

SENATE CS FOR CS FOR HOUSE BILL NO. 334(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 2/27/98
Referred: Finance

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

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**
12 **or 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 and who lists Alaska as the home state
 26 for purposes of military records, **or a person who was employed as a peace officer**
 27 **in this state or was a member of a fire department located in this state;**

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.