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*House* BILL NO. 281  
*Kutepberg*

INTRODUCED BY \_\_\_\_\_

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE BOARD OF REGENTS OF HIGHER EDUCATION TO WAIVE 75 PERCENT OF RESIDENT TUITION CHARGES FOR MEMBERS OF THE MONTANA NATIONAL GUARD WHO ATTEND A UNIT OF THE MONTANA UNIVERSITY SYSTEM; AMENDING SECTION 20-25-421, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 20-25-421, MCA, is amended to read:

**"20-25-421. Charges for tuition -- waivers.** The regents may:

- (1) prescribe tuition rates, matriculation charges, and incidental fees for students in institutions under their jurisdiction;
- (2) waive nonresident tuition for selected and approved nonresident students, not to exceed at any unit 2% of the full-time equivalent enrollment at that unit during the preceding year; except that when necessary, tuition may be waived in excess of 2% of unit enrollment for nonresident students who enroll under provisions of any WICHE-sponsored state reciprocal agreements ~~which~~ that provide for the payment, ~~where~~ when required, of the student support fee by the reciprocal state;
- (3) waive resident tuition for students at least 62 years of age;
- (4) waive tuition and fees for:
  - (a) persons of one-fourth Indian blood or more who have been bona fide residents of Montana for at least 1 year prior to enrollment in the Montana university system;
  - (b) persons designated by the department of family services pursuant to 52-5-112;
  - (c) residents of Montana who served with the armed forces of the United States in any of its wars and who were honorably discharged from military service;
  - (d) children of residents of Montana who served with the armed forces of the United States in any of its wars and who were killed in action or died as a result of injury, disease, or other disability incurred while in the service of the armed forces of the United States; or
  - (e) the spouses or children of residents of Montana who have been declared to be prisoners of war

1 or missing in action;

2 (5) waive tuition charges for qualified survivors of Montana firefighters or peace officers killed in  
3 the course and scope of employment. For purposes of this subsection, a qualified survivor is a person who  
4 meets the entrance requirements at the state university or college of his choice and is the surviving spouse  
5 or child of any of the following who were killed in the course and scope of employment:

6 (a) a paid or volunteer member of a municipal or rural fire department;

7 (b) a law enforcement officer as defined in 7-32-201; or

8 (c) a full-time highway patrol officer;

9 (6) waive 75% of resident tuition charges for a member of the Montana national guard who meets  
10 the entrance requirements at a unit of the Montana university system. A waiver under this subsection is  
11 limited to 4 academic years at a unit of the Montana university system that grants a 4-year baccalaureate  
12 degree or to one course of study at a vocational-technical program within a unit of the Montana university  
13 system. To be eligible for a waiver under this section, a member of the Montana national guard:

14 (a) must have satisfactorily completed the required, initial active duty training;

15 (b) must have a minimum 90% attendance rate on scheduled drill dates and at annual training with  
16 the parent unit; and

17 (c) shall present at the time of registration to a unit of the university system a letter from the  
18 member's unit commander that verifies the requirements of subsections (6)(a) and (6)(b)."

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20 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1995.

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0281, as introduced

DESCRIPTION OF PROPOSED LEGISLATION: A bill for an act entitled "An act authorizing the Board of Regents of Higher Education to waive 75 percent of resident tuition charges for members of the Montana National Guard who attend a unit of the Montana University System; amending section 20-25-421, MCA; and providing an effective date."

ASSUMPTIONS:

1. The number of National Guard students as reported by the Montana National Guard is accurate and remains constant at 800 students per year (note that the University System does not collect this information.)
2. The number of classes that the average National Guard student takes is the same as the average number of the entire student body (i.e. the ratio between headcount and Full Time Equivalent students, FTE, is the same as the overall ratio for the Montana University system.)
3. Tuition will increase with inflation expectations at 3.4% in FY96 and 3.5% FY97.
4. The language in the bill is permissive, it states that the Regents may waive 75% of the fees. It is assumed that the Regents, as they have historically done, adopt this portion of fee waiver policy.
5. Fees which are waived will be replaced with general fund appropriations.

FISCAL IMPACT:

Number of Montana National Guard attending the Montana University System	800
FTE students FY94	27,343
Average number headcount students FY94	34,368
Ratio of FTE to headcount	0.7956063
National Guard student FTE	636.48505
FY95 resident tuition	\$1,636.40

	<u>FY96</u>	<u>FY97</u>
Inflated resident tuition	\$1,692.04	\$1,751.26
75% of tuition	\$1,269.03	\$1,313.44
Calculated fee reduction	\$807,717.48	\$835,987.29

Revenues:


Reduction in tuition collected	\$807,717.48	\$835,987.29
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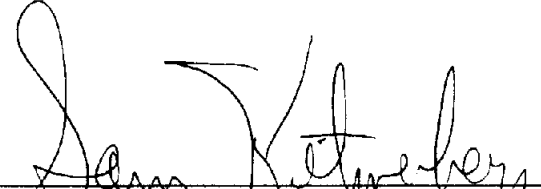
Net Impact:

Increase in General Fund required	\$807,717.48	\$835,987.29
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LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

This legislation may encourage an increase in participation of National Guard members in the Montana University System which will increase the cost of this proposed legislation.

  
DAVE LEWIS, BUDGET DIRECTOR      DATE 1-24-95  
Office of Budget and Program Planning

  
SAM KITZENBERG, PRIMARY SPONSOR      DATE

Fiscal Note for HB0281, as introduced

**HB 281**