
HOUSE BILL 2280

State of Washington

58th Legislature

2003 Regular Session

By Representatives Bush, Simpson, Talcott, Mielke, Carrell, Campbell, Conway, Benson, Haigh, Crouse, Wood, Clements, Skinner, Tom, Holmquist, Newhouse, Buck, Armstrong, Shabro, Ahern, Hinkle, McDonald, Pearson, Anderson, Woods, Nixon and McMahan

Read first time 04/27/2003. Referred to Committee on Appropriations.

1 AN ACT Relating to militia death benefits; amending RCW 28B.15.380;
2 adding a new section to chapter 38.40 RCW; and declaring an emergency.

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

4 **Sec. 1.** RCW 28B.15.380 and 1993 sp.s. c 18 s 10 are each amended
5 to read as follows:

6 Subject to the limitations of RCW 28B.15.910, the governing boards
7 of the state universities, the regional universities, and The Evergreen
8 State College may exempt the following students from the payment of all
9 or a portion of tuition fees and services and activities fees:

10 (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such
11 persons are no longer entitled to federal vocational or educational
12 benefits conferred by virtue of their military service: AND PROVIDED
13 FURTHER, That if any such veterans have not resided in this state for
14 one year prior to registration, the board may exempt the student from
15 paying up to fifty percent of the nonresident tuition fees
16 differential. Such exemptions may be provided only to those persons
17 otherwise covered who were enrolled in universities on or before
18 October 1, 1977.

1 (2) Children of any law enforcement officer (~~(or)~~) fire fighter,
2 or member of the organized militia of Washington who lost his or her
3 life or became totally disabled in the line of duty while employed by
4 any public law enforcement agency or full time or volunteer fire
5 department in this state, or while in active state service, inactive
6 duty, or the service of the United States as defined in RCW 38.04.010:
7 PROVIDED, That such persons may receive the exemption only if they
8 begin their course of study at a state-supported college or university
9 within ten years of their graduation from high school.

10 (3) The spouse of any member of the organized militia of Washington
11 who lost his or her life or became totally disabled in the line of duty
12 while in active state service, inactive duty, or the service of the
13 United States as defined in RCW 38.04.010: PROVIDED, That such person
14 may not receive the exemption more than seven years after the date of
15 the member's death or total disability.

16 NEW SECTION. Sec. 2. A new section is added to chapter 38.40 RCW
17 to read as follows:

18 If any member of the organized militia dies from disease contracted
19 or injury received, or is killed while in active state service,
20 inactive duty, or the service of the United States, a one hundred fifty
21 thousand dollar death benefit shall be paid to the member's estate, or
22 to such person, persons, trust, or organization as the member has
23 nominated by written designation duly executed and filed with the
24 adjutant general. If no such designated person or persons are still
25 living at the time of the member's death, the member's death benefit
26 shall be paid to the member's surviving spouse as if in fact the spouse
27 had been nominated by written designation, or if there is no surviving
28 spouse, then to the member's legal representatives. The determination
29 of eligibility for the benefit shall be made consistent with RCW
30 38.40.030.

31 NEW SECTION. Sec. 3. This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 immediately.

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