

CS FOR HOUSE BILL NO. 334(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 1/28/98

Referred: Rules

Sponsor(s): REPRESENTATIVES KELLY, Therriault, James, Porter, Phillips, Vezey, Foster, Davies, Kubina, Brice, Kemplen, Croft, Kott

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to waiver of tuition and fees for certain family members of a
2 police officer, a village public safety officer, or a fire fighter killed in the line
3 of duty; and providing for an effective date."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 14.43.085 is amended to read:

6 **Sec. 14.43.085. Free tuition and fees for a spouse or dependent of members**
7 **of the armed services, a fire department, or the police.** A person enrolled as a
8 student in good standing in a state supported educational institution in this state is
9 entitled to a waiver of undergraduate tuition and fees if the person was the spouse
10 or dependent child of a bona fide resident of the state who was a member of the armed
11 services, a fire department, the state troopers, the village public safety officers
12 program, or a municipal police department and who died in the line of duty or who
13 died as a result of injuries sustained while in the line of duty for the municipal, state,
14 or federal government or fire department, or who was listed by the United States

1 Department of Defense as a prisoner of war or as missing in action. In this section,

2 (1) "armed services" means the Alaska National Guard, Alaska Naval
3 Militia, and the armed services of the United States;

4 (2) "dependent child" means a person who was a dependent of a
5 member of the armed services, **a fire department, the state troopers, the village**
6 **public safety officers program, or a municipal police department** at the time of the
7 member's death, and who is

8 (A) the member's natural or adopted child;

9 (B) a child in relation to whom the deceased armed services
10 member, **fire fighter, state trooper, village public safety officer, or**
11 **municipal police officer** stood in loco parentis for at least three years before
12 the member's death;

13 (C) the member's stepchild; or

14 (D) the member's acknowledged illegitimate child;

15 (3) **"fire department" means a federal, state, or municipal fire**
16 **department or a regularly organized volunteer fire department registered with the**
17 **state fire marshal;**

18 (4) "line of duty" has the meaning given under federal law **and**
19 **includes acts arising out of and in the course of employment;**

20 (5) [(4)] "resident" means a person who resided in the state for at least
21 one year before serving in the armed services, **a fire department, the state troopers,**
22 **the village public safety officers program, or a municipal police department** and
23 who lists Alaska as the home state for purposes of military records **or state,**
24 **municipal, or fire department employment records.**

25 * **Sec. 2. APPLICABILITY.** (a) A person who is enrolled as a student and who is
26 described in sec. 1 of this Act is entitled to a waiver of tuition and fees regardless of whether
27 the person who died in the line of duty died before, on, or after the effective date of this Act.
28 A person who is entitled to a waiver of tuition and fees as described in sec. 1 of this Act and
29 who has already paid tuition or fees before the effective date of this Act is not entitled to a
30 refund.

31 (b) This Act does not apply to a person enrolled as a graduate student in a state

1 supported educational institution on the effective date of this Act.

2 * **Sec. 3.** This Act takes effect July 1, 1998.