG members that live in surrounding states, of which 561 (91%) live in Minnesota.

The North Dakota National Guard met recruiting goals in 2020 and 2021 but we fell short in 2022 and are projected to fall short again in 2023. There are various circumstances as to why this is occurring, but a contributing factor is that North Dakota is at a competitive disadvantage to other states when providing education assistance to its members. We are in direct competition for recruits with surrounding states, particularly Minnesota and we feel that establishment of 37-07.2 is necessary to be competitive.

The North Dakota National Guard's number one recruiting tool is education benefits. Approximately, 80% of recruits have stated that it is a primary reason for them joining the National Guard. NDNG members leverage federal education benefits like Federal Tuition Assistance and the GI Bill. Presently, the Air National Guard does not have a Federal Tuition Assistance Program. The state and federal programs are generally used in combination to provide the best benefit to the service member with STA being applied last to leverage the federal dollars before applying state dollars.

Currently, STA is authorized for use at public and private colleges only in North Dakota. Our recommendation of SB 2094 would allow members of the North Dakota National Guard attending college outside of North Dakota, to receive STA, like the current practice of our most direct competition. Currently any member of the Minnesota National Guard that attends a North Dakota college receives state tuition reimbursement from Minnesota, but a member of the North Dakota National Guard attending an out of state college is not afforded that same benefit.

Each semester, on average 450 NDNG service members request STA, which expends approximately $2.7M of our $3M general fund base budget. Our estimates for NDNG members that already attend out of state schools, either resident or on-line, is roughly 60-120. The annual estimated number of recruits lost to our competition is between 25-54. Our most up to date projections estimate the STA program could expand to schools outside of ND as a nearly budget neutral program in the 2023-25 biennium given our base budget of $3M and carry-over request in the agency's executive recommendation of $1.7M.

In this highly competitive environment, we need to be just as supportive of our members as our competition. I ask for your support of SB 2094 and will stand by for any questions that you may have.

TESTIMONY OF
BRIGADIER GENERAL JACKIE HUBER
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE APPROPRIATIONS – EDUCATION AND ENVIRONMENT
27 JANUARY 2023
SENATE BILL 2094

Greetings, Chairman Sorvaag and members of the committee, I am Jackie Huber, Deputy Adjutant General for the North Dakota National Guard (NDNG). I am here today to testify in support of Senate Bill 2094. This bill proposes to establish a new section of law 37-07.2 and would grant eligibility for North Dakota National Guard Members State Tuition Assistance (STA) beyond the boundaries of North Dakota. There are 619 NDNG members that live in surrounding states, of which 561 (91%) live in Minnesota.

The North Dakota National Guard met recruiting goals in 2020 and 2021 but we fell short in 2022 and are projected to fall short again in 2023. There are various circumstances as to why this is occurring, but a contributing factor is that North Dakota is at a competitive disadvantage to other states when providing education assistance to its members. We are in direct competition for recruits with surrounding states, particularly Minnesota and we feel that establishment of 37-07.2 is necessary to be competitive.

The North Dakota National Guard's number one recruiting tool is education benefits. Approximately, 80% of recruits have stated that it is a primary reason for them joining the National Guard. NDNG members leverage federal education benefits like Federal Tuition Assistance and the GI Bill. Presently, the Air National Guard does not have a Federal Tuition Assistance Program. The state and federal programs are generally used in combination to provide the best benefit to the service member with STA being applied last to leverage the federal dollars before applying state dollars.

Currently, STA is authorized for use at public and private colleges only in North Dakota. Our recommendation of SB 2094 would allow members of the North Dakota National Guard attending college outside of North Dakota, to receive STA, like the current practice of our most direct competition. Currently any member of the Minnesota National Guard that attends a North Dakota college receives state tuition reimbursement from Minnesota, but a member of the North Dakota National Guard attending an out of state college is not afforded that same benefit.

Each semester, on average 450 NDNG service members request STA, which expends approximately $2.7M of our $3M general fund base budget. Our estimates for NDNG members that already attend out of state schools, either resident or on-line, is roughly 60-120. The annual estimated number of recruits lost to our competition is between 25-54. Our most up to date projections estimate the STA program could expand to schools outside of ND as a nearly budget neutral program in the 2023-25 biennium given our base budget of $3M and carry-over request in the agency's executive recommendation of $1.7M.

In this highly competitive environment, we need to be just as supportive of our members as our competition. I ask for your support of SB 2094 and will stand by for any questions that you may have.

THE CHAMBER
FARGO MOORHEAD WEST FARGO

FMWF Chamber Support for SB 2094

January 27th, 2023

Chairman Sorvaag and members of the Senate Appropriations Committee - Education and Environment Division:

For the record, my name is Cale Dunwoody and I have the pleasure of serving as the Director of Public Policy for the Fargo Moorhead West Fargo (FMWF) Chamber of Commerce. The Chamber's mission is to be a catalyst for economic growth and prosperity for businesses, members, and the greater community. Today, on behalf of our over 1,900 members, I offer testimony in support of Senate Bill 2094.

As you know, workforce is a major challenge facing every employer across this great state and the North Dakota National Guard is not exempt from these challenges to attract and retain talented individuals. Our local National Guard units have seen firsthand the recruiting challenges that exist in the current employment market. These challenges are heightened given the current language that exists within Chapter 37 of the North Dakota Century Code, relating to National Guard tuition grants. Under current law, North Dakota Guardsmen and Guardswomen cannot utilize state tuition assistance if enrolled in a post-secondary institution that is located outside of the state, including remote course options.

With the growing number of online or remote courses of study and our community's proximity to post-secondary institutions in Minnesota, this adjustment to state law would allow our National Guard recruiters to tap into new candidate pools that want to join the North Dakota National Guard but may be interested in attending a post-secondary institution in a neighboring community. For example, States like Minnesota allow for 100 percent undergraduate tuition reimbursement, up to the resident undergraduate rate at the University of Minnesota for 144 semester credits, for their guard members regardless of institution and location.

It is estimated that the ND National Guard loses between 25 and 54 recruits simply because they are considering a college out of state or online and would not receive tuition assistance should they decide to go there. Our state must continue to find creative solutions to compete for highly skilled workers and navigate the waters of this national workforce shortage. Senate Bill 2094 does exactly that by expanding opportunities for the men and women that serve our state and nation. On behalf of our members, I would like to thank committee members for their time this morning and would urge a DO PASS recommendation.

Respectfully,

Cale Dunwoody
Director of Public Policy
FMWF Chamber of Commerce
cdunwoody@fmwfchamber.com

TESTIMONY OF
BRIGADIER GENERAL JACKIE HUBER
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
HOUSE EDUCATION
06 MARCH 2023
SENATE BILL 2094

Greetings, Chairman Heinert and members of the committee, I am Jackie Huber, Deputy Adjutant General for the North Dakota National Guard (NDNG). I am here today to testify in support of Senate Bill 2094. This bill proposes to establish a new section of law 37-07.2 and would grant eligibility for North Dakota National Guard Members State Tuition Assistance (STA) beyond the boundaries of North Dakota. There are 619 NDNG members that live in surrounding states, of which 561 (91%) live in Minnesota.

The North Dakota National Guard met recruiting goals in 2020 and 2021 but we fell short in 2022 and are projected to fall short again in 2023. There are various circumstances as to why this is occurring, but a contributing factor is that North Dakota is at a competitive disadvantage to other states when providing education assistance to its members. We are in direct competition for recruits with surrounding states, particularly Minnesota and we feel that establishment of 37-07.2 is necessary to be competitive.

The North Dakota National Guard's number one recruiting tool is education benefits. Approximately, 80% of recruits have stated that it is a primary reason for them joining the National Guard. NDNG members leverage federal education benefits like Federal Tuition Assistance and the GI Bill. Presently, the Air National Guard does not have a Federal Tuition Assistance Program. The state and federal programs are generally used in combination to provide the best benefit to the service member with STA being applied last to leverage the federal dollars before applying state dollars.

Currently, STA is authorized for use at public and private colleges only in North Dakota. Our recommendation of SB 2094 would allow members of the North Dakota National Guard attending college outside of North Dakota, to receive STA, like the current practice of our most direct competition. Currently any member of the Minnesota National Guard that attends a North Dakota college receives state tuition reimbursement from Minnesota, but a member of the North Dakota National Guard attending an out of state college is not afforded that same benefit.

Each semester, on average 450 NDNG service members request STA, which expends approximately $2.7M of our $3M general fund base budget. Our estimates for NDNG members that already attend out of state schools, either resident or on-line, is roughly 60-120. The annual estimated number of recruits lost to our competition is between 25-54. Our most up to date projections estimate the STA program could expand to schools outside of ND as a nearly budget neutral program in the 2023-25 biennium given our base budget of $3M and carry-over request in the agency's executive recommendation of $1.7M.

In this highly competitive environment, we need to be just as supportive of our members as our competition. I ask for your support of SB 2094 and will stand by for any questions that you may have.

THE CHAMBER
FARGO MOORHEAD WEST FARGO

FMWF Chamber Support for SB 2094

March 6th, 2023

Chairman Heinert and Members of the House Education Committee:

For the record, my name is Katherine Grindberg and I have the pleasure of serving as the Executive Vice President for the Fargo Moorhead West Fargo (FMWF) Chamber of Commerce. The Chamber's mission is to be a catalyst for economic growth and prosperity for businesses, members, and the greater community. Today, on behalf of our over 1,900 members, I offer testimony in support of Senate Bill 2094.

As you know, workforce is a major challenge facing every employer across this great state and the North Dakota National Guard is not exempt from these challenges to attract and retain talented individuals. Our local National Guard units have seen firsthand the recruiting challenges that exist in the current employment market. These challenges are heightened given the current language that exists within Chapter 37 of the North Dakota Century Code, relating to National Guard tuition grants. Under current law, North Dakota Guardsmen and Guardswomen cannot utilize state tuition assistance if enrolled in a post-secondary institution that is located outside of the state, including remote course options.

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It is estimated that the ND National Guard loses between 25 and 54 recruits simply because they are considering a college out of state or online and would not receive tuition assistance should they decide to go there. Our state must continue to find creative solutions to compete for highly skilled workers and navigate the waters of this national workforce shortage. Senate Bill 2094 does exactly that by expanding opportunities for the men and women that serve our state and nation. On behalf of our members, I would like to thank committee members for their time this morning and would urge a DO PASS recommendation.

Respectfully,

Katherine Grindberg
Executive Vice President
FMWF Chamber of Commerce
kgrindberg@fmwfchamber.com

NORTH DAKOTA NATIONAL GUARD SUPPORT FOR SENATE VERSION OF SB 2094

Recommendation: Return to Senate version of SB 2094; add the emergency clause included by the House.

1. **The intent of the law is to recognize the vital role of the Guard and to improve the educational level of its members for the benefit of the state in domestic operations.**

   37-07.1-01. Legislative intent and purpose. The purpose of this chapter is to recognize the vital role of the national guard in the state. While the national guard is subject to federal control during periods of national emergency, it is organized, trained, and equipped to perform military functions and to aid civil authorities in the protection of life and property while it is subject to the control of the state. **The purpose of this chapter is to encourage voluntary membership in the guard, improve the educational level of its members, and thereby benefit the state as a whole.**

2. **Need maximum flexibility to compete with Minnesota and help ensure we don't lose any more units (we are losing an Engineer company this summer, in part, because we failed to meet end-strength).**

   North Dakota End-strength:
   Assigned: 2941
   Authorized: 3070
   Percent fill: **96%**
   Vacant positions: 129 (equals 1 engineer or Military Police company)

   Minnesota End-strength:
   Assigned: 10,303
   Authorized: 9669
   Percent fill: **106.5**
   Vacant positions: 0

3. **Finite amount of funds (while this Bill had a fiscal note, it is not "new money") will minimize impact of including on-line, out-of-state schools.**

4. **There are required and recommended courses of study for our members' military or civilian occupations that may not be offered at a North Dakota school. Out-of-state on-line may be the only option.**

5. **Deployed soldiers and airmen education needs may best be met by an on-line, out-of-state school.**

NORTH DAKOTA NATIONAL GUARD SUPPORT OF SENATE VERSION OF 2094

1. State Tuition Assistance payments for Fall 2022 Semester.

SCHOOL	AMOUNT	STUDENTS	ARMY	AIR
NDSU	250,389.65	102	46	56
UND	238,333.45	99	59	40
UMARY	61,835.48	30	14	16
NDSCS	28,005.45	26	17	9
BSC	21,035.48	21	18	3
Jamestown	10,045.38	4	4	0
Minot State	7,225.46	5	2	3
Lake Region	4,941.15	4	3	1
Dakota State	3,680.82	2	2	0
Rasmussen	2,683.00	1	1	0
Mayville State	2,294.43	2	1	1
Dickinson State	971.10	1	1	0
Valley City State	397.89	1	0	1
	$631,838.74	298	168	130

2. FY 23-25 Biennium Projections:

	Number of Students	Average Cost Per student for STA Per Semester	State Tuition Assistance
Starting Balance			$4,742,235
In-state	298	$2120	($2,600,000)
Out of State/online	75	$2130	($639,000)
Ending Balance			$1,503,235

SECTION 1. A new section to chapter 37-07.2 of the North Dakota Century Code is created and enacted as follows:

National guard member grants - Eligibility for use for out-of-state postsecondary education institutions - Terms.

1. Subject to legislative appropriation and regulations adopted by the adjutant general, a qualifying member of the national guard who enrolls in an accredited postsecondary education institution which is located outside of the state, may receive a grant in an amount not to exceed one hundred percent of the cost of tuition and fees for similar courses and credit hours for a qualifying member of the national guard who is enrolled in the North Dakota university system with the highest tuition and fee rate.

2. The adjutant general shall adopt regulations for distributing grants under this section and establishing qualification requirements for grant recipients.

3. A member of the national guard may receive a grant under this section if the member maintains satisfactory performance with the national guard, meets the qualification requirements of the regulations adopted under this section, and pursues a course of study satisfying the normal requirements of the postsecondary institution in which the member is enrolled.

4. For purposes of this section, "out - of - state" ~~does not~~ includes any online or remote course of study offered by an accredited postsecondary education institution located outside the state of North Dakota

5. Before January 1, 2025, the national guard shall present a report to the legislative management regarding an update on tuition grant usage, including the number of grants awarded for out-of-state institutions and grants awarded for online or remote coursework.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.