

## LEGISLATIVE BILL 564

Approved by the Governor April 24, 1978

Introduced by Rasmussen, 41

AN ACT to amend sections 85-505 and 85-506, Reissue Revised Statutes of Nebraska, 1943, relating to the Nebraska National Guard; to change certain educational benefits; to provide additional benefits as prescribed; and to repeal the original sections.

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

Section 1. That section 85-505, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-505. Any member of the Nebraska National Guard who shall enroll, on or after ~~July--12,--1974~~ the effective date of this act, in any state-supported university, college, or ~~vocational-or-technical--training school~~ technical community college shall be entitled to a credit of ~~fifty~~ seventy-five per cent of the tuition charges of such school. Such entitlement shall be continuous so long as the member of the Nebraska National Guard maintains satisfactory performance with the guard and pursues his course of study in such institution in a manner which satisfies the normal requirements of the institution.

Sec. 2. That section 85-506, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-506. It shall be the responsibility of the individual member of the Nebraska National Guard to obtain a certificate from his commanding officer attesting as to his satisfactory guard performance and to present the same to the educational institution in order to obtain tuition credit. Such certification shall be accomplished at the time of enrollment for each semester or academic term for which tuition credit is requested. Such certification shall include an agreement by the individual to serve in the National Guard for a minimum of three years from the date of certification.

Sec. 3. The spouse and children of any enlisted member of the Nebraska National Guard who dies while serving in the active service of the state shall be entitled to a credit of one hundred per cent of the

tuition charges in any state-supported university, college, or technical community college in this state. Such tuition credit shall be for any undergraduate course of education not exceeding four years, except that no credit shall be granted to the spouse after the tenth anniversary of the member's death and no credit shall be granted to a child after such child's twenty-fifth birthday. All persons eligible for tuition credit under this section shall obtain a certificate of eligibility from the Adjutant General of the Nebraska National Guard and present such certificate to the educational institution in the same manner as provided for regular members of the Nebraska National Guard under section 85-506.

Sec. 4. The Adjutant General may authorize a payment to encourage individuals to enlist or reenlist in units of the Nebraska National Guard whenever the strength level of such units is so low as to adversely affect the ability of such units to meet their state or federal mission, if the sum of such payments does not exceed the amount appropriated for this purpose. The Adjutant General may devise and change a formula to distribute incentive payments to members of the Nebraska Army National Guard and the Air National Guard, so as to encourage enlistments, reenlistments, or both, subject to the following restrictions. The payments shall be restricted to enlisted persons who have less than twelve years of total military service. The payments shall not exceed the rate of one hundred dollars per year of service but may be provided in advance of service, except that not more than three hundred dollars shall be paid in advance of performed service to any one individual at any time.

Sec. 5. That original sections 85-505 and 85-506, Reissue Revised Statutes of Nebraska, 1943, are repealed.