

Senate BILL NO. 276

INTRODUCED BY Brown

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT WAIVER OF COMMUNITY COLLEGE AND POSTSECONDARY VOCATIONAL-TECHNICAL FEES FOR VETERANS AND CERTAIN DEPENDENTS; AMENDING SECTIONS 75-8611 AND 75-8612, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. There is a new R.C.M. section numbered 75-7714.1 that reads as follows:

75-7714.1. Veteran and dependent fee waiver. The board of trustees of a postsecondary vocational-technical center may, upon approval of the board of public education, waive fees of honorably discharged veterans and the children and spouses of deceased or missing veterans as defined and limited by 75-8611 and 75-8612, respectively, including future amendments.

Section 2. There is a new R.C.M. section numbered 75-8128.1 that reads as follows:

75-8128.1. Veteran and dependent fee waiver. The board of trustees of a community college district may waive in-district fees and tuition of honorably discharged veterans and children and spouses of deceased or missing veterans as defined and limited by 75-8611 and 75-8612,

respectively, including future amendments.

Section 3. Section 75-8611, R.C.M. 1947, is amended to read as follows:

"75-8611. Honorably discharged veterans -- free tuition at university of Montana. All honorably discharged persons who served with the United States forces in any of its wars and who were bona fide residents of this state at the time of their entry into the United States forces shall have free fees and tuition in any of the units of the university of Montana ~~and free nondistrict fees and tuition at any community college,~~ including the law and medical departments, and for extra studies in any of the units of the university of Montana. However, this act does not apply to persons who qualify under the provisions of the "Servicemen's Readjustment Act of 1944," being "Public Law 346 of the seventy-eighth Congress, chapter 268, second session" and "Public Law 16 of the seventy-eighth Congress, chapter 22, first session," and all acts supplementary and amendatory thereof."

Section 4. Section 75-8612, R.C.M. 1947, is amended to read as follows:

"75-8612. War orphans' attendance to be without fees. (1) The board of regents of higher education may waive the charges for the matriculation, tuition, and any educational fees in the Montana university system and nondistrict fees

1 and tuition in community colleges, for the children (of
 2 members of the armed forces of the United States who served
 3 on active duty during World War II or the Korean or Vietnam
 4 conflicts and who, at the time of entry into the service,
 5 had legal residence in this state and who were heretofore,
 6 or shall hereafter be, either killed in action or shall have
 7 died as a result of injury, disease, or other disability
 8 incurred while in the service of the armed forces of the
 9 United States) who attend any of the units of the greater
 10 university of Montana.

11 (2) The educational assistance to which an eligible
 12 person is entitled to under this act may be afforded him
 13 during the period beginning on his eighteenth (18) birthday,
 14 or on the successful completion of his secondary schooling,
 15 whichever first occurs, and ending on his twenty-third (23)
 16 birthday.

17 (3) If he serves on duty with the armed forces as an
 18 eligible person after his eighteenth (18) birthday but
 19 before his twenty-third (23) birthday, then the period shall
 20 end five (5) years after his first discharge or release from
 21 duty with the armed forces excluding from the five (5) years
 22 all periods during which the eligible person served on
 23 active duty before August 1, 1963, pursuant to (a) a call or
 24 order thereto issued to him as a reserve after July 30,
 25 1961, or (b) an extension of an enlistment, appointment or

1 period of duty with the armed forces under the laws of the
 2 United States. This period may not be extended beyond his
 3 thirty-first (31) birthday by reason of this paragraph.

4 (4) The board of regents of higher education shall
 5 have the authority to waive the charges for the
 6 matriculation, tuition, any and all educational fees in the
 7 Montana university system and nondistrict fees and tuition
 8 in community colleges for the spouse and children of any
 9 person who is a resident of Montana and who, either while
 10 serving in the armed forces of the United States, is
 11 declared by the secretary of defense of the United States to
 12 be a prisoner of war or missing in action in connection with
 13 the conflict in Southeast Asia after January 1, 1961, or
 14 while serving the United States in a civilian capacity is
 15 declared by the secretary of state of the United States to
 16 be missing or captured in connection with the conflict in
 17 Southeast Asia after the same date.

18 (5) Any person who is eligible for the waiver of
 19 tuition and fees, upon being accepted for enrollment in any
 20 state-supported institution of higher education or
 21 state-supported technical or vocational school, shall
 22 continue to be eligible for such waiver until the completion
 23 of the bachelor of arts or equivalent degree, or
 24 certification of completion, as long as he remains enrolled
 25 in good standing at the school or institution. Any eligible

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1 person shall not be disqualified by either the return of the
2 prisoner of war or person missing in action, or the reported
3 death of the person."

-End-

STATE OF MONTANA

REQUEST NO. 255-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 27, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 276 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 276 extends tuition and fee waiver of community college and post-secondary vocational-technical centers to veterans and certain dependents in the same manner such citizens are presently exempt from university unit fees and tuition.

ASSUMPTIONS:

1. 90,000 war time veterans presently reside in the state.
2. One-half, or 45,000, were residents upon entry in the armed service.
3. Section 75-8011, R.C.M. 1947, provides tuition and fee waiver only after expiration of GI bill benefits; thus, the eligible population is considerably less than 45,000.

FISCAL IMPACT:

It is not possible to determine the fiscal impact of enactment of Senate Bill 276. However, based on discussions with the State Veteran Affairs Office and officials of the Montana University System, the fiscal impact will be insignificant.

Richard J. Tracy

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-2-77