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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1982

01/26/2012 Authored by McElfatrick, Lohmer, Fabian, Kiel, Franson and others

The bill was read for the first time and referred to the Veterans Services Division

03/13/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Higher Education Policy and Finance

1.1 A bill for an act  
1.2 relating to higher education; establishing veteran education program;  
1.3 appropriating money; amending Minnesota Statutes 2010, section 197.791,  
1.4 subdivision 6; proposing coding for new law in Minnesota Statutes, chapter  
1.5 135A.

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

1.7 Section 1. **[135A.53] DEFINITIONS.**

1.8 Subdivision 1. **Scope.** For the purposes of this section and section 135A.54, the  
1.9 following words have the meanings given them.

1.10 Subd. 2. **Course.** "Course" means any course of study offered by a state-supported  
1.11 institution of higher education in the regular curriculum of a department, school, or  
1.12 subdivision of the institution.

1.13 Subd. 3. **Eligible person.** "Eligible person" means a veteran or a veteran's spouse  
1.14 who meets the criteria under section 135A.54, subdivision 2.

1.15 Subd. 4. **Legal resident.** "Legal resident" means a person who fulfills the residency  
1.16 criteria applicable to students of a state-supported institution of higher education.

1.17 Subd. 5. **Institution of higher education.** "Institution of higher education" means a  
1.18 state university, public two-year college, or the University of Minnesota.

1.19 Subd. 6. **Veteran.** "Veteran" has the meaning given in section 197.447.

1.20 Sec. 2. **[135A.54] VETERAN EDUCATION PROGRAM.**

1.21 Subdivision 1. **Fees and tuition.** (a) Except for an administration fee established  
1.22 by the governing board at a level to recover costs, to be collected only when a course is  
1.23 taken for credit, an eligible person who is a legal resident of Minnesota is entitled without  
1.24 payment of tuition or activity fees to attend courses offered for credit, audit any courses

offered for credit, or enroll in any noncredit courses in any state-supported institution of higher education in Minnesota when space is available after all tuition-paying students have been accommodated. An eligible person enrolled under this section must pay any materials, personal property, or service charges for the course. In addition, an eligible person who is enrolled in a course for credit must pay an administrative fee in an amount established by the governing board of the institution to recover costs. An eligible person shall not be charged an administrative fee for auditing a course.

(b) If there is space available in a course after an eligible person has enrolled and paid for the course, the institution of higher education must apply the tuition to another course or to any outstanding balance.

Subd. 2. **Eligibility.** A person is eligible to register and enroll in courses under subdivision 1 if that person is:

(1) a veteran who has been eligible for postsecondary educational assistance under section 197.791 or any federal educational benefits for veterans but, at the time of registration, is no longer eligible for assistance under the Minnesota GI Bill, any other state educational benefit for veterans or Minnesota National Guard, or any federal educational benefits for veterans; or

(2) the spouse of a veteran who has been eligible, as a spouse, for postsecondary educational assistance under section 197.791 or any federal educational benefits available to a spouse of veterans but, at the time of registration, is no longer eligible for assistance under the Minnesota GI Bill or any federal educational benefits available to a veteran's spouse.

Subd. 3. **Terms; limits.** An eligible person may enroll in a lifetime maximum of 24 semester credits under subdivision 1. There are no income limitations imposed in determining eligibility under subdivision 1. Enrollment in a closed enrollment contract training program or in any part of a farm or small business management education program that includes on-site individualized instruction is not eligible for benefits under subdivision 1.

Subd. 4. **Catalog statement.** Each state-supported institution of higher education shall prominently include in its catalog a statement of benefits provided for eligible persons.

Subd. 5. **Determination of qualifications.** The institution shall determine whether a person qualifies for, and require execution of appropriate forms to request, the benefits available under this section.

Subd. 6. **Reimbursement.** An institution of higher education with students enrolled under subdivision 1 may apply to the commissioner of veterans affairs for cost

reimbursement. The commissioner of veterans affairs shall allocate funds remaining under section 197.791, subdivision 6, after payment of all Minnesota GI Bill educational benefits, to participating institutions of higher education based on the number of credits completed by eligible persons. If the remaining appropriation in any fiscal year is insufficient to meet each higher education institution's application for cost reimbursement, the commissioner of veterans affairs shall prorate payments to be within the amount of available appropriations.

Sec. 3. Minnesota Statutes 2010, section 197.791, subdivision 6, is amended to read:

Subd. 6. **Appropriation.** The amount necessary to pay the benefit amounts in subdivision 5 and cost reimbursement for higher education institutions for academic credits taken under section 135A.54 is appropriated from the general fund to the commissioner. After payment of benefit amounts under subdivision 5, the commissioner shall pay cost reimbursement to higher education institutions that apply under section 135A.54, subdivision 6. Payments to institutions must be based on the number of credits completed by eligible veterans or spouses. During any fiscal year beginning on or after July 1, 2013, the amount paid under this subdivision must not exceed \$6,000,000.

Sec. 4. **EFFECTIVE DATE; EXPIRATION.**

Sections 1 to 3 are effective for academic courses beginning on or after July 1, 2012. This program expires on June 30, 2019.