

# Legislative Review

A Look at Higher Education in Week 10: March 9-13, 2009



*HB 1348 should be defeated in the interest of the safety of students, faculty and staff.*

Chancellor  
Bill Goetz

## Senate Committee Hears Concealed Weapons Bill

**HB 1348**, a bill that would permit the carrying of concealed weapons at NDUS campus student apartments, was heard in the Senate Government and Veterans Affairs Committee Thursday, March 12.

Many University System representatives attended the hearing to oppose the bill. Those who testified in opposition included NDUS Chancellor Bill Goetz; Donna Fishbeck, BSC associate vice president for student affairs; Jermaine Christie, DSU student; and Rian Nostrum, NDSU director of residence life.

As amended in the House, an individual would be authorized to carry a concealed weapon in student or family apartments and residence halls, excluding only dormitories (a term that is not defined) by having:

- a concealed weapons license
- a valid North Dakota game license or
- completed hunter education in North Dakota or any other state.

Chancellor Bill Goetz told the committee HB 1348 should be defeated in the interest of the safety of students, faculty and staff.

Goetz identified a number of questions and concerns regarding the bill, including:

- The amendment does not limit the types of firearms to be permitted.
- The terms “dwelling unit” and “dormitory” are not defined or distinguished from one another.
- Individuals would be allowed to carry concealed weapons in “shared space,” which is not defined, but could include daycares, dining facilities, classrooms, offices, meeting rooms, etc.
- Campus policies ban or restrict firearms on campus; how would this bill impact those policies? An amendment stating that the legislation does not affect the authority of NDUS institutions was recommended.
- If the institutions retain authority to govern firearms on campus, significant costs would be incurred to post signs providing notice of these restrictions to residents, employees and visitors, thus, increasing administrative burden without changing policies.

No action was taken on the bill.

## Opportunity Grant Bill Heard in House Education

**SB 2062**, the North Dakota Opportunity Grant bill, was heard in the House Education Committee Monday, March 9.

Chancellor Bill Goetz testified in support of the bill, which, in its present form, includes \$25 million in new state funding for the following student financial aid programs:

- |                                 |              |
|---------------------------------|--------------|
| • Needs-based financial aid     | \$20 million |
| • Opportunity Grants            | \$4 million  |
| • STEM student loan forgiveness | \$1 million  |

Goetz told the committee these important programs will help North Dakota students, especially in light of the financial challenges faced by many students and families. He said these programs will provide opportunities to improve high school and college performance, increase post-secondary participation and enhance the state’s labor pool with talented graduates.

The committee has not taken action on the bill.

## House Committee Hears “Flexibility with Accountability” Bill

**SB 2038**, a bill to continue the “flexibility with accountability” recommended by the Roundtable on Higher Education, was heard in the House Education Committee Monday, March 9.

Submitted by the Interim Higher Education Committee, the bill is supported by the SBHE. Vice Chancellor Laura Glatt asked the committee to extend the provisions through June 30, 2011. Key components of SB 2038 include:

- Appropriation of tuition revenues in the same manner as all other institutional funds
- Two-line item appropriations: operations and capital assets
- Carryover of unexpended funds from one biennium to the next
- New reporting requirements related to distance delivery students, dual-credit enrollment and compensation of instructors who have master’s degrees compared to local teachers who have comparable education
- Continuation of the interim higher education study in 2009-10, which may include use of a roundtable format
- Updates to the accountability measures recommended by the 2007-08 Interim Higher Education Committee

Goetz said the increased flexibility provided by SB 2038 is seen as a sign of building trusting relationships and support for campuses to be more entrepreneurial.

No action was taken on the bill.

## House Education Recommends “Do Pass” on MiSU-B Name Change Bill

**SB 2389**, a bill to change the name of MiSU-B to Dakota College at Bottineau, was heard in the House Education Committee and recommended for passage on a vote of 13-1 Tuesday, March 10. The SBHE approved the name change at its January 15, 2009, meeting.

MiSU President David Fuller, MiSU-B Dean Ken Grosz and Jancy Brisson, MiSU-B admissions counselor/recruiter, testified in support of the bill. JoAnn Linrud, MiSU dean of the College of Business and MiSU-B name change consultant, described the process used and the findings of a survey that led to the name change recommendation.

A name change has been under consideration for more than two years and has been discussed at campus and community forums. MiSU and MiSU-B representatives who testified said there is broad consensus that changing the name to Dakota College at Bottineau will provide greater clarity regarding the location and mission of the campus, which is especially important to prospective students.

## Senate Committee Hears Bill Expanding Limitations on Use of State Resources

**HB 1347**, a bill expanding limitations on use of state property or services to include initiated or referred measures and constitutional amendments, was heard in the Senate Judiciary Committee Monday, March 9.

NDUS Legal Counsel Pat Seaworth testified in opposition to the bill and said it could have a negative impact on the SBHE and NDUS institutions. He cited examples such as measures to change the missions of or to close NDUS institutions. Voters would expect the SBHE to advocate for its position on such measures, he said, but the board would be prohibited from doing so if HB 1347 is passed.

No action was taken by the committee.

## Education Improvement Bill Heard in Senate Education

**HB 1400**, which addresses recommendations by the Commission on Education Improvement, was heard in the Senate Education Committee Monday, March 9.

Vice Chancellor Mike Hillman spoke in support of the commission’s work and told the committee the bill supports important systemic improvements in career development and counseling and puts an appropriate focus on improving student achievement. “These investments will pay important dividends as North Dakota competes in the evolving global economy,” he said.

Hillman also discussed the merit scholarship program included in the bill and the role of the SBHE in administering the new program. An estimated 2,500 students per year would be eligible for merit scholarships, growing to possibly 10,000 to 12,000 students in the first six years. Hillman asked the committee to identify funding for administration of the program. Without added funding, he said, the NDUS would have a difficult time rolling out the new program in a timely and responsive manner and maintaining the high level of service students and parents expect.

The committee has not taken action.

## NDSU Ag Budget Bill Heard

**SB 2020**, the NDSU Research and Extension appropriation bill, was heard in the House Appropriations, Education and Environment Division, Wednesday, March 11.

Testifying in support of the bill were NDSU President Joe Chapman; D. C. Coston, vice president for agriculture and university extension; Duane Hauck, director of NDSU extension service; Jerry Effertz, chair of SBARE; and others.

No action was taken by the committee.

## Hearing and Deaf Services Bill Heard in House Education

**SB 2155**, a bill providing \$200,000 for services to deaf and hard-of-hearing students, was heard in the House Education Committee Tuesday, March 10.

The bill provides this general fund appropriation to the North Dakota School for the Deaf for grants to NDUS institutions. The SBHE supports SB 2155 after full funding of the NDUS budget request.

Laurel Golding, LRSC vice president for student services and advancement, provided a summary of services currently provided by NDUS institutions and the number of students served.

The committee did not take action.

## Committee Recommends “Do Pass” on Dual-Credit Bill

**HB 1273**, a bill to expand eligibility for dual-credit courses to 10th grade students, received a unanimous “Do Pass” recommendation from the Senate Education Committee Wednesday, March 11. Current state law permits high school juniors and seniors to take advantage of dual-credit opportunities.

Supported by the SBHE, Vice Chancellor Mike Hillman told the committee HB 1273 would provide students more options to take challenging courses in high school and enter college already having earned credits toward their degrees. Hillman said expanded eligibility would be of particular benefit to students who enroll in technical courses offered by their high schools on a three-year cycle. Currently, juniors and seniors in those courses are eligible for both college and high school credit, but sophomores who complete the same coursework are not.

## Nursing Simulation Lab Bill Heard

**SB 2266**, a bill providing UND \$4.6 million for a nursing simulation laboratory initiative, was heard Wednesday, March 11 in the House Education Committee. The total includes \$2.6 million in state general funds and \$2 million in federal funding.

The SBHE supports this bill, after full funding of the NDUS budget request. Chancellor Bill Goetz told the committee the SBHE supports the concept of a collaborative nursing education program delivered in an integrated manner at all nursing education sites in the state. He cited the success of previous collaborations funded by SBHE initiative funds, including the Dakota Nursing Program and the NDUS Alcohol and Drug Abuse Prevention Consortium.

Goetz said amendments to the bill have made the nursing consortium an advisory group and have clarified legislative intent regarding the intended use of the funds.

The committee did not take action on the bill.

## Bills Failed This Week

**HB 1097** Specified documentation required for employer payroll withholding

**HCR 3060** Replaced the NDPEA president with the attorney general on the SBHE nominating committee

## Bills Passed This Week

**HB 1078** Designates the School for the Blind as the national instructional materials accessibility center and expands the definition of “blind”

**HB 1086** Changes the research and experimental expenditure income tax credit

**HB 1173** Authorizes PERS to establish a trust health care savings plan for judges

**HB 1178** Permits legislators to buy computers at disposal, if paid a computer usage fee

**HB 1309** Directs a Legislative Council study of the Interstate Compact on Educational Opportunity for Military Children

**SB 2077** Updates UND SOMHS loan revolving fund provisions

**SB 2078** Repeals Job Service adult education and training grants to JTPA eligible students

**SB 2079** Updates the UND SOMHS mission

**SB 2080** Relates to accreditation mills and false academic degrees

**SB 2086** Changes the DOT scholarship program

**SB 2107** Requires employers with 24 (changed from 99) or more employees to file unemployment information electronically

**SB 2180** Expands physician assistant prescription authority to schedule II controlled substances

## On the Week 11 Agenda

**SB 2038 Mon., Mar. 16, 9:00 a.m., H-APPEDU:** Provides NDUS flexibility with accountability; an amendment adds additional reporting requirements

**HB 1394 Mon., Mar. 16, 3:15 p.m., S-APPR:** Updates a Tribal College Grant Program, including \$700,000 from the Permanent Oil Trust Fund

**HB 1434 Mon., Mar. 16, 4:00 p.m., S-APPR:** As amended, provides a \$500,000 general fund appropriation to create endowments for NDUS institution endowed chairs