

CHAPTER 21—H.F.No. 1594

An act relating to the military; expanding the reenlistment bonus program; providing for certain academic awards; amending Minnesota Statutes 2006, section 192.501, subdivisions 1b, 2.

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

Section 1. Minnesota Statutes 2006, section 192.501, subdivision 1b, is amended to read:

Subd. 1b. **Reenlistment or commissioning bonus program.** (a) The adjutant general may establish a program to provide a reenlistment or commissioning bonus to eligible members of the Minnesota National Guard who extend their ~~enlistment~~ term of service in the National Guard within the limitations of this subdivision.

(b) Eligibility for the bonus is limited to ~~an enlisted~~ a member of the National Guard, ~~as defined in section 190.05, subdivision 6,~~ who:

- (1) is serving satisfactorily as determined by the adjutant general;
- (2) has 12 or fewer years of service creditable for retirement; and

(3) has military training and expertise deemed by the adjutant general as sufficiently important to the readiness of the National Guard or a unit of the National Guard to warrant the payment of a bonus in an amount to generally encourage the member's reenlistment in the National Guard, or the member's acceptance of a commission as an officer in the National Guard.

The adjutant general may, within the limitations of this paragraph and other applicable laws, determine additional eligibility criteria for the bonus, and must specify all of the criteria in regulations and publish changes as necessary.

(c) The ~~reenlistment~~ bonus payments must be made on a schedule that is determined and published in department regulations by the adjutant general.

(d) If a member fails to complete a term of reenlistment or an obligated term of commissioned service for which a bonus was paid, the adjutant general may seek to recoup a prorated amount of the bonus as determined by the adjutant general.

Sec. 2. Minnesota Statutes 2006, section 192.501, subdivision 2, is amended to read:

Subd. 2. **Tuition and textbook reimbursement grant program.** (a) The adjutant general shall establish a program to provide tuition and textbook reimbursement grants to eligible members of the Minnesota National Guard within the limitations of this subdivision.

- (b) Eligibility is limited to a member of the National Guard who:
 - (1) is serving satisfactorily as defined by the adjutant general;

(2) is attending a postsecondary educational institution, as defined by section 136A.15, subdivision 6, including a vocational or technical school operated or regulated by this state or another state or province; and

(3) provides proof of satisfactory completion of coursework, as defined by the adjutant general.

(c) Notwithstanding paragraph (b), clause (1), for a person who:

(1) has satisfactorily completed the person's service contract in the Minnesota National Guard or the portion of it involving selective reserve status, for which any part of that service was spent serving honorably in federal active service or federally funded state active service since September 11, 2001, the person's eligibility is extended for a period of two years, plus an amount of time equal to the duration of that person's active service, subject to the credit hours limit in paragraph (g); or

(2) has served honorably in the Minnesota National Guard and has been separated or discharged from that organization due to a service-connected injury, disease, or disability, the eligibility period is extended for eight years beyond the date of separation, subject to the credit hours limit in paragraph (g).

(d) If a member of the Minnesota National Guard is killed in the line of state active service or federally funded state active service, the member's surviving spouse, and any surviving dependent who has not yet reached 24 years of age, is eligible for a tuition and textbook reimbursement grant, with each eligible person independently subject to the credit hours limit in paragraph (g).

(e) The adjutant general may, within the limitations of paragraphs (b) to (d) and other applicable laws, determine additional eligibility criteria for the grant, and must specify the criteria in department regulations and publish changes as necessary.

(f) The amount of a tuition and textbook reimbursement grant must be specified on a schedule as determined and published in department regulations by the adjutant general, but, except as specifically provided for in paragraph (h), is limited to a maximum of an amount equal to the greater of:

(1) up to 100 percent of the cost of tuition for lower division programs in the College of Liberal Arts at the Twin Cities campus of the University of Minnesota in the most recent academic year; or

(2) up to 100 percent of the cost of tuition for the program in which the person is enrolled at that Minnesota public institution, or if that public institution is outside the state of Minnesota, for the cost of a comparable program at the University of Minnesota, except that in the case of a survivor as defined in paragraph (d), the amount of the tuition and textbook reimbursement grant for coursework satisfactorily completed by the person is limited to 100 percent of the cost of tuition for postsecondary courses at a Minnesota public educational institution.

(g) Paragraphs (b) to (e) notwithstanding, a person is no longer eligible for a grant under this subdivision once the person has received grants under this subdivision for the equivalent of 208 quarter credits or 144 semester credits of coursework.

(h) Awards made under this paragraph must not be counted against the limitation contained in this subdivision. In addition to other benefits authorized under this subdivision, the adjutant general may award to highly qualified persons who agree to

join the Minnesota National Guard an amount not to exceed \$1,000 for the purpose of reimbursement for postsecondary education expenses not covered by other awards received under this subdivision. These awards must be made on a competitive basis. The adjutant general shall determine the standards and procedure for awards under this paragraph. The maximum number of awards that may be issued under this paragraph in any calendar year is 25. No person may receive more than one award under this paragraph.

(i) Tuition and textbook reimbursement grants received under this subdivision may not be considered by the Minnesota Office of Higher Education or by any other state board, commission, or entity in determining a person's eligibility for a scholarship or grant-in-aid under sections 136A.095 to 136A.1311.

(j) (i) If a member fails to complete a term of enlistment during which a tuition and textbook reimbursement grant was paid, the adjutant general may seek to recoup a prorated amount as determined by the adjutant general. However, this authority does not apply to a person whose separation from the Minnesota National Guard is due to a medical condition or financial hardship.

(j) (k) For purposes of this section, the terms "active service," "state active service," "federally funded state active service," and "federal active service" have the meanings given in section 190.05, subdivisions 5 to 5c, respectively, except that for purposes of paragraph (c), clause (1), these terms exclude service performed exclusively for purposes of:

- (1) basic combat training, advanced individual training, annual training, and periodic inactive duty training;
- (2) special training periodically made available to reserve members;
- (3) service performed in accordance with section 190.08, subdivision 3; and
- (4) service performed as part of the active guard/reserve program pursuant to United States Code, title 32, section 502(f), or other applicable authority.

Presented to the governor April 23, 2007

Signed by the governor April 26, 2007, 4:52 p.m.