

HOUSE BILL 901

IN THE HOUSE

March 6, 1979	Introduced and referred to Committee on Appropriations.
March 26, 1979	Committee recommend bill, do pass.
March 27, 1979	Printed and placed on members' desks.
	Second reading, do pass.
	Considered correctly engrossed.
	Third reading, passed.

IN THE SENATE

March 27, 1979	Introduced and referred to Committee on Finance and Claims.
April 9, 1979	Committee recommend bill, not concurrent.

IN THE HOUSE

April 9, 1979	Returned from Senate, not concurrent.
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*House* BILL NO. *901*

*Down*  
*Curtiss*  
*Gresch*  
*Robb*  
*Wright*

INTRODUCED BY *Hagan, Frater, Sajat, Kropp, Lusk, Blomquist, Burnett, W. York, Rote, Haysler, Len O'Connell, Hand, Conway, White, League, Patricia, Dog, Mendenhall, Magone, Kendrick, Radwin, Duff, Morning, Azar, Zaluzny*

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR THE PURPOSE OF PROVIDING TUITION AND FEE BENEFITS AT QUALIFIED EDUCATIONAL INSTITUTIONS FOR ELIGIBLE NONPRIOR SERVICE MEMBERS UPON THEIR ENTRY INTO THE MONTANA NATIONAL GUARD."  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Short title. [This act] may be cited as the "Montana National Guard Tuition and Fee Assistance Act of 1979".

Section 2. Purpose. [This act] is intended to encourage a continuing flow of new, stable, voluntary enlistments in the Montana national guard, the state's only source of organized manpower in times of emergency.

Section 3. Definitions. As used in [this act], the following definitions apply:

- (1) "Benefit" means a tuition and fee benefit granted under [this act].
- (2) "Member" means a member of the Montana national guard.
- (3) "Nonprior service member" means a person who has never previously served in any active or reserve component

of an armed force of the United States.

(4) "Secretary" means a designee of the department of military affairs.

Section 4. Benefits -- Limitations. (1) The benefits available under [this act] are monetary grants not exceeding \$300 for each of the first 2 years of a 6-year enlistment period for up to 100 members of the Montana national guard whose enlistment starts in the fiscal year ending June 30, 1980, and for up to 100 members of the Montana national guard whose enlistment starts in the fiscal year ending June 30, 1981.

(2) Benefits are payable on a reimbursement basis to any eligible nonprior service member who submits a claim to the department of military affairs after enrollment at a qualified institution.

(3) A member may not receive benefits under [this act] if eligible for assistance through the Federal Tuition Assistance Program for national guard members.

Section 5. Qualified institutions. The following are qualified institutions for the purpose of [this act]:

- (1) any unit of the Montana university system, any community college in Montana, or any postsecondary vocational-technical center in Montana;
- (2) any postsecondary institution accredited by a national or regional accrediting agency recognized by the

1 board of public education or the board of regents of higher  
2 education, operated and governed by a private, nonprofit  
3 organization, and located in the state;

4 (3) any nonexempt postsecondary educational  
5 institution that is licensed to operate by the department of  
6 business regulation under Title 30, chapter 30;

7 (4) any civilian college, university, trade,  
8 technical, or vocational school in the state that provides  
9 postsecondary education and is accredited by the veterans'  
10 administration.

11 Section 6. Eligibility for benefits. A benefit may be  
12 granted to a nonprior service member who:

13 (1) enlists in a Montana national guard unit for a  
14 term of 6 years to be performed in an active status;

15 (2) will be a graduate of a secondary school by the  
16 beginning of the initial active duty;

17 (3) is classified in mental category I, II, or III as  
18 determined by the armed forces qualification test;

19 (4) is not enlisting to become a technician whose  
20 membership in the army reserve national guard is a condition  
21 of employment;

22 (5) is not enlisting for voluntary assignment to  
23 full-time active duty or to active duty for training in  
24 excess of 90 days in support of the reserve program;

25 (6) is enlisting for an authorized vacancy in a unit

1 authorized to pay enlistment incentives;

2 (7) meets all other normal enlistment criteria; and

3 (8) has enrolled at a qualified institution.

4 Section 7. Noneligibility for benefit. A member is not  
5 eligible for a benefit in any year in which he:

6 (1) loses credit for a drill as a result of an  
7 unexcused absence or unsatisfactory participation as defined  
8 by the applicable federal regulation;

9 (2) fails to attend more than 90% of the regularly  
10 scheduled unit drills; or

11 (3) does not participate in the annual active duty  
12 training.

13 Section 8. Limitation on eligibility. The benefit is  
14 available only to members:

15 (1) seeking to achieve completion of their  
16 postsecondary school education at a community college;

17 (2) seeking trade or vocational training or education;

18 (3) seeking to achieve a 2-year associate degree; or

19 (4) seeking to achieve a 4-year baccalaureate degree.

20 Section 9. Administration. (1) The secretary shall  
21 administer the benefits provided under [this act]. He may  
22 delegate administrative tasks to other persons within the  
23 department of military affairs as he considers necessary for  
24 the best administration of [this act].

25 (2) The secretary shall determine the eligibility of

1 applicants and which educational institutions are qualified,  
 2 according to the requirements of [this act]. The secretary  
 3 shall maintain records and make rules necessary for the  
 4 administration of [this act]. However, the administrative  
 5 rules may not hinder a member's free selection of a  
 6 qualified institution or free pursuit of an educational  
 7 opportunity.

8 (3) The secretary shall send a letter to each enlisted  
 9 member who indicates his intention to enroll stating that  
 10 the member will be reimbursed for up to \$300 of tuition and  
 11 fees if a proper claim is submitted and approved after the  
 12 member has completed his school enrollment.

13 (4) The secretary shall disburse benefits upon  
 14 certification of enrollment by the qualified institution.

15 (5) The secretary may prescribe special procedures for  
 16 adjusting the accounts of benefit recipients who must  
 17 withdraw from their educational curriculum prior to the  
 18 completion of a given academic period for reasons not under  
 19 their control.

20 Section 10. Appropriation. The following money is  
 21 appropriated from the general fund to the Department of  
 22 Military Affairs for the purpose of providing benefits for  
 23 eligible nonprior service members at qualifying  
 24 postsecondary educational institutions:

25 (1) \$30,000 for the fiscal year ending June 30, 1980;

1 and

2 (2) \$60,000 for the fiscal year ending June 30, 1981.

-End-

Approved by Comm.  
on Appropriations

*House* BILL NO. *901*

INTRODUCED BY *Hagen, Frater, Kopp*

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY

FOR THE PURPOSE OF PROVIDING TUITION AND FEE BENEFITS AT

QUALIFIED EDUCATIONAL INSTITUTIONS FOR ELIGIBLE NONPRIOR

SERVICE MEMBERS UPON THEIR ENTRY INTO THE MONTANA NATIONAL

GUARD." *Mendras, Magom, Kendrick, Labmit, Duff*

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Section 1. Short title. [This act] may be cited as the "Montana National Guard Tuition and Fee Assistance Act of 1979".

Section 2. Purpose. [This act] is intended to encourage a continuing flow of new, stable, voluntary enlistments in the Montana national guard, the state's only source of organized manpower in times of emergency.

Section 3. Definitions. As used in [this act], the following definitions apply:

- (1) "Benefit" means a tuition and fee benefit granted under [this act].
- (2) "Member" means a member of the Montana national guard.
- (3) "Nonprior service member" means a person who has never previously served in any active or reserve component

of an armed force of the United States.

(4) "Secretary" means a designee of the department of military affairs.

Section 4. Benefits -- limitations. (1) The benefits available under [this act] are monetary grants not exceeding \$300 for each of the first 2 years of a 6-year enlistment period for up to 100 members of the Montana national guard whose enlistment starts in the fiscal year ending June 30, 1980, and for up to 100 members of the Montana national guard whose enlistment starts in the fiscal year ending June 30, 1981.

(2) Benefits are payable on a reimbursement basis to any eligible nonprior service member who submits a claim to the department of military affairs after enrollment at a qualified institution.

(3) A member may not receive benefits under [this act] if eligible for assistance through the Federal Tuition Assistance Program for national guard members.

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*John Curtis Gesick*

*Patrick Day*

1 board of public education or the board of regents of higher  
2 education, operated and governed by a private, nonprofit  
3 organization, and located in the state;

4 (3) any nonexempt postsecondary educational  
5 institution that is licensed to operate by the department of  
6 business regulation under Title 30, chapter 30;

7 (4) any civilian college, university, trade,  
8 technical, or vocational school in the state that provides  
9 postsecondary education and is accredited by the veterans'  
10 administration.

11 Section 6. Eligibility for benefits. A benefit may be  
12 granted to a nonprior service member who:

13 (1) enlists in a Montana national guard unit for a  
14 term of 6 years to be performed in an active status;

15 (2) will be a graduate of a secondary school by the  
16 beginning of the initial active duty;

17 (3) is classified in mental category I, II, or III as  
18 determined by the armed forces qualification test;

19 (4) is not enlisting to become a technician whose  
20 membership in the army reserve national guard is a condition  
21 of employment;

22 (5) is not enlisting for voluntary assignment to  
23 full-time active duty or to active duty for training in  
24 excess of 90 days in support of the reserve program;

25 (6) is enlisting for an authorized vacancy in a unit

1 authorized to pay enlistment incentives;

2 (7) meets all other normal enlistment criteria; and

3 (8) has enrolled at a qualified institution.

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*House* BILL NO. *901*

INTRODUCED BY *Hagen, Frates, Kopp, Burns, Wyrick, Rote, Hoyer, O'Connell, Hand, Conroy, White, League*

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HB 901  
THIRD READING



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