

SENATE BILL NO. 338

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Introduced: 3/10/98

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to waiver of tuition and fees for certain family members of a
2 member of the armed services or a member of an emergency medical service
3 killed in the line 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 a
7 member of an emergency medical service or member [MEMBERS] of the armed
8 services. (a) A person enrolled as a student in good standing in a state supported
9 educational institution in this state is entitled to a waiver of undergraduate tuition and
10 fees if the person was the spouse or dependent child of a bona fide resident of the state
11 who was

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

1 a prisoner of war or as missing in action; or

2 (2) a member of an emergency medical service who died from an
 3 act arising out of and in the course of duties as a member of an emergency
 4 medical service.

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
 9 member of the armed services or a member of an emergency medical service at the
 10 time of the member's death, and who is

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

12 (B) a child in relation to whom the deceased armed services
 13 member or member of an emergency medical service stood in loco parentis
 14 for at least three years before the member's death;

15 (C) the member's stepchild; or

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

17 (3) "emergency medical service" means a federal, state, or
 18 municipal emergency medical service, or a regularly organized volunteer
 19 emergency medical service certified by the Department of Health and Social
 20 Services;

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

22 (5) [(4)] "resident" means a person who resided in the state for at least
 23 one year before serving in the armed services and who lists Alaska as the home state
 24 for purposes of military records, or a person who was a member of an emergency
 25 medical service in the state;

26 (6) "spouse" means a person who was married to a member of the
 27 armed services or a member of an emergency medical service at the time of the
 28 member's death.

29 * **Sec. 2. APPLICABILITY.** (a) A person who is enrolled as a student and who is
 30 described in sec. 1 of this Act is entitled to a waiver of tuition and fees regardless of whether
 31 the person, whose death entitled the student to a waiver of tuition and fees, died before, on,

1 or after the effective date of this Act. A person who is entitled to a waiver of tuition and fees
2 as described in sec. 1 of this Act and who has already paid tuition or fees before the effective
3 date of this Act is not entitled to a refund.

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

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