

HOUSE BILL No. 5303

October 29, 1991, Introduced by Reps. DeMars, Harrison, Bartnik, Byrum, Trim, Joe Young, Sr., Varga, Dobronski, Jacobetti, Hood, Wallace, Barns, Harder, Baade, Olshove, Webb, Gire, Profit, Palamara, Murphy, Pitoniak, Kosteva, Gubow, DeBeaussaert, Clack, Sikkema, Ostling, Hollister, Hertel, Yokich, Gagliardi, Bobier, Shugars, Stopczynski, Owen, Rocca, Jaye, Middaugh, Alley, Mathieu, Allen, Bender, Muxlow, Sparks, Willis Bullard, Walberg, Martin, Gilmer and Ciaramitaro and referred to the Committee on Military and Veterans' Affairs.

A bill to create the Michigan national guard scholarship grant program, to provide financial aid for certain individuals at Michigan colleges and universities; to prescribe certain powers and duties of certain state agencies; and for related purposes.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan national guard scholarship act".

3 Sec. 2. As used in this act:

4 (a) "Authority" means the Michigan higher education assist-
5 ance authority created by Act No. 77 of the Public Acts of 1960,
6 being sections 390.951 to 390.961 of the Michigan Compiled Laws.

7 (b) "Grant" means a first-year Michigan national guard
8 scholarship grant or a renewal of a Michigan national guard
9 scholarship grant.

1 (c) "Michigan college or university" means a state
2 university described in section 4, 5, or 6 of article VIII of the
3 state constitution of 1963; a community or junior college estab-
4 lished under section 7 of article VIII of the state constitution
5 of 1963 or part 25 of the school code of 1976, Act No. 451 of the
6 Public Acts of 1976, being sections 380.1601 to 380.1607 of the
7 Michigan Compiled Laws; or a regionally accredited nonprofit
8 independent degree-granting college or university that is located
9 in this state and recognized by the state board of education.

10 (d) "Tuition" means the tuition and mandatory fees charged
11 by a Michigan college or university to a Michigan resident.

12 Sec. 3. (1) The Michigan national guard scholarship program
13 is created, to be administered by the authority.

14 (2) The authority shall do all of the following:

15 (a) Determine the eligibility of applicants.

16 (b) Pay to Michigan colleges and universities on behalf of
17 grant recipients the difference between the grant recipient's
18 tuition and the amounts received by the grant recipient or by the
19 public college or university on behalf of the grant recipient
20 from the other financial aid sources described in section
21 4(1)(i). However, if the grant recipient is enrolled in an inde-
22 pendent college or university that is a Michigan college or uni-
23 versity, the amount to be paid to the independent college or uni-
24 versity shall be calculated using either the prevailing average
25 full-time tuition cost of the public universities in this state
26 or the grant recipient's tuition, whichever is less. Prorated
27 payments shall be made at the beginning of each semester or term

1 to the Michigan college or university to the student's account.
2 Payment shall be made only for classes that are taken for credit
3 and that apply toward the requirements for a degree or
4 certificate.

5 (c) Promulgate rules it considers necessary for the adminis-
6 tration of this act. The rules shall be promulgated under the
7 administrative procedures act of 1969, Act No. 306 of the Public
8 Acts of 1969, being sections 24.201 to 24.328 of the Michigan
9 Compiled Laws.

10 Sec. 4. (1) An individual is eligible to receive a
11 first-year Michigan national guard scholarship grant under this
12 act if he or she is determined by the authority to meet all of
13 the following requirements:

14 (a) Has resided continuously in this state for the immedi-
15 ately preceding 12 months and is not considered a resident of any
16 other state.

17 (b) Is not incarcerated in a corrections institution.

18 (c) Is a United States citizen or permanent resident.

19 (d) Is not enrolled in a program leading to a degree in the-
20 ology, divinity, or religious education.

21 (e) Is not in default on a loan guaranteed by the
22 authority.

23 (f) Has complied with this act and rules promulgated under
24 this act.

25 (g) Is admitted to and enrolls in a Michigan college or
26 university.

1 (h) Submits to the authority a certificate of eligibility
2 issued by the Michigan national guard certifying that he or she
3 meets 1 or more of the following:

4 (i) Is an active member of the Michigan national guard hold-
5 ing a rank not higher than captain who has entered into a commit-
6 ment to remain a member for at least 6 years and has served for
7 at least 1 year as of the date of application.

8 (ii) Is the surviving spouse or child of a member of the
9 Michigan national guard who died as the direct and proximate
10 result of a traumatic injury or of a disease caused by or result-
11 ing from a traumatic injury incurred while the member was per-
12 forming an act he or she was obligated to perform in the active
13 service of the state by lawful order of the governor.

14 (i) Applies at the appropriate time for other financial aid
15 that is available from the state or federal government or from
16 the Michigan college or university in the form of a grant or
17 scholarship, and accepts the financial aid. The individual is
18 not required to apply for or accept an educational loan.

19 (2) An individual is eligible to receive a renewal of a
20 Michigan national guard scholarship grant under this act for the
21 period specified in subsection (3) if he or she is determined by
22 the authority to continue to meet all of the requirements of sub-
23 section (1) and to meet all of the following requirements:

24 (a) Maintains satisfactory academic progress at the Michigan
25 college or university in which he or she is enrolled, as defined
26 by the Michigan college or university.

1 (b) Maintains satisfactory performance with the Michigan
2 national guard.

3 (3) A grant recipient is eligible for a renewal of a
4 Michigan national guard scholarship grant for the following time
5 periods:

6 (a) For an individual qualifying under subsection (1)(h)(i),
7 10 years from the date he or she initially receives a grant.

8 (b) For an individual qualifying under subsection (1)(h)(ii)
9 as a surviving spouse, 10 years from the date of the Michigan
10 national guard member's death, but not after completing the
11 degree requirements for a bachelor's degree.

12 (c) For an individual qualifying under subsection (1)(h)(ii)
13 as a surviving child, until the individual's twenty-fifth birth-
14 day, but not after completing the degree requirements for a
15 bachelor's degree.

16 Sec. 5. Upon application, the adjutant general of the
17 Michigan national guard or his or her designee shall issue cer-
18 tificates of eligibility to individuals it determines to meet the
19 requirements specified in section 4(1)(h) or 4(2)(b).

20 Sec. 6. (1) If a member of the Michigan national guard
21 receiving a grant under this act voluntarily withdraws from a
22 course for which he or she has received the grant and the author-
23 ity does not receive a refund from the college or university, the
24 member shall reimburse the authority for the amount of the grant
25 attributable to that course.

26 (2) If a member of the Michigan national guard receiving a
27 grant under this act fails to complete his or her term of

1 enlistment for a reason other than death or disability, the
2 member shall reimburse the authority for the amount of the grants
3 he or she received.

4 (3) If a member of the Michigan national guard receiving a
5 grant or grants under this act becomes obligated under
6 subsection (1) or (2) to reimburse the authority for the amount
7 of the grants he or she received, the grants he or she received
8 shall become a loan repayable to the authority at the same inter-
9 est rate and on the same terms and conditions as a loan guaran-
10 teed by the authority under Act No. 77 of the Public Acts of
11 1960, being sections 390.951 to 390.961 of the Michigan Compiled
12 Laws. The authority shall enforce repayment of the loan in the
13 same manner as it enforces repayment of a loan guaranteed by the
14 authority under Act No. 77 of the Public Acts of 1960.