

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 323

Short Title: Amend Veteran Children's Scholarships.

(Public)

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Sponsors: Senators Raynor, Perdue; Allran, Ballance, Basnight, Bryan, Carpenter, Carter, Cochrane, Cooper, Daughtry, Forrester, Hartsell, Hyde, Martin of Pitt, Murphy, Odom, Parnell, Plexico, Sands, Sherron, Smith, Staton, Tally, Ward, and Warren.

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Referred to: Higher Education.

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March 28, 1991

A BILL TO BE ENTITLED

1 AN ACT TO MODIFY THE STATUTES COVERING SCHOLARSHIPS FOR  
2 CHILDREN OF WAR VETERANS TO INCLUDE THE CHILDREN OF  
3 VETERANS OF THE PERSIAN GULF WAR.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 165-20(4) reads as rewritten:

7 "(4) 'Period of war' and 'wartime' shall mean any of the periods or  
8 circumstances as defined below:

- 9 a. World War I, meaning (i) the period beginning on April 6, 1917  
10 and ending on November 11, 1918, and (ii) in the case of a  
11 veteran who served with the United States armed forces in  
12 Russia, the period beginning on April 6, 1917 and ending on  
13 April 1, 1920.
- 14 b. World War II, meaning the period beginning on December 7,  
15 1941 and ending on December 31, 1946.
- 16 c. Korean Conflict, meaning the period beginning on June 27,  
17 1950 and ending on January 31, 1955.
- 18 d. Vietnam era, meaning the period beginning on August 5, 1964,  
19 and ending on May 7, 1975.

20 d1. Persian Gulf War, meaning the period beginning on August 2,  
21 1990, and ending on such date as shall be prescribed by

1                    Presidential proclamation or concurrent resolution of the  
2                    Congress.

- 3                    e.     Any period of service in the armed forces during which the  
4                    veteran parent of an applicant for a scholarship under this  
5                    Article suffered death or disability (i) as a direct result of armed  
6                    conflict or (ii) while engaged in extra-hazardous service,  
7                    including such service under conditions simulating war."

8                    Sec. 2. G.S. 165-22 reads as rewritten:

9     **"§ 165-22. Classes or categories of eligibility under which scholarships may be**  
10                    **awarded.**

11                    A child, as defined in this Article, who falls within the provisions of any eligibility  
12                    class described below shall, upon proper application be considered for a scholarship,  
13                    subject to the provisions and limitations set forth for the class under which he is  
14                    considered:

- 15                    ♦            (1)     Class I-A: Under this class a scholarship shall be  
16                    awarded to any child whose veteran parent  
17                    a.           Was killed in action or died from wounds or other causes  
18                    not due to his own wilful misconduct while a member of  
19                    the armed forces during a period of war, or  
20                    b.           Has died of service-connected injuries, wounds, illness  
21                    or other causes incurred or aggravated during wartime  
22                    service in the armed forces, as rated by the United States  
23                    ~~Veterans Administration.~~ Department of Veterans Affairs.
- 24                    (2)     Class I-B: Under this class a limited scholarship providing only those  
25                    benefits set forth in G.S. 165-21(1) a and d and 165-21(2) of this  
26                    Article, shall be awarded to any child whose veteran parent, at the time  
27                    the benefits pursuant to this Article are sought to be availed of, is or  
28                    was at the time of his death receiving compensation for a wartime  
29                    service-connected disability of one hundred percent (100%) as rated by  
30                    the United States ~~Veterans Administration.~~ Department of Veterans  
31                    Affairs. Provided, that if the veteran parent of a recipient under this  
32                    class should die of his wartime service-connected condition before the  
33                    recipient shall have utilized all of his scholarship eligibility time, then  
34                    the North Carolina Department of Administration shall amend the  
35                    recipient's award from Class I-B to Class I-A for the remainder of the  
36                    recipient's eligibility time. The effective date of such an amended  
37                    award shall be determined by the Department of Administration, but,  
38                    in no event shall it predate the date of the veteran parent's death.
- 39                    (3)     Class II: Under this class a scholarship may be awarded to not more  
40                    than 100 children yearly, each of whose veteran parent, at the time the  
41                    benefits pursuant to this Article are sought to be availed of:  
42                    a.           Is or was at the time of his death receiving compensation for a  
43                    wartime service-connected disability of twenty percent (20%)  
44                    or more, but less than one hundred percent (100%), as rated by

1 the United States ~~Veterans Administration,~~ Department of  
2 Veterans Affairs, or

3 b. Is or was at the time of his death receiving wartime  
4 compensation for a statutory award for arrested pulmonary  
5 tuberculosis, as rated by the United States ~~Veterans~~  
6 ~~Administration.~~ Department of Veterans Affairs.

7 (4) Class III: Under this class a scholarship may be awarded to not more  
8 than 100 children yearly, each of whose veteran parent, at the time the  
9 benefits pursuant to this Article are sought to be availed of:

10 a. Is or was at the time of his death drawing pension for  
11 permanent and total disability, nonservice-connected, as rated  
12 by the United States ~~Veterans Administration,~~ Department of  
13 Veterans Affairs, or

14 b. Is deceased and who does not fall within the provisions of any  
15 other eligibility class described in G.S. 165-22(1), (2), (3), (4)a.,  
16 nor (5) provided such child is less than 23 years of age at the  
17 time of application for such scholarship.

18 (5) Class IV: Under this class a scholarship as defined in G.S. 165-21  
19 shall be awarded to any child whose parent, while serving honorably  
20 as a member of the armed forces of the United States in active federal  
21 service during a period of war, as defined in G.S. 165-20(4), was listed  
22 by the United States government as (i) missing in action, (ii) captured  
23 in line of duty by a hostile force, or (iii) forcibly detained or interned  
24 in line of duty by a foreign government or power."

25 Sec. 3. This act is effective upon ratification.