

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2079

2005 SENATE EDUCATION

SB 2079

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2079

Senate Education Committee

☐ Conference Committee

Hearing Date 1/17/05

Tape Number	Side A	Side B	Meter #
1	x		0-1690
Committee Clerk Signature <i>Patty Wilkens</i>			

Minutes: Relating to free higher education tuition and fees for dependents of veterans and survivors of firefighters and peace officers

Senator Layton Freborg, Chairman called the meeting to order on SB 2079

Testimony in support of the Bill:

Pat Seaworth, General Counsel, introduced the bill at the request of State Board of Higher Education

See attached: written testimony.

Senator Flakoll : I believe there will be an amendment that will be forth coming that will include EMS individuals to the list of applicable individuals. Is there any problem that we foresee with that?

Pat Seaworth : The board doesn't have a position on that at this time, we assume that the #'s would be small and the impact would be minimal. Without actually knowing that we just don't

have a position we certainly aren't going to oppose it at least at this time. The board has not had a change to interpret.

Senator Seymour : I see the fiscal note says zero, is this a real fiscal note when it says zero?

Pat Seaworth : No, obviously the fiscal impact is not zero, it is just that it is impossible for us to come up with a concrete figure. The amount of the waiver varies with the various students, if the calculations are done manually we would have had to survey all the campuses and they would have had to manually go through their records to come up with actual #'s. We do know that the # is small relative to the total budgets on the campuses. A few \$'s for a hand full of students, the # is small and then it will be partially offset by the administrative savings.

Mark Weber : Director of Golden Heart Paramedics,

See attached: written testimony.

Senator G. Lee : When you say EMS, does this include all levels of emergency personal from paramedics, to EMT to first responders?

Mark Weber : The first responders are not included in that. But EMT basic, EMT intermediates. and paramedics are included in that. There's actually a level of first responders, and typically first responders are, firefighters and police officers, highway patrol, already covered in that. We don't recognize first responders as EMS providers through the health department.

Senator G. Lee : Do we know how many of the #'s of people we would be looking to add then? :

Mark Weber : Probably not. I really don't know of anyone in the last five yrs. that have died. Throughout the country there have been accidents with ambulances. This does happen, look at anhydrous, and also tornado, this could happen.

John Jacobsen : Chairman of the Legislative Committee of North Dakota Veterans

Coordinating Council.

See attached: written testimony.

Major General Mike Haugen : North Dakota National Guard, I support this bill as amended.

Raymond Rothman : I strongly support this bill. Amvets legislative director.

Testimony in opposition of the Bill:

no opposition

Senator Freborg : closed the hearing on SB 2079

Senator Flakoll : I have before me amendments that were drafted, what would you prefer we do? Move the motion or have the others have a chance to look at them?

Senator Freborg : You may move them

Senator Flakoll, Made a motion for a do pass as amended on SB 2079, Seconded By, **Senator G. Lee**

Senator Freborg : discussion on motion

Senator Flakoll : Appropriate that individuals that are being added to this are, have similar sometimes duties, sometimes in terms of general public, risks involved and general impressions by the public in terms of what they do in our appreciation there of. That's why I think its important. It also seems appropriate that if one of the other ones listed, for example a firefighter killed en route to an event could the same as that of the others listed.

Senator Erbele : Using the term emergency medical technician, EMT, or should it be EMS? rather than emergency medical provider? There is the intermediate and the paramedic. I think it should be worded differently or maybe I am thinking wrong.

Senator Flakoll : I would say this is a little above my pay scale, originally I had drafted it said emergency medical service men. I'd ask Dirk after seeing testimony from Mr. Weber where they reference the emergency medical technicians on pg. two of his testimony. I would like to ask Mr. Weber to come back up to ask more.

Mark Weber : We would go with, EMT because EMT does include EMT intermediate, EMT basic, and EMT paramedics.

There was no further discussion.

Senator Flakoll : I move a Do Pass as amended, to SB 2079

Seconded by, **Senator Taylor**

There was no further discussion, roll call vote was taken. vote: 6-0-0

Senator Flakoll, will carry the bill.

The meeting was adjourned.

FISCAL NOTE
Requested by Legislative Council
12/17/2004

Bill/Resolution No.: SB 2079

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

SB2079 removes language stating the fee waiver does not apply to fees dedicated to retiring bond debt. The small amount of lost fee revenue will be offset in large part by savings realized through avoidance of administrative burden of manually processing and calculating waivers for these debt service fees for a small number of students. As a result, the NDUS projects no material fiscal impact of the proposed change.

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.*

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, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Laura Glatt	Agency:	NDUS
Phone Number:	328-4116	Date Prepared:	12/27/2004

PROPOSED AMENDMENT TO SENATE BILL NO. 2079

Page 1, line 3, after "firefighters" insert ", emergency medical services"

Page 1 line 22 after "firefighter" insert ", emergency medical technician"

Page 1, line 23 after "firefighter" insert ", emergency medical technician"

Renumber accordingly

Date: 1/17/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2079

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken on amendment on 2079

Motion Made By Flakoll Seconded By Lee

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date: 11
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2079

Senate	<u>SENATE EDUCATION</u>	Committee
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☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do as Amend - SB2079

Motion Made By Fakoll Seconded By Taylor

[illegible]

Total (Yes) 6 No 0

Absent 1

Floor Assignment Flickell

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

REPORT OF STANDING COMMITTEE

SB 2079: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2079 was placed on the Sixth order on the calendar.

Page 1, line 3, after "firefighters" insert ", emergency medical technicians,"

Page 1, line 23, after "firefighter" insert ", emergency medical technician," and after "firefighter" insert ", emergency medical technician,"

Renumber accordingly

2005 HOUSE EDUCATION

SB 2079

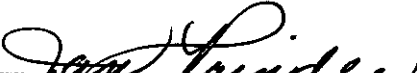
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2079

House Education Committee

☐ Conference Committee

Hearing Date 15 February 2005

Tape Number	Side A	Side B	Meter #
1	X		980 - 1968
	X		3300 - 3640
Committee Clerk Signature 			

Minutes:

Chairman Kelsch opened the hearing of SB 2079.

Pat Seaworth, general counsel for the State Board of Higher Education, testified in favor of the bill. (Testimony attached.)

Rep. Mueller: Can you give us an example of outstanding bonds?

Seaworth: There are a number of different bonds issued that are paid off with student fees.

Each campus has a student activity fee and a part of the fee goes to retire bonds issued to finance student union expansion or renovation. We also have a technology fee and part of the fee goes to pay for the infrastructure to support technology. All campuses have a Connect ND fee and that goes to retire bonds issued for that project.

Rep. Sitte: How much do average fees run at the universities.

Seaworth: It varies. At the larger campuses the total fees can range from \$400 to \$700 annually. The total can be as much as \$600 - \$700. I should add that does not count Valley

City State and Mayville State. Those two campuses have a notebook fee that adds another \$600 or \$700. Their total fees exceed \$1000.

Lt. Col. Dave Theile, staff judge advocate for the ND National Guard on behalf of Maj.

Gen. Haugen, testified in favor of the bill. The bill is strait forward and I will not talk to much about that. Maj.Gen. Haugen is down in Ft. Carson. We just had 50 more soldiers return last night. We're going to have 300 soldiers that came in last week returning to ND tomorrow. I can tell you they are in good spirits. They have had a very difficult mission. They've drank more than a couple of beers in Ft. Carson and they deserve it. We're very, very excited to have them come home. The only remaining soldiers over there with the 141st are ten soldiers with the rear detachment. As supportive as this Legislative Assembly has been, I thought you'd like to know that.

Chairman Kelsch: Thank you so much for that information.

John Jacobsen, chairman, of the Legislative Committee of the ND Veterans Coordinating Council. (Testimony attached.) The Council has instructed me to ask for your support of SB 2079 to include the amendment for the EMTs. It's a good bill and I think that our veterans, peace officers, firefighters and EMTs all have earned something like this for our dependents.

Dean Lampe, executive director, ND Emergency Medical Services Association, testified in favor of the bill. **(Testimony attached.)** He presented an amendment drafted with the help of Rep. Johnson. As the bill is currently written it refers to "emergency medical technician." The amendment would change that to "emergency medical services."

The hearing was closed.

Rep. Johnson: I move to **Amend SB 2079** with the amendment presented. (LC 56063.0201)

Page 3
House Education Committee
Bill/Resolution Number SB 2079
Hearing Date 15 Feb 05

Rep. Mueller: Second

A voice vote was taken. The amendment was accepted.

Rep. Hanson: I move Do Pass as Amended.

Rep. Solberg: I second

Yes: 13 No: 0 Absent: 1 The motion passed.

Rep. Hanson will carry the bill.

House Amendments to Engrossed SB 2079 - Education Committee 02/15/2005

Page 1, line 3, replace "technicians" with "services personnel"

Page 1, line 23, replace "technician" with "services personnel" and overstrike "Should" and insert immediately thereafter "If"

Page 1, line 24, after the first underscored comma insert "an", replace "technician" with "services personnel as defined under section 23-27-04.3", after "or" insert "a", and overstrike "die" and insert immediately thereafter "dies"

Renumber accordingly

Date: 15
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2079

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 56063.0201

Action Taken Amend

Motion Made By Johnson Seconded By Mueller

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep. Hanson		
Vice Chairman Johnson			Rep. Hunsakor		
Rep. Haas			Rep. Mueller		
Rep. Hawken			Rep. Solberg		
Rep. Herbel					
Rep. Horter					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Wall					

Total (Yes) 13 No 0

Absent 1 Hunsakor

Floor Assignment _____

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

Date: 15
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2079

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58063.0201

Action Taken Also Pass As Amended

Motion Made By Hanson Seconded By Hawken Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunskor	✓	
Rep. Haas	✓		Rep. Mueller	✓	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Wall	✓				

Total (Yes) 13 No 0

Absent 1 (Hunskor)

Floor Assignment Hanson

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

REPORT OF STANDING COMMITTEE

SB 2079, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2079 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "technicians" with "services personnel"

Page 1, line 23, replace "technician" with "services personnel" and overstrike "Should" and insert immediately thereafter "If"

Page 1, line 24, after the first underscored comma insert "an", replace "technician" with "services personnel as defined under section 23-27-04.3", after "or" insert "a", and overstrike "die" and insert immediately thereafter "dies"

Renumber accordingly

2005 TESTIMONY

SB 2079

NORTH DAKOTA

UNIVERSITY SYSTEM

The Vital Link to a Brighter Future

Senate Education Committee

Testimony on SB 2079

Pat Seaworth, General Counsel

January 17, 2005

Chairman Freborg and members of the Senate Education Committee:

I am here today in support of SB 2079, which was introduced at the request of the State Board of Higher Education. This legislation will allow the waiver of all tuition and fee charges for dependents of veterans and survivors of firefighters and peace officers. Also, the bill extends the time permitted to complete a degree, from four to five years.

Current law establishing entitlement to a waiver of tuition and fees for dependents of certain veterans and survivors of firefighters and peace officers prohibits waiver of fees charged to retire outstanding bonds. Some fees are allocated in part to operations and in part to retire bonds. However, because our finance system does not calculate a waiver of a portion of a fee, this must be done manually. The cost of setting up the financial accounting system to calculate the portion of the fees relating only to debt retirement is cost restrictive, due to the small number of students affected. The proposed change will provide for waiver of all fee charges to qualifying students. It will favorably impact about 50-75 students, saving each of them a few dollars every semester. The fiscal impact on the campuses will be minimal, and lost revenue will be offset in part by administrative savings realized due to elimination of the manual tasks. The portion of fees collected to cover associated debt has always been more than sufficient and this change will not materially impact revenues available for debt repayment.

The law now permits students granted a waiver up to thirty-six months or eight semesters to complete a degree. Most students today are employed and many are supporting families. The average student requires more than four years and eight semesters to complete a bachelor's degree. Given the increase in the number of part-time and other non-traditional students and increased degree credit requirements in many programs, extending the completion period to five years and ten semesters is warranted.

Thank you for your favorable consideration. I would be happy to answer any questions you may have.

Contact information: 328-4169 or pat.seaworth@ndus.nodak.edu

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The North Dakota University System is governed by the State Board of Higher Education and includes:
Bismarck State College • Dickinson State University • Lake Region State College • Mayville State University •
Minot State University • Minot State University-Bottineau Campus • North Dakota State College of Science •
North Dakota State University • University of North Dakota • Valley City State University • Williston State College.



**59th North Dakota Legislative Assembly
Senate Education Committee
SB 2079, Free Higher Education Tuition – Jan 17, 2005**

North Dakota Emergency Medical Services Association

Good morning, Chairman Freborg and members of the committee. My name is Mark Weber, and I am the Director of Golden Heart Paramedics in Rugby, North Dakota and a licensed, practicing paramedic by training. I am also the President of the North Dakota Emergency Medical Services (EMS) Association. Our association represents approximately 1600 individual EMS provider members throughout the state who primarily serve on North Dakota's 143 licensed ambulance services. On behalf of our membership and me personally, I am pleased to share with you this morning our thoughts concerning this bill and why we offer this important amendment to this legislation.

The North Dakota EMS Association thanks Senator Flakoll for assisting us in preparing the amendment to correct what we feel is an inadvertent omission from the current law. As you know, Law Enforcement, Fire, and Ambulance Services are typically thought of as "First Responders" in virtually all emergency and disaster scenarios. Presently, Section 15-10-18 of North Dakota Century Code is designed to recognize the ultimate sacrifice of an individual who gives his or her life in the line of duty. The present law recognizes veterans, peace officers and firefighters and, unfortunately leaves out ambulance service personnel.

Quite honestly, our association was under the impression that our EMS providers across the state were already included in this law. However, we were reviewing the bills introduced for this session, we noticed that this bill was being offered to increase the amount of time allowed for degree completion when we noticed that EMS providers were not being recognized among the group of emergency first responders.

Our rationale is simple and straight forward. If you can think back to the Red River Valley floods, the Minot train derailment, or other emergency situations, you will recall that it was law enforcement, fire, and EMS that responded to these dangerous emergencies. We cannot imagine that it would be the State's wish that if "First Responder's" lives would have been lost while these individuals were engaged in emergency operations, only firefighters' and peace officers' sacrifices would have been recognized while Emergency Medical Technicians' sacrifices would not have been.

Our association has been in touch with Chancellor Potts office and we have been told that the Board will not take a position on this issue. We understand the Board of Higher Education sought this bill only to make it easier to administer the fees and to lengthen the allowable period provided to obtain the degree.

We sincerely hope that this committee, the legislature, and the Governor will help us to correct this oversight. Thank you for the opportunity to be heard and I would be happy to answer any questions you may have.

North Dakota Veteran's Coordinating Council

Same given to House
My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

I served 29 years in the ND National Guard and the US Army Reserve, retiring in 1995 with the rank of Colonel. I served on active duty in 1991 in the Persian Gulf stationed in the United Arab Emirates.

The NDVCC membership is comprised of 15 members representing the five (5) veterans' organizations in the state. They are:

- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 60,000 veterans currently living in North Dakota.

I am a member of the Legislative Committee of the NDVCC. I am not a member of the NDVCC but report directly to them. In order for the Legislative Committee to support any bill brought up before our Legislature, concurrence must be unanimous, that is all 15 members must agree that we should support the bill. A single negative response will kill our support.

NORTH DAKOTA

UNIVERSITY SYSTEM

The Vital Link to a Brighter Future

House Education Committee

Testimony on SB 2079

Pat Seaworth, General Counsel

February 15, 2005

Chairman Kelsch and members of the House Education committee:

I am here today to support SB 2079, which was introduced at the request of the State Board of Higher Education. This legislation allows the waiver of all fee charges for eligible dependents of veterans and survivors of firefighters and peace officers. The bill also extends the time permitted to complete a degree, from four to five years.

Current law establishing entitlement to a waiver of tuition and fees for dependents of certain veterans (resident veterans killed in action, disabled or POWs) and survivors of firefighters and peace officers prohibits waiver of fees charged to retire outstanding bonds. Some fees are allocated in part to operations and in part to retire bonds. Because our finance system does not calculate a waiver of a portion of a fee, this must be done manually. There would be a significant additional expense to make the customized programming changes, plus ongoing maintenance costs to revise and update these customized changes, in order to avoid the manual work. To avoid the necessity of the manual work or the expensive customization, SB 2079 provides for a waiver of all fees, including fees for outstanding bonds. It will favorably impact about 100 students, saving each of them anywhere from just a few dollars to perhaps as much as \$60 or \$70 each semester, depending on size and type of bond issues at a particular campus and number of credits a student takes.

The bill also extends the maximum time for completing a degree from thirty-six months or eight semesters to forty-five months or ten semesters. In part because most students are employed and may enroll in fewer classes each semester due to work or family demands, and also due to increased educational requirements in many programs and careers, students who complete requirements for a bachelor's degree in four years are no longer the norm.

The Senate amended the bill to add survivors of emergency medical technicians to those students eligible for the waiver. The Board does not oppose this amendment.

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SB 2079
15 Feb 05

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**59th North Dakota Legislative Assembly
House Education Committee
SB 2079 (Engrossed), Free Higher Education Tuition – Feb. 15, 2005**

North Dakota Emergency Medical Services Association

Good morning, Chairwoman Kelsch and members of the committee. My name is Dean Lampe, and I am the Executive Director of the North Dakota Emergency Medical Services (EMS) Association. Our association represents approximately 1600 individual EMS provider members throughout the state who primarily serve on North Dakota's 143 licensed ambulance services. On behalf of our membership, I am pleased to share with you this morning our thoughts concerning this bill and why support this legislation with amendments.

First of all, we are grateful to Representative Johnson for his assistance in preparing amendments to this bill which remove an ambiguity in the engrossed Senate Bill. This is a Legislative Council bill which was originally requested by the State Board of Higher Education to increase the amount of time allowed for a qualifying dependent to obtain a degree. The bill was amended in the Senate Education Committee to include Emergency Medical Technicians in addition to other "first responders" that previously included firefighters, law enforcement, and veterans. In virtually all emergency or disaster scenarios, law enforcement, fire and EMS are considered as "first responders." This engrossed bill was reported back to the Senate from committee with a 6-0 Do Pass recommendation; and, it passed on the Senate floor by a vote of 44 Yea, 0 Nay.

These amendments only clarify who would be considered Emergency Medical Service personnel by referencing current Century Code section 23-27 which describes the various EMS provider levels. As the engrossed bill currently reads, it refers to "Emergency Medical Technician," which is only one of several provider levels of practice. Our membership urges this committee to recommend Do Pass on this bill with these amendments