

COMMITTEE SUBSTITUTE

FOR

H. B. 2981

(BY DELEGATES IAQUINTA, LONGSTRETH, ASHLEY, AZINGER,
GIVENS, FERRO, SMITH, ARMSTEAD, PASDON, AND FLEISCHAUER)

(Originating in the Committee on Finance)
[February 23, 2011]

A BILL to amend and reenact §15-1B-21 of the Code of West Virginia, 1931, as amended, relating to payments for trade certifications and allowing use of tuition assistance for West Virginia National Guard members enrolled in a doctor of medicine or osteopathic medicine program.

Be it enacted by the Legislature of West Virginia:

That §15-1B-21 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1B. NATIONAL GUARD.

§15-1B-21. Tuition and fees for guard members at institutions of higher education.

1 (a) Any member of the Army National Guard or Air
2 National Guard who is enrolled in ~~a course of undergraduate~~
3 ~~study or a~~ an educational program which leads to a
4 certificate, undergraduate degree, master's degree, doctor of
5 medicine, or doctor of osteopathic medicine, program and is
6 attending any accredited community and technical college,
7 college, university, or business, ~~or~~ career-technical,
8 vocational, trade or aviation school, located in West Virginia
9 ~~or is attending any aviation school located in West Virginia~~
10 ~~for the purpose of taking college-credit courses,~~ may be
11 entitled to payment of tuition and fees ~~at that college,~~
12 ~~university, business, or trade school or aviation school~~ for
13 that program during the period of his or her service in the
14 National Guard.

15 (1) The Adjutant General may prescribe criteria of
16 eligibility for payment of tuition and fees. ~~at the college,~~

17 ~~university, business or trade school or aviation school~~ The
18 payment is contingent upon appropriations being made by the
19 Legislature for ~~this~~ the express purpose of this section.

20 (2) A member may receive payment for only one
21 certificate, undergraduate degree and master's degree
22 pursuant to this section.

23 (3) Not more than two members a year may be selected
24 by the Adjutant General to receive payment for either a
25 doctor of medicine or doctor of osteopathic medicine degree
26 program. Any candidate selected for this program must
27 remain a member of the Army National Guard or the Air
28 National Guard and practice medicine in the State of West
29 Virginia for a minimum of ten years after receiving a doctor
30 of medicine or doctor of osteopathic medicine degree, or be
31 subject to recoupment for all monies paid pursuant to this
32 subdivision.

33 (b) The amount of the payment for ~~members~~ a member
34 attending a state-supported school ~~shall be~~ is determined by
35 the Adjutant General and may not exceed the actual ~~amount~~

36 cost of tuition and fees at the school. The amount of the
37 payment for ~~members~~ a member attending a private school
38 ~~shall be~~ is determined by the Adjutant General ~~but in any~~
39 ~~event and~~ may not exceed the highest ~~amounts~~ amount
40 payable at any state-supported school.

41 (c) Any member of the Army National Guard or Air
42 National Guard who ~~is enrolled in a course of undergraduate~~
43 ~~study, or a master's degree program and is attending any~~
44 ~~accredited college or university located in West Virginia and~~
45 is receiving payments under a federally funded continuing
46 education system and is eligible to receive tuition and fee
47 payments pursuant to this section may be entitled to payment
48 of tuition and fees ~~at that college or university during his or~~
49 ~~her period of service in the Army National Guard or Air~~
50 ~~National Guard: *Provided, That*~~ under this section. The sum
51 of payments received under this ~~subsection~~ section and a
52 federally funded continuing education system may not
53 exceed the actual amount of tuition and fees at the school and
54 in ~~no~~ any event may not exceed the highest ~~amounts~~ amount

55 payable at any state-supported school. ~~The payments are~~
56 ~~contingent upon appropriations being made by the~~
57 ~~Legislature for this express purpose.~~

58 (d) ~~The Adjutant General may, in lieu of the tuition~~
59 ~~payment authorized by this section, pay an amount equal to~~
60 ~~the amount of tuition which otherwise would have been paid~~
61 ~~directly to members~~ For any member of the West Virginia
62 Army National Guard or West Virginia Air National Guard
63 who ~~are~~ is participating in the PROMISE Scholarship
64 program provided in article seven, chapter eighteen-c of this
65 code, the Adjutant General may pay directly to the member
66 an amount equal to the amount of tuition and fees which
67 otherwise would have been paid to the school.

68 (e) A member of the West Virginia Army National Guard
69 or West Virginia Air National Guard who is receiving
70 payments for tuition and fees under this section and is
71 discharged from the military service due to wounds or
72 injuries received in the line of duty may continue to receive
73 payments for tuition and fees under this section as if he or
74 she were still a member.

75 (f) The Adjutant General shall administer the tuition and
76 fee payments authorized under this section and shall ~~propose~~
77 establish policies to implement the provisions of this section.