

HOUSE RESEARCH

Bill Summary

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Overview

This bill extends the time period for eligibility under the National Guard's tuition reimbursement program for certain Guard members who have been ordered into active military service since the 9/11 terrorist attacks.

Section

1 Tuition and textbook grant program: eligibility time period extended.

Paragraph (a). Extends the time period for eligibility under the program for any member of the Minnesota National Guard who has been ordered into federal active service or federally funded state active service since 9/11/2001.

Technically, an initial term of enlistment in the National Guard is for an 8-year period. Traditionally, the typical Guard member serves the initial six months or so in basic training and advanced individual training at a regular military post (i.e., *basic and AIT*), followed by the *selective reserve period* (i.e., *active reserve status* or *drill status*) until the end of the person's sixth year. Then, for the final two years, the Guard member generally is classified as a member of the *Individual Ready Reserve* (IRR), during which time the person typically discontinues drilling or other contact with the Guard, but nevertheless can still be ordered back into military service.

Under current law, a National Guard member is eligible for tuition reimbursement for higher educational pursuits only while the person is "*actively serving*" in the Guard - i.e., while the person is in *selective reserve status*. The bill would extend this period of

eligibility for a Guard member who has been ordered into *active service* at any time during the person's term of enlistment or reenlistment (other than for training purposes alone, or full-time employment with the Guard-AGR).

- Program eligibility would be extended for a period of three years, plus the amount of time that the person has served in *federal active service* (i.e., under Title 10 of federal law; e.g., for the war on terrorism, whether stateside or abroad), or *federally-funded state active service* (i.e., under Title 32 of federal law; e.g., for airport security duty within Minnesota).
- For any person who had provided honorable active service and has been separated or discharged from the National Guard due to a service-connected injury, disease or disability, the eligibility period is extended for eight years beyond the date of separation.

Under the bill, the eligibility extension would apply even if the person has shifted into IRR status or has been discharged entirely from the National Guard, provided that the person had been ordered into active service while serving as a Guard member.

The bill does *not* change the statutory limit of 144 semester credit hours of reimbursement under the program (i.e., the equivalent of 9 full semesters). Thus, any credit hours of reimbursement a person received before being ordered into active service counts against the limit, and any person who had exhausted his or her benefits before being ordered to active service would have none remaining afterwards.

Paragraph (e). Recouping benefits for termination of service. Under current law, the Adjutant General may recoup a prorated amount of benefits from a National Guard member who fails to complete a term of enlistment.

The bill clarifies that the Adjutant's authority to recoup benefits does not apply to a person whose separation from the National Guard is due to a medical condition or financial hardship.

Effective date. The bill is effective the day following final enactment.