

July 10, 1945

Mr. W. T. Hardaway
Manager, Veterans Administration
Tucson, Arizona

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Dear Mr. Hardaway:

Answer is hereby made to your letter of recent date which we quote in part as follows:

"A number of state schools of Arizona have submitted bills to the Veterans Administration on account of trainees under Public Law No. 346 (so-called "G.I." Bill). Some of these schools have billed us the regular out-of-state or non-resident tuition fee for veterans who are residents of Arizona. It appears to this office that according to our Central Office regulations such non-resident tuition charges can be paid if the schools can submit, or the Veterans Administration secure, evidence that such charges are legal. This office desires to be advised as to whether the Attorney General of the State and the proper state officials approve non-resident tuition charges as properly applicable to resident veteran trainees of the State of Arizona."

The Board of Regents of the University of Arizona is empowered by law to charge different amounts as tuition fees for resident and non-resident students of the State of Arizona. If a veteran trainee under Public Law No. 346 ("G.I." Bill of Rights) or under any other congressional law is admitted to any Arizona institution of learning, a fee should be charged on the same basis as other students, that is: if the trainee is a bona fide resident of the State of Arizona he should be charged a resident's fee; if he comes from out of the State then he should be charged an out of State fee irrespective of the fact that the fee would be paid by the government of the United States.

A veteran who avails himself of the opportunity granted him under the training program of the government does not cease to be a resident of Arizona, if he is such in fact. It would be unfair to a bona fide resident veteran of the State of Arizona to be charged a non-resident fee and then deduct that amount from his adjusted compensation or other benefits which the federal government may allow him in the future.

Therefore, it is our opinion that all bona fide veterans, residents of Arizona entering college, the University or secondary schools of this State should be charged the same fee that is charged to other bona fide residents of the State.

Respectfully submitted,

JOHN L. SULLIVAN
Attorney General

HARRY O. JULIANI
Assistant Attorney General

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