
HOUSE BILL 1951

State of Washington

55th Legislature

1997 Regular Session

By Representatives D. Schmidt, Carlson, Sullivan, Carrell, Dyer, O'Brien, Costa, Conway and Dunn

Read first time 02/14/97. Referred to Committee on Higher Education.

1 AN ACT Relating to education grants for members of the Washington
2 national guard; and adding a new section to chapter 38.40 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 38.40 RCW
5 to read as follows:

6 (1) An enlisted member or an officer of the rank of captain or
7 below of the Washington national guard is eligible, upon application in
8 accordance with rules adopted by the adjutant general, for educational
9 grants to attend an institution of higher education, as defined in RCW
10 28B.10.016, or a private college or university located in the state,
11 that is accredited by the northwest association of schools and
12 colleges. In consideration of the grant, the member shall agree to an
13 additional service obligation in the Washington national guard of two
14 years for each year that a tuition grant is received, including any
15 time served while receiving the tuition grant. Time served prior to
16 receipt of the tuition grant does not count toward the additional
17 service obligation. At no time may one person be placed in priority
18 over another because of sex, race, or religion.

1 (2) The adjutant general shall adopt rules for the administration
2 of educational grants for eligible members. If the adjutant general
3 estimates that appropriations for all educational grants applied for
4 under this section and likely to be used during the biennium are
5 inadequate, the adjutant general shall promptly inform applicants for
6 the next quarter, semester, or term when appropriations will be
7 adequate for the grants. Applicants may be eligible for grants
8 beginning the quarter, semester, or term they enroll in an eligible
9 institution.

10 (3) Education grants shall be paid to the institution of higher
11 education or private college or university on behalf of the eligible
12 member as follows:

13 (a) The amount of the grant for a member attending an institution
14 of higher education, as defined in RCW 28B.10.016, is equal to the
15 amount of the eligible institution of higher education and shall be
16 paid on behalf of the student the amount of the tuition charges each
17 quarter, semester, or term that the student is enrolled and is a
18 current member in good standing of the Washington national guard.

19 (b) The amount of the grant for a member attending a private
20 college or university located in the state is equal to the amount of
21 tuition charges per quarter or semester paid on behalf of a student at
22 a state university, as defined in RCW 28B.10.016, that is enrolled and
23 is a current member in good standing of the Washington national guard.

24 (c) A person is not eligible for grants under this section for more
25 than twelve quarters, eight semesters, or the full-time equivalent of
26 these amounts obtained through a combination of quarters, semesters,
27 and terms, if enrolled in a program leading to a baccalaureate,
28 associate of arts, or technical degree or certificate, or for more than
29 six quarters, four semesters, or the equivalent full-time equivalents
30 of these amounts obtained through a combination of quarters, semesters,
31 and terms, if enrolled in a program leading to a graduate or
32 professional degree.

33 (d) A person is not eligible for grants under this section if
34 enrolled in a program leading to a program leading to a graduate or
35 professional degree if the member received any grants while enrolled in
36 a program leading to a baccalaureate, associate of arts, or technical
37 degree or certificate.

38 (4) Except as otherwise provided in this section, a member of the
39 Washington national guard who fails to complete his or her additional

1 service obligation required under subsection (1) of this section shall
2 be liable to the state to repay all educational grants paid on his or
3 her behalf under this section, plus interest at the rate of ten percent
4 per annum calculated from the dates the grants were paid. The adjutant
5 general may recover in a civil action the amount of the grants,
6 interest, and expenses incurred in prosecuting the action, including
7 court costs and reasonable attorneys' fees. The attorney general shall
8 represent the adjutant general in the action and court costs and
9 reasonable attorneys' fees awarded by the court, based upon the time
10 spent preparing and presenting the case, shall be paid to the general
11 fund. A member of the national guard is not liable under this
12 subsection if his or her failure to complete the additional service
13 obligation arises from: (a) Military requirements or limitations
14 imposed upon the member; (b) the member's death; (c) the member's
15 discharge from the national guard due to his or her disability; or (d)
16 the member's service in the active or reserve forces of the United
17 States armed forces for a term not less than his or her additional
18 service in the national guard.

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