

March 26, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2346

Page 1, line 1, replace "section" with "subsection 1 of section 15-10-18.2 and sections 15-10-18.3 and"

Page 1, line 2, after "to" insert "tuition reduction for dependents of disabled veterans based on disability ratings and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

1. "Dependent" for purposes of section 15-10-18.3 means:
 - a. A child, stepchild, spouse, widow, or widower of a resident veteran, as "veteran" is defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a ninety or one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action;
 - b. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a ninety or one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent has been a resident of this state and was a resident of this state at the time of death or determination of total disability of the veteran; or
 - c. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, has a ninety or one hundred percent service-connected disability as determined by the department of veterans' affairs, has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to one hundred percent as determined by the department of veterans' affairs, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent establishes residency in this state and maintains that residency for a period of five years immediately preceding the child's or stepchild's enrollment at an institution under the control of the state board of higher education.

SECTION 2. AMENDMENT. Section 15-10-18.3 of the North Dakota Century Code is amended and reenacted as follows:

15-10-18.3. Free and reduced tuition in North Dakota institutions of higher education.

1. Any dependent, as defined in section 15-10-18.2, except dependents of veterans with a service-connected disability rating or a total disability rating of ninety percent, upon being duly accepted for enrollment into any undergraduate degree or certificate program of a North Dakota state institution of higher education, must be allowed to obtain a bachelor's degree or certificate of completion, for so long as the dependent is eligible, free of any tuition and fee charges if the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent and if tuition and fee charges do not include costs for aviation flight charges or expenses. Once an individual qualifies as a dependent under sections 15-10-18.2 and 15-10-18.3, the dependent may not be disqualified from the benefits of this section:
 1. a. Due to the return of the prisoner of war;
 2. b. Due to the return of the individual missing in action; or
 3. c. Because the veteran through whom the benefit was obtained had a one hundred percent service-connected disability at the time of death.
2. Any dependent, as defined in section 15-10-18.2, of a veteran with a service-connected disability rating or a total disability rating of ninety percent, upon being duly accepted for enrollment into any undergraduate degree or certificate program of a North Dakota state institution of higher education, must be allowed to obtain a bachelor's degree or certificate of completion, for so long as the dependent is eligible, at a rate of tuition and fees that are reduced by the percentage of the disabled veteran's service-connected disability rating or total disability rating, whichever is higher; provided, however, that the bachelor's degree or certificate of completion is earned within a forty-five-month or ten-semester period or its equivalent; and further provided that tuition and fee charges eligible for this reduction do not include costs for aviation flight charges or expenses. Once an individual qualifies as a dependent under sections 15-10-18.2 and 15-10-18.3, the dependent may not be disqualified from the benefits of this subsection because of the subsequent death of the veteran through whom the benefit was obtained."

Page 1, line 9, after "The" insert "department of"

Page 1, line 9, overstrike "commissioner"

Page 1, line 11, overstrike "made" and insert immediately thereafter "maintained"

Page 1, line 11, overstrike "prior advice" and insert immediately thereafter "concurrence"

Page 1, line 15, remove "an organization approved by"

Page 1, line 15, remove "United States"

Renumber accordingly