

Fifty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2198

Introduced by

Senators Taylor, Brown, Lyson

Representatives Amerman, DeKrey, Nelson

1 A BILL for an Act to amend and reenact sections 37-07.1-02, 37-07.1-03, 37-07.1-05,
2 37-07.1-06.2, 37-07.2-01, and 37-07.2-03 of the North Dakota Century Code, relating to tuition
3 waivers and grants for national guard members.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 37-07.1-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **37-07.1-02. Definitions.** As used in this chapter, unless the context or subject matter
8 otherwise requires:

9 1. "Qualifying student" means:

10 a. A member of the national guard who maintains satisfactory performance with
11 the national guard; or

12 b. An honorably discharged national guard member who was called or ordered
13 to active federal service pursuant to title 10 of the United States Code during
14 that person's last term of enlistment for a period of time equal to the term of
15 the federal service commencing on the date of discharge from the national
16 guard. This subsection does not apply to federal service while attending
17 annual training, basic military training, professional military education, or
18 active guard and reserve tours.

19 2. "School" means any university, college, career and technical education school,
20 technical school, or postsecondary educational institution.

21 ~~2.~~ 3. "State-controlled school" means any school which is controlled, financially
22 supported, and operated by the state, a school district, or any other political
23 subdivision.

3- 4. "Tuition" means the normal registration fee. It does not include graduation, activity,
or incidental fees, book rental, laboratory, service, supply, union building, hospital
and medical insurance fees, or any fees established for the operation and
maintenance of buildings, the income of which is pledged for the payment of
interest and principal on bonds issued by the governing board of any school.

SECTION 2. AMENDMENT. Section 37-07.1-03 of the North Dakota Century Code is
amended and reenacted as follows:

37-07.1-03. Tuition waiver - Terms. A qualifying ~~member of the national guard~~
student who enrolls in any state-controlled school, subject to rules adopted by the adjutant
general, is entitled to receive a twenty-five percent waiver of the tuition from the state-controlled
school, conditioned on the adjutant general having sufficient appropriations for tuition
reimbursement under section 37-07.1-06.2. The tuition waiver is valid only so long as the
~~member of the national guard maintains satisfactory performance with the guard, qualifying~~
student meets the qualification requirements of rules adopted by the adjutant general; and
pursues a course of study in a manner that satisfies the normal requirements of the school.

SECTION 3. AMENDMENT. Section 37-07.1-05 of the North Dakota Century Code is
amended and reenacted as follows:

37-07.1-05. Application for waiver. It is the responsibility of the ~~individual member of~~
~~the national guard~~ qualifying student to obtain a certificate from the adjutant general or the
adjutant general's designee attesting ~~to satisfactory guard performance and describing~~
~~qualification~~ that the requirements of section 37-07.1-03 have been met and to present the
certificate to the school in order to obtain a waiver of tuition fees. The certification must be
accomplished at the time of enrollment for each semester or academic term for which a waiver
of tuition fees is requested.

SECTION 4. AMENDMENT. Section 37-07.1-06.2 of the North Dakota Century Code
is amended and reenacted as follows:

37-07.1-06.2. Tuition reimbursement - Payments. The adjutant general shall make
tuition reimbursement payments, within the limits of legislative appropriations, for each
qualifying ~~member of the national guard~~ student enrolled in any state-controlled school who
receives a tuition waiver provided in section 37-07.1-03.

1 **SECTION 5. AMENDMENT.** Section 37-07.2-01 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **37-07.2-01. National guard tuition grants - Terms of grants.** Any qualifying ~~member~~
4 ~~of the national guard~~ student who enrolls in any private nonprofit college or university in North
5 Dakota granting a four-year baccalaureate degree may, subject to the limitations of available
6 appropriated funds and subject to ~~national guard~~ rules promulgated by the adjutant general,
7 receive a grant in an amount equal to the payments made pursuant to chapter 37-07.1 for
8 similar courses and credit hours for each qualifying member of the national guard who is
9 enrolled at the university of North Dakota. Any private nonprofit college or university that
10 agrees to participate in such a program must waive tuition for qualifying ~~national guardsmen~~
11 students in an amount equal to the difference between the tuition grant received by the ~~national~~
12 ~~guard member~~ qualifying student and the tuition charged for similar courses and credit hours at
13 the university of North Dakota. The use of the grant may not be restricted to the payment of
14 tuition fees by the ~~member of the national guard~~ qualifying student. These grants must be
15 distributed according to rules promulgated by the adjutant general and are available only so
16 long as the ~~member maintains satisfactory performance with the guard;~~ qualifying student
17 meets the qualification requirements of the rules; and pursues a course of study which satisfies
18 the normal requirements of the school. As used in this chapter the ~~word~~ words "tuition" ~~has~~
19 and "qualifying student" have the same meaning as provided in section 37-07.1-02.

20 **SECTION 6. AMENDMENT.** Section 37-07.2-03 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **37-07.2-03. Application for grant.** It is the responsibility of the individual ~~member of~~
23 ~~the national guard~~ qualifying student to request the grant on an application provided by the
24 adjutant general at the time of enrollment for each semester or academic term for which a grant
25 is requested. The grants provided for in this chapter must be paid from such funds as may be
26 appropriated for tuition payment purposes in accordance with chapter 37-07.1.