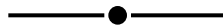


# **WEST VIRGINIA LEGISLATURE**

**FIRST REGULAR SESSION, 2011**

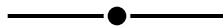


# **ENROLLED**

**COMMITTEE SUBSTITUTE  
FOR**

**House Bill No. 2981**

(By Delegates Iaquina, Longstreth, Ashley, Azinger,  
Givens, Ferro, Smith, Armstead, Pasdon and Fleischauer)



Passed March 11, 2011

In Effect July 1, 2011

# **E N R O L L E D**

COMMITTEE SUBSTITUTE

FOR

## **H. B. 2981**

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

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[Passed March 11, 2011; in effect July 1, 2011.]

AN ACT 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 an educational program  
3 which leads to a certificate, undergraduate degree, master's  
4 degree, doctor of medicine, or doctor of osteopathic  
5 medicine, and is attending any accredited community and  
6 technical college, college, university, or business, career-  
7 technical, vocational, trade or aviation school, located in  
8 West Virginia, may be entitled to payment of tuition and fees  
9 for that program during the period of his or her service in the  
10 National Guard.

11 (1) The Adjutant General may prescribe criteria of  
12 eligibility for payment of tuition and fees. The payment is  
13 contingent upon appropriations being made by the  
14 Legislature for the express purpose of this section.

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

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

28 (b) The amount of the payment for a member attending  
29 a state-supported school is determined by the Adjutant

30 General and may not exceed the actual cost of tuition and  
31 fees at the school. The amount of the payment for a member  
32 attending a private school is determined by the Adjutant  
33 General and may not exceed the highest amount payable at  
34 any state-supported school.

35 (c) Any member of the Army National Guard or Air  
36 National Guard who is receiving payments under a federally  
37 funded continuing education system and is eligible to receive  
38 tuition and fee payments pursuant to this section may be  
39 entitled to payment of tuition and fees under this section.  
40 The sum of payments received under this section and a  
41 federally funded continuing education system may not  
42 exceed the actual amount of tuition and fees at the school and  
43 in any event may not exceed the highest amount payable at  
44 any state-supported school.

45 (d) For any member of the West Virginia Army National  
46 Guard or West Virginia Air National Guard who is  
47 participating in the PROMISE Scholarship program provided  
48 in article seven, chapter eighteen-c of this code, the Adjutant  
49 General may pay directly to the member an amount equal to  
50 the amount of tuition and fees which otherwise would have  
51 been paid to the school.

52 (e) A member of the West Virginia Army National Guard  
53 or West Virginia Air National Guard who is receiving  
54 payments for tuition and fees under this section and is  
55 discharged from the military service due to wounds or  
56 injuries received in the line of duty may continue to receive  
57 payments for tuition and fees under this section as if he or she  
58 were still a member.

59 (f) The Adjutant General shall administer the tuition and  
60 fee payments authorized under this section and shall establish  
61 policies to implement the provisions of this section.



The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

To take effect July 1, 2011.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

The within \_\_\_\_\_ this the \_\_\_\_\_  
day of \_\_\_\_\_, 2011.

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*Governor*