

AMENDMENTS TO LB 368

1 1. Strike section 3 and insert the following new
2 section:

3 "Sec. 3. Section 80-411, Revised Statutes Supplement,
4 2000, is amended to read:

5 80-411. (1) The University of Nebraska, the state
6 colleges, and the community colleges shall waive all tuition on
7 behalf of a dependent of a veteran pursuant to this section. A
8 person shall be eligible for the waiver if he or she meets the
9 following requirements:

10 (a) He or she is a resident of this state and meets the
11 appropriate institution's requirements for establishing residency
12 for the purpose of paying instate tuition;

13 (b) He or she has a parent, stepparent, or spouse who was
14 a member of the armed forces of the United States and who:

15 (i) Died of a service-connected disability; ~~in World War~~
16 ~~I as defined in section 80-401.01;~~

17 (ii) ~~Died of a service-connected disability on December~~
18 ~~7, 1941, or subsequently until such future date as determined by~~
19 ~~the legislature;~~

20 ~~(iii)~~ Died subsequent to discharge as a result of injury
21 or illness sustained while a member of the armed forces which may
22 or may not have resulted in total disability;

23 ~~(iv)~~ (iii) Is permanently and totally disabled as a
24 result of military service. ~~during such periods.~~ Permanent and

1 total disability does not include total ratings or other temporary
2 ratings except total ratings based on individual unemployability if
3 permanent; or

4 ~~(v)~~ (iv) While a member of the armed forces of the United
5 States, is classified as missing in action or as a prisoner of war
6 during armed hostilities; ~~and after August 4, 1964, and~~

7 (c) If he or she is a child or stepchild of a person
8 described in subdivision (1)(b) of this section, he or she is under
9 the age of twenty-six years unless he or she serves on active duty
10 with the armed forces after his or her eighteenth birthday but
11 before his or her twenty-sixth birthday, in which case such period
12 shall end five years after his or her first discharge or release
13 from such duty with the armed forces, but in no event shall such
14 period be extended beyond the thirty-first birthday.

15 (2) An application for a waiver shall be submitted
16 through one of the recognized veterans organizations or any county
17 service officer on a form to be prescribed by the Director of
18 Veterans' Affairs. The organization or county service officer
19 shall thoroughly investigate to determine if the applicant is
20 eligible for the waiver and transmit a recommendation for action on
21 the application to the director.

22 (3) If the director determines that the applicant is
23 eligible for the waiver, the director shall so certify to the
24 institution in which the applicant desires to enroll. The decision
25 of the director shall, in the absence of fraud or misrepresentation
26 on the part of the applicant, be final and shall be binding upon
27 the applicant and upon the institutions specified in this section.

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1 The director shall adopt and promulgate reasonable rules and
2 regulations for the administration of this section.

3 (4) The waiver shall be valid for one degree, diploma, or
4 certificate from a community college and one baccalaureate degree.
5 Receipt of such degree, diploma, or certificate from a community
6 college shall precede receipt of such baccalaureate degree."

7 2. On page 8, strike beginning with "such" in line 19
8 through "hostilities" in line 20, show as stricken, and insert "May
9 7, 1975".