

SENATE No. 2997

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

SENATE, January 4, 2021.

The committee on Veterans and Federal Affairs, to whom was referred the petition (accompanied by bill, Senate, No. 2502) (subject to Joint Rule 12) of Julian Cyr, Diana DiZoglio, David T. Vieira, Susan Williams Gifford and other members of the General Court for legislation relative to the Massachusetts National Guard Family Education Program, reports the accompanying bill (Senate, No. 2997).

For the committee,
Walter F. Timilty

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An Act relative to the Massachusetts National Guard Family Education Program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 33 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting after section 137 the following section:-

3 Section 137A. The Massachusetts National Guard family education program (NGFEP)
4 shall be an extension of the National Guard Education Assistance Program as outlined in Section
5 137, to include dependents of Massachusetts Guard members when requirements are met as
6 specified.

7 National Guard members may split their state sponsored 130 credit tuition and fee waiver
8 between dependents. Dependents are defined as immediate family members enrolled in the
9 Defense Enrollment Eligibility Reporting System (DEERS).

10 The program shall be administered by the Military Division which will maintain a record
11 of tuition and fee credit total, not to exceed 130 total credits per service member. The Military
12 Division may issue a certificate of exemption from the matriculation fee and tuition to specified
13 dependents of the Massachusetts Army or Air National Guard members enrolled at any state

14 institution, in a program the cost of which is borne by the commonwealth, and who are qualified
15 as provided in this section. Identified dependents must use their specified credit allotment within
16 ten years of service member separation or by the age of 26, whichever date is later.

17 To receive benefits from the program, the member must extend their current service
18 obligation or reenlist for NGFEP benefits after completing their initial 6-year military service
19 obligation in the Massachusetts National Guard. In order to be eligible, the Massachusetts
20 National Guard member must be eligible to serve an additional 6 year enlistment from the date of
21 extension or reenlistment, be in good standing and a satisfactory participant in the Massachusetts
22 National Guard, and have not previously used their 130 semester credit state tuition waiver.

23 No combination of member and/or dependents shall receive benefits in excess of 130
24 semester credit hours total.

25 Enrollment of a dependent in a course at any such institution shall be dependent on the
26 availability of seats. For the purposes of this section, "availability of seats" is defined as
27 vacancies that exist in a course after the enrollment of all tuition-paying students, and all students
28 who are enrolled under any scholarship or tuition waiver provisions.

29 SECTION 2. Section 1B of chapter 112 of the General Laws, as appearing in the 2018
30 Official Edition, is hereby amended by striking out, in line 1, the first time it appears, the word
31 "The" and inserting in place thereof the following words:-

32 (1) As used in this section, the words "member of the armed forces" shall mean an active
33 duty member of: (i) any branch of the United States military, (ii) the national guard of any state
34 or (iii) the United States military reserves.

35 SECTION 3. Said section 1B of said chapter 112, as so appearing, is hereby further
36 amended by striking out, in lines 6 and 7 and lines 13 and 14, the following words:- , as defined
37 in clause Forty-third of section 7 of chapter 4.,

38 SECTION 4. Said section 1B of said chapter 112, as so appearing, is hereby further
39 amended by striking out, in lines 18 to 20, inclusive, the words “engaged in active service in the
40 armed forces of the United States, as defined in clause Forty-third of section 7 of chapter 4,” and
41 inserting in place thereof the following words:- a member of the armed forces.