

MILITARY

CHAPTER 419

HOUSE BILL NO. 1301
(Martinson)

NATIONAL GUARD TUITION

AN ACT to amend and reenact sections 37-07.1-03, 37-07.1-05, 37-07.1-06, and 37-07.2-01 of the North Dakota Century Code, relating to national guard tuition waivers and grants.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-07.1-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-07.1-03. Tuition assistance - Waiver of tuition fees - Term of waiver Terms. Any qualifying member of the national guard who ~~shall enroll~~ enrolls in any state-controlled school ~~shall may~~, subject to the limitations of available appropriated funds and subject to national guard ~~regulations which~~ rules that may be promulgated by the adjutant general, receive tuition assistance in an amount not to exceed fifty percent of the tuition fees charged by the school. In addition, the qualifying member may be entitled to the waiver of seventy-five an amount, as determined by the adjutant general pursuant to national guard rules, not to exceed twenty-five percent of the tuition fees of the school and not to exceed fifty percent of the amount of tuition assistance paid by the adjutant general. The tuition assistance and waiver shall be are valid only so long as the member of the national guard maintains satisfactory performance with the guard, meets the qualification requirements of rules promulgated by the adjutant general, and pursues a course of study in a manner which satisfies the normal requirements of the school.

SECTION 2. AMENDMENT. Section 37-07.1-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-07.1-05. Application for waiver. It ~~shall be~~ is the responsibility of the individual member of the national guard to obtain a certificate from the adjutant general or the adjutant general's designee attesting to satisfactory guard performance and describing qualification requirements, and to present the

certificate to the school in order to obtain a waiver of tuition fees. The certification ~~shall~~ must be accomplished at the time of enrollment for each semester or academic term for which a waiver of tuition fees is requested.

SECTION 3. AMENDMENT. Section 37-07.1-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-07.1-06. Reimbursement of tuition fee waived Tuition - Assistance payments. The adjutant general shall reimburse may make tuition assistance payments directly and certify the qualifying amount of tuition to be waived to the appropriate school for two-thirds of all tuition fees waived under the provision of this chapter credit to the account of the enrolled member. The amount of tuition to be waived shall not exceed fifty percent of the tuition assistance payments made by the adjutant general.

SECTION 4. AMENDMENT. Section 37-07.2-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-07.2-01. National guard tuition grants - Terms of grants. Any qualifying member of the national guard who shall enroll enrolls in any private nonprofit college or university in North Dakota granting a four-year baccalaureate degree shall may, subject to the limitations of available appropriated funds and subject to national guard regulations which rules that may be promulgated by the adjutant general, be entitled to receive a grant in the an amount of not to exceed fifty percent of the tuition fees charged by the school, but not in excess of the tuition for similar courses and credit hours at the university of North Dakota. Any private nonprofit college or university which shall agree that agrees to participate in such a program shall must waive tuition for qualifying national guardsmen in an amount equal to, as determined by the adjutant general pursuant to national guard rules, not to exceed twenty-five percent of the tuition for similar courses and credit hours at the university of North Dakota. The use of the grant shall may not be restricted to the payment of such tuition fees by the member of the national guard. These grants shall must be distributed according to rules and regulations promulgated by the adjutant general and shall be are available only so long as the member maintains satisfactory performance with the guard, meets the qualification requirements of the rules, and pursues a course of study which satisfies the normal requirements of the school. As used in this chapter the word "tuition" has the same meaning as provided in section 37-07.1-02.

Approved March 12, 1987
Filed March 16, 1987

CHAPTER 420

HOUSE BILL NO. 1119
(Committee on Political Subdivisions)
(At the request of the Department of Veterans' Affairs)

VETERANS SERVICE OFFICER

AN ACT to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to county veterans service officer appointment and duties.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-14-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-14-18. County veterans' service officer - Appointment - Duties. The board of county commissioners of each county of the state of North Dakota may appoint, employ, and pay, on a full-time or part-time basis, an officer to be known as a county veterans' service officer. Such appointment shall be made with the prior advice of the commissioner of veterans' affairs, and in accordance with veterans' preference as provided in 37-19.1-02. It shall be the duty of such county veterans' service officer to acquaint himself become acquainted with the laws, both state and federal, enacted for the benefit of returning servicemen and servicewomen to assist such returning members of the armed forces in the presentation, proof, and establishment of such claims, privileges, and rights as they have. It also shall be the duty of the county veterans' service officer, under the supervision of the state commissioner of veterans' affairs, to actively cooperate with and to coordinate the activities of the state and federal agencies within the county which he the officer serves to facilitate their operation and ensure promptness in the solution of the problems concerned with the reestablishment of returning servicemen and women servicewomen in civilian pursuits.

Approved March 19, 1987
Filed March 20, 1987

CHAPTER 421

SENATE BILL NO. 2114
(Committee on Social Services and Veterans Affairs)
(At the request of the Veterans' Home)

VETERANS' HOME ADMISSIONS

AN ACT to amend and reenact section 37-15-10.1 and subsection 1 of section 37-18.1-03 of the North Dakota Century Code, relating to the priorities for admission to the veterans' home and the makeup of the subcommittees of the administrative committee on veterans' affairs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-15-10.1 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-15-10.1. Priorities for admission to veterans' home. If the veterans' home is full and a waiting list for admission is necessary, further admission to the veterans' home must be according to the following listing of priorities, so long as the individual meets the admission requirements of sections 37-15-02 and 37-15-10:

1. Veterans with service-connected disability.
2. ~~Prisoners~~ American ex-prisoners of war.
3. Wartime veterans with nonservice-connected disability.
4. Wartime veterans.
5. Discharged North Dakota national guard members who became disabled in the line and discharge of duty.
6. Veterans with nonservice-connected disability.
7. Veterans.
8. Spouses.
9. Surviving spouses.

An individual whose priority is higher than another individual's must be admitted before that other individual.

SECTION 2. AMENDMENT. Subsection 1 of section 37-18.1-03 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The chairman and secretary of the committee, acting jointly, shall appoint from the voting membership of the committee, two subcommittees: a ~~five-member~~ subcommittee to be responsible for supervision and government of the veterans' home, and a ~~seven-member~~ subcommittee to be responsible for supervision and government of the department of veterans' affairs. Once appointed, a subcommittee member shall continue to serve as long as he remains a voting member of the committee, unless removed from the subcommittee by the committee chairman and secretary, acting jointly. In no case shall any one voting member serve on both subcommittees at the same time, and each nominating organization listed in section 37-18.1-01 shall have at least one voting member nominated by it serving on each subcommittee. From the membership of each subcommittee, a chairman will be selected by majority vote to preside over it for the term of one year. No person shall be permitted to serve as chairman of the committee and as chairman of a subcommittee simultaneously. A majority of the members of the subcommittee shall be required for a quorum, and a majority of the members present voting in favor thereof shall be required for any action.

Approved March 12, 1987
Filed March 16, 1987