

**2021 HOUSE EDUCATION**

**HB 1125**

# 2021 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1125  
1/13/2021

Relating to definition of dependent to determine eligibility of certain dependents of veterans to receive free tuition in higher ed institutions
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**Vice Chairman Schreiber-Beck** called the meeting to order at 9 AM. **Roll call:** Rep. Schreiber-Beck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Simons, Zubke, Guggisberg, Hager were present. Rep. Owens was absent.

## **Discussion Topics:**

- Align the number of years to qualify as a ND resident for a Veteran to that of a surviving
- Definition of a veteran
- How to rephrase “stepchild’s other parent”

9:01 **Rep. Pyle** introduced HB 1125.

In support:

9:06 **Lonnie Wangen**, ND Dept of Veterans Affairs #664

## **Written Testimony:**

James Nelson, ND Veterans Legislative Council #689

9:16 hearing closed

*Beverly Monroe, Committee Clerk*

**House Education Committee  
67<sup>th</sup> Legislative Session  
Representative Mark Owens-Chair**

Chairman Owens and House Education Committee,

Please accept this testimony in support of HB 1125. This bill will...

- Align the number of years to qualify as a ND resident for a Veteran to that of a surviving spouse to 5 years for either. Current requirement is 10 for a veteran and 5 for surviving spouse.
- Creates a more uniform definition of a “Dependent” under NDCC 15-10-18.2 (1) clearly spelling out: “A child, stepchild, spouse, widow or widower...”

This bill is from the Military Academic Affairs Council (MAAC). Members of the council work with the dependents of these Veterans. They have witnessed firsthand how the current verbiage has negatively affected some of the dependents of those who have sacrificed the most for our country. This bill may not affect many but for those that it does affect it will be of great significance to their lives.

Thank you for your consideration.

Lonnie Wangen Commissioner-NDDVA

**Military Academic Affairs Council (MAAC)**

**Established** by ND Department of Veterans Affairs (NDDVA) Commissioner in 2010 as a Veterans Education Advisory Committee to the Commissioner.

**Members:**

- ND Department of Veterans Affairs
- ND Chancellors Office
- State Approving Agency Director (GI Bill)
- ND National Guard Education Officers
- Air Force Education Officers
- Job Service ND Veteran Employment Services
- Institutes of Higher Learning Certifying Officials (State and Independent)

HB1125

Members of the committee: The ND Veterans Legislative Council rises in support of this clarification bill and favor its approval

# 2021 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1125  
1/13/2021  
10:57 AM

Relating to definition of dependent to determine eligibility of certain dependents of veterans to receive free tuition in higher ed institutions
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10:57 **Vice Chairman Schreiber-Beck** reopened hearing on HB 1125 for discussion.

**Roll Call:** Reps. Hoverson Schreiber-Beck, Heinert, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Simons, Zubke, Guggisberg, Hager present. Rep Owens was absent.

## Discussion Topics:

- Who is intended to benefit
- Definition of dependent veterans

**Megan Hogue**, HEDU legal intern, comments on NDCC 37-01-40

Discussion definition of dependent veterans.

**Rep Pyle** will check further with the Department of Veteran affairs on Lines 1 and 12 on Page 2 of HB 1125 for clarification.

11:07 hearing closed

*Bev Monroe, Committee Clerk by Donna Whetham*

# 2021 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1125  
1/13/2021  
2:24 pm

Relating to definition of dependent to determine eligibility of certain dependents of veterans to receive free tuition in higher ed institutions
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2:24 **Chairman Owens** reopened the hearing was for further discussion.

**Roll call:** Rep. Schreiber-Beck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Simons, Zubke, Guggisberg, Hager were present. Rep. Owens was absent.

## **Discussion Topics:**

- Who is intended to benefit
- How to rephrase "stepchild's other parent"
- Clarify divorce within this bill
- Veteran 5 years for residency

**Vice Chairman Schreiber-Beck** put this bill on hold for more clarification.

2:39 PM closed the hearing.

*Bev Monroe, Committee Clerk by Donna Whetham*

**2021 SENATE EDUCATION**

**HB 1125**

# 2021 SENATE STANDING COMMITTEE MINUTES

Education Committee  
Room JW216, State Capitol

HB 1125  
3/3/2021

<b>A BILL relating to definitions used to determine the eligibility of certain dependents of veterans to receive free tuition in institutions of higher education in the state.</b>
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**Chair Schaible** opened the hearing at 2:30 PM

**Discussion Topics:**

- Definition of veteran's dependent
- Length of state residency

**Rep Brandi Pyle, Dist 22** – introduced the bill #7201

**Lonnie Wangen, ND Veterans Affairs** – testifies via Zoom in support #7078

**Additional written testimony:**

**Jim Nelson – ND Veterans LC – support #7186**

Adjourned at 2:39 PM

*Lynn Wolf, Committee Clerk*

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	P



Good afternoon Education Committee. I am Representative Brandy Pyle from District 22 which encompasses rural Cass county and a little bit of Fargo and West Fargo. I am here today to introduce HB 1125 for your consideration.

HB 1125 updates definition of a dependent of a veteran for purposes of free tuition in institutions of higher education in the state. This bill came from conversations with the department of veteran affairs.

Currently, as you can see in section 1a of the bill, the state allows for free tuition for a child, step child, spouse, widow, or widower to a resident veteran as defined in chapter 37-01-40 of our century code.

The proposed changes add spouse, widow, or widower of a veteran in section 1b to be eligible for free tuition as long as the spouse, widow, widower is a resident of this state or was a resident of the state at the time of death or determination of total disability.

It also adds that a stepchild's other parent has been a resident of the state, for the stepchild's eligibility. For example, the service member no longer lives in ND, and is killed or the determination of total disability is occurs, then based on the residency of the child and stepchild's other parent, they would qualify for free tuition.

The changes proposed in 1c allows for free tuition for the spouse, widow, widower, child and stepchild of the veteran as long as the spouse, widow, widower, child's or stepchild's other parent, establishes residency in the state and maintains that residency for a period of 5 years immediately preceding the spouse's, widow's, widower's, child or step child's enrollment. The House education committee worked to create a clear definition of step child's other parent.

In many situation, families of service members change their residency to the states when they move to with their service member is stationed, but the service member may not due to varied reasons.

In the last part of the bill brings the requirement of a veteran to be a resident of ND from 10 years to 5 years prior to the request of the tuition waiver. This will be in line with the requirement of a surviving spouse.

Our families want to be here. They want to raise their families, go to school, and live in this state.

I thank you for your time and consideration and ask for a do pass recommendation for HB 1125. I now stand for any questions.

**House Education Committee  
67<sup>th</sup> Legislative Session  
Senator Donald Schaible-Chair**

Chairman Schaible and Senate Education Committee,

Please accept this testimony in support of HB 1125. This bill will...

- Align the number of years to qualify as a ND resident for a Veteran to that of a surviving spouse to 5 years for either. Current requirement is 10 for a veteran and 5 for surviving spouse.
- Creates a more uniform definition of a “Dependent” under NDCC 15-10-18.2 (1) clearly spelling out: “A child, stepchild, spouse, widow or widower...”
- Clarifies definition of a step child’s “other parent”

This bill is from the Military Academic Affairs Council (MAAC). Members of the council work with the dependents of these Veterans. They have witnessed firsthand how the current verbiage has negatively affected some of the dependents of those who have sacrificed the most for our country. This bill may not affect many but for those that it does affect it will be of great significance to their lives.

Thank you for your consideration.

Lonnie Wangen Commissioner-NDDVA

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- ND National Guard Education Officers
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- Job Service ND Veteran Employment Services
- Institutes of Higher Learning Certifying Officials (State and Independent)

## Committee Members

The North Dakota Veterans Legislative Council Supports this bill and urges your passage of this legislation.

Jim Nelson Legislative Director and President of NDVLC

# 2021 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

HB 1125  
3/9/2021

A relating to definitions used to determine the eligibility of certain dependents of veterans to receive free tuition in institutions of higher education in the state.

**Chair Schaible** called to order at 10:08 AM

**Discussion Topics:**

- Committee Work

**Sen Wobbema** moved a **Do Pass**

**Sen Elkin** seconded

**Roll Call Vote: 6-0-0 - Motion carries**

**Sen Wobbema will carry the bill**

10:17 AM

*Lynn Wolf, Committee Clerk*

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	P

HB 1125	Vote
Chairman Schaible	Y
Senator Elkin	Y
Senator Conley	Y
Senator Lemm	Y
Senator Oban	Y
Senator Wobbema	Y

**REPORT OF STANDING COMMITTEE**

**HB 1125, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1125 was placed on the Fourteenth order on the calendar.