

LEGISLATIVE BILL 286

Approved by the Governor March 28, 2001

Introduced by Janssen, 15; Wickersham, 49

AN ACT relating to the Nebraska National Guard; to amend section 85-505.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the tuition assistance program; to harmonize provisions; and to repeal the original section.

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

Section 1. Section 85-505.01, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

(b) Commissioned and warrant officers who have a baccalaureate degree or are eligible for any other equivalent federal benefits;

(c) Enlisted personnel entitled to any equivalent federal educational benefits, except that this subdivision shall not apply to personnel receiving assistance from the federal Educational Assistance Program for Members of the Selected Reserve, as it existed on the effective date of this act; and

(d) Enlisted personnel who have a baccalaureate degree.

(2) The tuition assistance program prescribed in sections 85-505 to 85-508 shall be available to members of the Nebraska National Guard for a period of ten years from the date of initial membership.

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

(4) If a member of the Nebraska National Guard voluntarily withdraws from a course for which he or she is receiving tuition assistance, the member shall be liable for all costs relating to such withdrawal, including, but not limited to, all of the costs billed by the educational institution to the Nebraska National Guard. Reimbursement shall be in accordance with section 72-1601.

(5) ~~All non-prior-service enlistees shall have completed basic military training, military occupational specialty training, or skill-level training prior to being eligible for tuition assistance.~~

~~(6)~~ Any member of the Nebraska National Guard who receives tuition assistance shall agree in writing to serve in the Nebraska National Guard for three years after the completion of the courses for which tuition assistance was given. Any member who receives tuition assistance may be asked to reimburse the State of Nebraska if any such member leaves the Nebraska National Guard during such three-year period. Reimbursement shall be in accordance with section 72-1601.

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

Sec. 2. Original section 85-505.01, Reissue Revised Statutes of Nebraska, is repealed.