

E AND R AMENDMENTS TO LB 746

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

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

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

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

23 Sec. 2. Section 85-505.01, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 85-505.01 (1) The tuition assistance program prescribed
26 in sections 85-505 to 85-508 shall not be available to:

27 (a) More than one thousand two hundred members during any

1 fiscal year;

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

5 (c) Enlisted personnel entitled to any equivalent federal
6 educational benefits, except that this subdivision shall not apply
7 to personnel receiving assistance from the federal Educational
8 Assistance Program for Members of the Selected Reserve, as it
9 existed on September 1, 2001; and

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 degree under such tuition assistance program.
18 Only credit-bearing courses which meet degree requirements shall be
19 approved for tuition assistance. Members shall not receive tuition
20 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
23 receiving tuition assistance, the member shall be liable for all
24 costs relating to such withdrawal, including, but not limited to,
25 all of the costs billed by the educational institution to the
26 Nebraska National Guard. Reimbursement shall be in accordance with
27 section 72-1601.

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

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

14 Sec. 3. Original section 85-505, Reissue Revised Statutes
15 of Nebraska, and section 85-505.01, Revised Statutes Cumulative
16 Supplement, 2006, are repealed.

17 2. On page 1, line 2, after "Nebraska" insert ", and
18 section 85-505.01, Revised Statutes Cumulative Supplement, 2006";
19 in line 3 after the semicolon insert "to harmonize provisions;";
20 and in line 4 strike "section" and insert "sections".