

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 753

Introduced by Brewer, 43.

Read first time January 03, 2018

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to postsecondary educational institutions; to
2 amend sections 85-505, 85-505.01, 85-506, and 85-508, Reissue
3 Revised Statutes of Nebraska; to provide for tuition waiver for
4 National Guard members as prescribed; to eliminate provisions
5 relating to tuition credits; to harmonize provisions; and to repeal
6 the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 85-505, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 85-505 Any member of the Nebraska National Guard who enrolls in any
4 state-supported university, college, or community college or any
5 independent, not-for-profit, regionally accredited college or university
6 in this state shall be entitled to a waiver ~~credit~~ of seventy-five
7 percent of the resident tuition charges of such school, except that any
8 member who attends an independent, not-for-profit, regionally accredited
9 college or university in this state shall receive a waiver ~~credit~~ in an
10 amount no higher than that person would receive if he or she attended the
11 University of Nebraska-Lincoln. Such entitlement shall be for a period of
12 ten years from the date of the member's initial membership so long as the
13 member maintains satisfactory performance with the guard and pursues his
14 or her course of study in such institution in a manner which satisfies
15 the normal requirements of the institution. If a member is unable to
16 complete his or her course of study within the ten-year period due to
17 deployment on federal or state active-duty status for not less than one
18 hundred twenty days, the Adjutant General may extend the entitlement
19 period for such member for a period equal to the period of such person's
20 active-duty status, not to exceed a maximum of five years. During the
21 extended entitlement period, the member shall be subject to all remaining
22 conditions and limitations of the tuition waiver ~~assistance~~ program
23 prescribed in sections 85-505 to 85-508. The number of individuals
24 granted a tuition waiver ~~credit~~ shall not exceed the number specified in
25 section 85-505.01 during any fiscal year, and the amount of tuition
26 waivers ~~credits~~ granted shall not exceed nine hundred thousand dollars
27 during any fiscal year. When determining to whom such tuition waiver
28 ~~credit~~ shall be awarded, priority shall be given to those individuals who
29 have previously received tuition credits or waivers while a National
30 Guard member, and the Nebraska National Guard shall apply those program
31 qualifications and limitations consistent with efficient and effective

1 program management as determined by the Adjutant General.

2 Sec. 2. Section 85-505.01, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 85-505.01 (1) The tuition waiver ~~assistance~~ program prescribed in
5 sections 85-505 to 85-508 shall not be available to:

6 (a) More than one thousand two hundred members during any fiscal
7 year;

8 (b) Any member who has a baccalaureate degree; and

9 (c) Any member who has not exhausted federal tuition assistance
10 benefits available to him or her.

11 (2) The tuition waiver ~~assistance~~ program prescribed in sections
12 85-505 to 85-508 shall be available to members of the Nebraska National
13 Guard for a period of ten years, as provided in section 85-505, from the
14 date of initial membership.

15 (3) Any member of the Nebraska National Guard receiving a tuition
16 waiver ~~assistance~~ under sections 85-505 to 85-508 may obtain only one
17 baccalaureate degree under such ~~tuition assistance~~ program. Only credit-
18 bearing courses which meet degree requirements shall be approved for a
19 tuition waiver ~~assistance~~. Members shall not receive a tuition waiver
20 ~~assistance~~ for any noncredit courses.

21 (4) If a member of the Nebraska National Guard voluntarily withdraws
22 from a course for which his or her tuition was waived pursuant to
23 sections 85-505 to 85-508 ~~he or she is receiving tuition assistance~~, the
24 member shall be liable for all costs relating to such withdrawal,
25 including, but not limited to, all of the costs billed by the educational
26 institution to the Nebraska National Guard. Reimbursement shall be in
27 accordance with section 72-1601.

28 (5) Any member of the Nebraska National Guard who receives a tuition
29 waiver ~~assistance~~ shall agree in writing to serve in the Nebraska
30 National Guard for three years after the completion of the courses for
31 which tuition ~~assistance~~ was waived ~~given~~. Any member who receives a

1 tuition waiver assistance may be asked to reimburse the State of Nebraska
2 if any such member leaves the Nebraska National Guard during such three-
3 year period. Reimbursement shall be in accordance with section 72-1601.

4 (6) The Military Department shall retain the responsibility and
5 authority to establish any limitations and controls it deems necessary to
6 ensure maximum fiscal efficiency and productivity of the tuition waiver
7 assistance program prescribed in sections 85-505 to 85-508.

8 Sec. 3. Section 85-506, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 85-506 An application for a tuition waiver by an ~~It shall be the~~
11 ~~responsibility of the individual member of the Nebraska National Guard~~
12 shall include to obtain a certificate from the applicant's ~~his or her~~
13 commanding officer attesting as to his or her satisfactory guard
14 performance and ~~to present the same to the educational institution in~~
15 order to obtain a tuition waiver credit. Such certification shall be
16 accomplished at the time of enrollment for each semester or academic term
17 for which a tuition waiver credit is requested. Such certification shall
18 include a signed agreement by the individual to serve in the National
19 Guard for a minimum of three years from the date of certification.

20 Sec. 4. Section 85-508, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 85-508 Upon receipt of an application for a tuition waiver and a
23 certificate described in section 85-506, the educational institution
24 shall waive the applicant's tuition in the amount provided in section
25 85-505 ~~endorse on the certificate the dollar amount of the tuition credit~~
26 ~~granted pursuant to such section and return such certificate to the~~
27 ~~Nebraska National Guard office issuing the certificate. The educational~~
28 ~~institution shall compile a record of the total dollar amount of the~~
29 ~~tuition credits granted for the academic term. At the completion of the~~
30 ~~academic term, the institution shall submit the total amount of such~~
31 ~~credits together with a request for reimbursement of such amount to the~~

1 ~~National Guard. Upon receipt of the request, the National Guard shall~~
2 ~~reimburse the institution.~~

3 Sec. 5. Original sections 85-505, 85-505.01, 85-506, and 85-508,
4 Reissue Revised Statutes of Nebraska, are repealed.