

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 766
Final Reading

Introduced by Bloomfield, 17.

Read first time January 09, 2014

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Nebraska National Guard; to amend sections
2 85-505 and 85-505.01, Reissue Revised Statutes of
3 Nebraska; to change tuition assistance program
4 provisions; and to repeal the original sections.
5 Be it enacted by the people of the State of Nebraska,

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

3 85-505 Any member of the Nebraska National Guard who
4 enrolls in any state-supported university, college, or community
5 college or any independent, not-for-profit, regionally accredited
6 college or university in this state shall be entitled to a credit of
7 seventy-five percent of the resident tuition charges of such school,
8 except that any member who attends an independent, not-for-profit,
9 regionally accredited college or university in this state shall
10 receive a credit in an amount no higher than that person would
11 receive if he or she attended the University of Nebraska-Lincoln.
12 Such entitlement shall be for a period of ten years from the date of
13 the member's initial membership so long as the member maintains
14 satisfactory performance with the guard and pursues his or her course
15 of study in such institution in a manner which satisfies the normal
16 requirements of the institution. If a member is unable to complete
17 his or her course of study within the ten-year period due to
18 deployment on federal or state active-duty status for not less than
19 one hundred twenty days, the Adjutant General may extend the
20 entitlement period for such member for a period equal to the period
21 of such person's active-duty status, not to exceed a maximum of five
22 years. During the extended entitlement period, the member shall
23 ~~maintain satisfactory performance with the guard and pursue his or~~
24 ~~her course of study in such institution which satisfies the usual~~
25 ~~requirements of such institution. Any member entitled to a credit of~~

1 ~~seventy five percent of resident tuition charges and enrolled in the~~
2 ~~tuition credit program as of October 1, 1992, shall on and after May~~
3 ~~27, 1999, be entitled to the credit at such rate until completion of~~
4 ~~the educational program in which he or she is enrolled on October 1,~~
5 ~~1992, so long as the member maintains satisfactory performance with~~
6 ~~the guard and pursues his or her course of study in such institution~~
7 ~~in a manner which satisfies the normal requirements of the~~
8 ~~institution. be subject to all remaining conditions and limitations~~
9 ~~of the tuition assistance program prescribed in sections 85-505 to~~
10 ~~85-508.~~ The number of individuals granted tuition credit shall not
11 exceed the number specified in section 85-505.01 during any fiscal
12 year, and the amount of tuition credits granted shall not exceed nine
13 hundred thousand dollars during any fiscal year. When determining to
14 whom such tuition credit shall be awarded, priority shall be given to
15 those individuals who have previously received tuition credits while
16 a National Guard member, and the Nebraska National Guard shall apply
17 those program qualifications and limitations consistent with
18 efficient and effective program management as determined by the
19 Adjutant General.

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

22 85-505.01 (1) The tuition assistance program prescribed
23 in sections 85-505 to 85-508 shall not be available to:

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

1 (b) ~~Commissioned and warrant officers~~ Any member who have
2 has a baccalaureate degree; and ~~or are eligible for any other~~
3 ~~equivalent federal benefits;~~

4 (c) ~~Enlisted personnel entitled to any equivalent federal~~
5 ~~educational benefits, except that this subdivision shall not apply to~~
6 ~~personnel receiving assistance from the federal Educational~~
7 ~~Assistance Program for Members of the Selected Reserve, as it existed~~
8 ~~on September 1, 2001; and~~ Any member who has not exhausted federal
9 tuition assistance benefits available to him or her.

10 (d) ~~Enlisted personnel who have a baccalaureate degree.~~

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

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

21 (4) If a member of the Nebraska National Guard
22 voluntarily withdraws from a course for which he or she is receiving
23 tuition assistance, the member shall be liable for all costs relating
24 to such withdrawal, including, but not limited to, all of the costs
25 billed by the educational institution to the Nebraska National Guard.

1 Reimbursement shall be in accordance with section 72-1601.

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

10 (6) The Military Department shall retain the
11 responsibility and authority to establish any limitations and
12 controls it deems necessary to ensure maximum fiscal efficiency and
13 productivity of the tuition assistance program prescribed in sections
14 85-505 to 85-508.

15 Sec. 3. Original sections 85-505 and 85-505.01, Reissue
16 Revised Statutes of Nebraska, are repealed.