

CS FOR HOUSE BILL NO. 334(FIN) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 2/6/98

Offered: 1/28/98

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

SENATORS Wilken, Halford, Kelly

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to waiver of tuition and fees for certain family members of a**
2 **peace officer or a fire fighter killed in the line of duty; and providing for an**
3 **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 a peace**
7 **officer or members of the armed services or a fire department. (a) A person**
8 **enrolled as a student in good standing in a state supported educational institution in**
9 **this state is entitled to a waiver of undergraduate tuition and fees if the person was**
10 **the spouse or dependent child of a bona fide resident of the state who was**

11 **(1) a member of the armed services and who died in the line of duty or**
12 **who died as a result of injuries sustained while in the line of duty for the state or**
13 **federal government or who was listed by the United States Department of Defense as**
14 **a prisoner of war or as missing in action; or**

1 **(2) a peace officer or a member of a fire department who died from**
 2 **an act arising out of and in the course of**

3 **(A) employment as a peace officer or a fire fighter; or**

4 **(B) duties as a volunteer fire fighter.**

5 **(b)** In this section,

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

8 (2) "dependent child" means a person who was a dependent of a **peace**
 9 **officer or of a** member of the armed services **or a fire department** at the time of the
 10 **peace officer's or** member's death, and who is

11 (A) the **peace officer's or** member's natural or adopted child;

12 (B) a child in relation to whom the deceased armed services
 13 member, **fire fighter, or peace officer** stood in loco parentis for at least three
 14 years before the **peace officer's or** member's death;

15 (C) the **peace officer's or** member's stepchild; or

16 (D) the **peace officer's or** member's acknowledged illegitimate
 17 child;

18 (3) **"fire department" means a federal, state, or municipal fire**
 19 **department or a regularly organized volunteer fire department registered with the**
 20 **state fire marshal;**

21 (4) "line of duty" has the meaning given under federal law;

22 (5) **"peace officer" has the meaning given in AS 01.10.060 and**
 23 **includes a correctional officer;**

24 (6) [(4)] "resident" means a person who resided in the state for at least
 25 one year before serving in the armed services, **in a fire department, or as a peace**
 26 **officer** and who lists Alaska as the home state for purposes of military records **or**
 27 **state, municipal, or fire department employment records;**

28 (7) **"spouse" means a person who was married to a peace officer**
 29 **or to a member of the armed services or a fire department at the time of the**
 30 **peace officer's or member's death.**

31 * **Sec. 2. APPLICABILITY.** (a) A person who is enrolled as a student and who is

1 described in sec. 1 of this Act is entitled to a waiver of tuition and fees regardless of whether
2 the person who died in the line of duty or who died from an act arising out of and in the
3 course of employment or duties as a volunteer fire fighter died before, on, or after the
4 effective date of this Act. A person who is entitled to a waiver of tuition and fees as
5 described in sec. 1 of this Act and who has already paid tuition or fees before the effective
6 date of this Act is not entitled to a refund.

7 (b) This Act does not apply to a person enrolled as a graduate student in a state
8 supported educational institution on the effective date of this Act.

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