

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 766

Introduced by Garrett, 3; Bloomfield, 17; Craighead, 6; Krist, 10.

Read first time January 06, 2016

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to veterans; to amend section 80-411, Reissue
- 2 Revised Statutes of Nebraska; to change provisions relating to
- 3 eligibility for waiver of educational tuition and fees as
- 4 prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 80-411, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 80-411 (1) If the requirements of subsection (2) of this section are
4 met, the University of Nebraska, the state colleges, and the community
5 colleges shall waive the following for a dependent of a veteran:

6 (a) All tuition; and

7 (b) All fees remaining due after subtracting awarded federal
8 financial aid grants and state scholarships and grants.

9 (2) A person shall be eligible for the waiver of tuition and such
10 fees if he or she meets the following requirements:

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

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

16 (i) Died of a service-connected disability;

17 (ii) Died subsequent to discharge as a result of injury or illness
18 sustained while a member of the armed forces which may or may not have
19 resulted in total disability;

20 (iii) Is permanently and totally disabled as a result of military
21 service. Permanent and total disability does not include total ratings or
22 other temporary ratings except total ratings based on individual
23 unemployability if permanent; or

24 (iv) While a member of the armed forces of the United States, is
25 classified as missing in action or as a prisoner of war during armed
26 hostilities, ~~;~~ and

27 ~~(c) If he or she is a child or stepchild of a person described in~~
28 ~~subdivision (2)(b) of this section, he or she is under the age of twenty-~~
29 ~~six years unless he or she serves on active duty with the armed forces~~
30 ~~after his or her eighteenth birthday but before his or her twenty-sixth~~
31 ~~birthday, in which case such period shall end five years after his or her~~

1 ~~first discharge or release from such duty with the armed forces, but in~~
2 ~~no event shall such period be extended beyond the thirty-first birthday.~~

3 (3) An application for a waiver shall be submitted through one of
4 the recognized veterans organizations or any county service officer on a
5 form to be prescribed by the Director of Veterans' Affairs. The
6 organization or county service officer shall thoroughly investigate to
7 determine if the applicant is eligible for the waiver and transmit a
8 recommendation for action on the application to the director.

9 (4) If the director determines that the applicant is eligible for
10 the waiver, the director shall so certify to the institution in which the
11 applicant desires to enroll. The decision of the director shall, in the
12 absence of fraud or misrepresentation on the part of the applicant, be
13 final and shall be binding upon the applicant and upon the institutions
14 specified in this section. The director shall adopt and promulgate
15 reasonable rules and regulations for the administration of this section.

16 (5) The waiver shall be valid for one degree, diploma, or
17 certificate from a community college and one baccalaureate degree.
18 Receipt of such degree, diploma, or certificate from a community college
19 shall precede receipt of such baccalaureate degree.

20 Sec. 2. Original section 80-411, Reissue Revised Statutes of
21 Nebraska, is repealed.