

## HOUSE BILL NO. 294

INTRODUCED BY S. DICKENSON, CORDIER, GROESBECK, JACOBSON, JAYNE, W. JONES, JOPEK,  
 SESSO, VILLA, HIMMELBERGER, SMALL-EASTMAN, WARD

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE SOLDIER APPRECIATION SCHOLARSHIP PROGRAM; PROVIDING SCHOLARSHIPS TO ELIGIBLE VETERANS; PROVIDING DEFINITIONS, PROCEDURES, AND ELIGIBILITY CRITERIA; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Short title.** [Sections 1 through 4] may be cited as the "Soldier Appreciation Scholarship Program".

NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 4], the following definitions apply:

(1) "BOARD" MEANS THE BOARD OF VETERANS' AFFAIRS CREATED IN 2-15-1205.

~~(1)~~(2) "Community college" means a Montana community college, defined and organized as provided in 20-15-201.

~~(2) "Department" means the department of military affairs created in 2-15-1201.~~

(3) "Scholarship" means an amount equal to tuition and mandatory fees, excluding room and board, rounded up to the nearest dollar.

(4) "Tribal college" means an accredited tribal community college located in the state.

(5) "Unit of the university system" means a unit of the Montana university system, as described in 20-25-201.

(6) (A) "Veteran" means an honorably discharged individual who served on active duty with the United States armed forces in Iraq or Afghanistan or overseas in a related theater of conflict and who is not WAS eligible for future military redeployment SPECIAL PAY FOR IMMINENT DANGER. THE TERM INCLUDES AN INDIVIDUAL WHO IS A MEMBER OF THE READY RESERVE.

(B) THE TERM DOES NOT INCLUDE AN INDIVIDUAL WHO IS STILL ON ACTIVE STATUS IN THE RESERVE COMPONENT OF THE ARMED FORCES.

NEW SECTION. Section 3. Program administration. (1) Subject to available funding, the department ~~BOARD~~ shall administer the soldier appreciation scholarship program and shall adopt rules to implement the requirements of this section, including but not limited to:

~~—— (a) procedures regarding the application process for eligible veterans for a scholarship and notification of each community college, each tribal college, and the board of regents of all criteria, procedures, and timelines;~~

~~—— (b) procedures for disbursement of scholarships and for developing a formula for proration of scholarships to community colleges, tribal colleges, or the board of regents to pay for scholarships awarded to eligible veterans; and~~

~~—— (c) procedures to limit the training available to each eligible veteran to a maximum of 2 years [SECTIONS 1 THROUGH 4].~~

~~—— (2) Before the registration period each semester, the department shall:~~

~~—— (a) submit to the community colleges, tribal colleges, and board of regents the names of those veterans who have applied for the program and have met the eligibility requirements prescribed in [section 4]; and~~

~~—— (b) transmit from the department to the community colleges, tribal colleges, or board of regents the total amount necessary for payment of all scholarships. The board of regents shall transmit the payment for each scholarship to the financial officer of the unit of the university system in which the eligible student is enrolled.~~

~~—— (c) enter into a contract or state-tribal cooperative agreement, pursuant to Title 18, chapter 11, with tribal governments to provide the department with information required under this section for participation in the program.~~

~~—— (3) Within 30 days after the end of registration each semester, the community college, tribal college, or unit of the university system shall certify to the board of regents, or the department, as applicable, the eligibility status of each veteran who receives a scholarship. After the end of the drop and add period, the community college, tribal college, or unit of the university system is not required to reevaluate or revise an individual's eligibility status, but shall make a refund to the department if a student who receives a scholarship terminates enrollment for any reason during an academic term.~~

~~—— (4) A community college, tribal college, or unit of the university system that receives a scholarship payment shall prepare and submit to the department by March 1 of each year a report that includes an audit of the college's or unit's administration of the scholarships and a complete accounting of the scholarship funds.~~

~~—— (5) If a scholarship recipient transfers from one community college, tribal college, or unit of the university system to another and continues to meet eligibility requirements, the scholarship must be transferred with the recipient.~~

~~(6) A scholarship recipient may apply the scholarship to any training, certificate, or degree program offered at a community college, tribal college, or unit of the university system.~~

(2) A VETERAN WHO IS ELIGIBLE UNDER [SECTION 4] MAY APPLY TO THE BOARD FOR A SOLDIER APPRECIATION SCHOLARSHIP AT THE END OF A SEMESTER OF SCHOOL AT A COMMUNITY COLLEGE, A TRIBAL COLLEGE, OR A UNIT OF THE MONTANA UNIVERSITY SYSTEM.

(3) SUBJECT TO AVAILABLE FUNDING, IF THE VETERAN MEETS THE ELIGIBILITY REQUIREMENTS IN [SECTION 4], THE BOARD SHALL PAY TO THE VETERAN A SCHOLARSHIP AMOUNT THAT IS EQUAL TO THE TUITION AND FEES PAID BY THE VETERAN FOR THE PREVIOUS SEMESTER. SCHOLARSHIPS MUST BE AWARDED, AS FUNDING ALLOWS, IN THE ORDER IN WHICH APPLICATIONS ARE RECEIVED.

~~(7)~~(4) By June 30 of each even-numbered year, the ~~department~~ BOARD shall report the following to the legislative finance committee:

- (a) the number of persons participating in the program;
- (b) the training, certificate, or degree program in which each participant is enrolled or that each participant has completed and the location of the program; and
- (c) the ~~agency~~ costs associated with administering the program.

NEW SECTION. Section 4. Eligibility requirements. (1) To be eligible to receive a scholarship, a veteran:

(A) SHALL PRESENT PROOF OF HAVING BEEN enrolled in a training, certificate, or degree program offered at a community college, tribal college, or unit of the university system: DURING THE SEMESTER PRECEDING THE VETERAN'S APPLICATION;

~~(a)~~(B) must be classified as a Montana resident for in-state tuition at the time of application; and

~~(b)~~(C) shall apply for a scholarship within 5 years after an honorable discharge from military service.

~~(2) An individual who meets the requirements of subsection (1) and who is seeking a scholarship for a training or certificate program shall enroll in a program that has been approved by a community college, tribal college, or unit of the university system.~~

~~(3) A student who meets the requirements of subsection (1) and has been admitted, enrolled, or classified as an undergraduate student in a matriculated status is eligible to receive a retroactive scholarship to be paid at the end of the freshman year if the student meets the academic requirements of the institution in which the student is enrolled.~~

~~(4)~~(2) A student is ineligible to receive a scholarship if the student:

(A) HAS ALREADY RECEIVED A SCHOLARSHIP FOR 60 SEMESTER CREDITS;

~~(a)~~(B) is in default on a federal Title IV or state of Montana educational loan or owes a refund on a federal Title IV or state of Montana student financial aid program; or

~~(b)~~(C) is incarcerated. Upon release, the student may begin receiving scholarship payments if the student meets all other eligibility requirements. If approved by the board of regents, credits earned during incarceration may be counted toward eligibility.

NEW SECTION. Section 5. APPROPRIATION. THERE IS APPROPRIATED FROM THE STATE GENERAL FUND TO THE BOARD OF VETERANS' AFFAIRS \$940,333 FOR THE BIENNIUM ENDING JUNE 30, 2009, FOR THE PURPOSES OF [SECTIONS 1 THROUGH 4].

NEW SECTION. Section 6. Codification instruction. [Sections 1 through 4] are intended to be codified as an integral part of ~~Title 20, chapter 26,~~ TITLE 10, CHAPTER 2, and the provisions of ~~Title 20, chapter 26,~~ TITLE 10, CHAPTER 2, apply to [sections 1 through 4].

NEW SECTION. Section 7. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa.

NEW SECTION. Section 8. Effective date. [This act] is effective July 1, 2007.

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