

CS FOR SENATE BILL NO. 150(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 1/27/12

Referred: Labor and Commerce

Sponsor(s): SENATORS WIELECHOWSKI, Ellis, Meyer, Menard, Davis, Paskvan, Egan, McGuire, Stedman, Thomas, Kookesh, Dyson, French, Stevens

REPRESENTATIVES Petersen, Peggy Wilson

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to applying military education, training, and service credit to**
2 **occupational licensing and certain postsecondary education and employment training**
3 **requirements; providing for a temporary occupational license for qualified military**
4 **service members; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 08.01 is amended by adding a new section to read:

7 **Sec. 08.01.064. Military education, training, and service credit; temporary**
8 **license.** (a) Notwithstanding another provision of law, the department or applicable
9 board shall accept military education, training, and service as equivalent to some or all
10 of the qualifications otherwise required of an applicant for a license or certificate
11 issued under this chapter if the applicant provides satisfactory evidence of successful
12 completion of the education, training, or service as a member of the armed forces of
13 the United States, the United States Reserves, the National Guard of any state, the
14 Military Reserves of any state, or the Naval Militia of any state.

1 (b) If the department or applicable board is otherwise authorized to issue a
 2 temporary license or certificate, the department or applicable board shall issue a
 3 temporary license or certificate to a person who

4 (1) applies to the department or relevant board in a manner prescribed
 5 by the department or board;

6 (2) meets the requirements in AS 08.01.063(a)(3) - (6); and

7 (3) while on active duty in the armed forces of the United States or any
 8 state, as described in (a) of this section,

9 (A) held a current license or certificate in another state, district,
 10 or territory of the United States and has practiced in the area of the license or
 11 certificate; or

12 (B) was awarded a degree, diploma, or certificate by a branch
 13 of the armed forces of the United States or any state, as described in (a) of this
 14 section, that met standards for an equivalent license or a certificate of technical
 15 training.

16 (c) A temporary license or certificate issued under (b) of this section is valid
 17 for 180 days and may be extended at the discretion of the department or applicable
 18 board for one additional 180-day period if the holder of the license or certificate
 19 applies for an extension on a form approved by the department or applicable board.

20 (d) The department or applicable board may adopt regulations necessary to
 21 implement this section.

22 * **Sec. 2.** AS 14.40.210 is amended by adding a new subsection to read:

23 (c) The president of the University of Alaska shall implement a policy and
 24 procedure for the acceptance of academic credit toward a degree or technical program
 25 offered by the university if an applicant provides satisfactory evidence of successful
 26 completion of relevant military education, training, or service as a member of the
 27 armed forces of the United States, the United States Reserves, the National Guard of
 28 any state, the Military Reserves of any state, or the Naval Militia of any state.

29 * **Sec. 3.** AS 14.48.060(b) is amended to read:

30 (b) A postsecondary educational institution must be maintained and operated,
 31 or, in the case of a new institution must demonstrate that it can be maintained and

1 operated so that

2 (1) the quality and content of each course or program of instruction,
3 training, or study are such as may reasonably and adequately achieve the stated
4 objective for which the course or program is offered;

5 (2) the institution has or has access to adequate space, equipment,
6 instructional materials, and personnel where applicable to achieve the stated objective
7 of the course or program of study and to provide education of good quality;

8 (3) the education or experience qualifications of directors,
9 administrators, supervisors, and instructors are such as may reasonably ensure that the
10 students will receive education consistent with the objectives of the course or program
11 of study;

12 (4) the institution provides a catalog or brochure containing
13 information describing the programs offered, program objectives, length of program,
14 schedule of tuition, fees, and all other charges and expenses necessary for completion
15 of the course of study, cancellation and refund policies, and other material facts
16 concerning the institution and the program or course of instruction that are reasonably
17 likely to affect the decision of the student to enroll, together with any other disclosures
18 specified by the commission by regulation; and that this information is provided to
19 prospective students before enrollment;

20 (5) upon satisfactory completion of training, the student is given
21 appropriate educational credentials by the institution, indicating that the course of
22 instruction or study has been satisfactorily completed by the student;

23 (6) adequate records are maintained by the institution to show
24 attendance, progress, or grades, and that satisfactory standards are enforced relating to
25 attendance, progress, and performance;

26 (7) the institution is maintained and operated in compliance with all
27 pertinent ordinances and laws relating to the safety and health of persons upon the
28 premises of the institution;

29 (8) the institution is financially sound and capable of fulfilling its
30 commitments to students;

31 (9) neither the institution nor its agents engage in advertising, sales,

1 collection, credit, or other practices which are false, deceptive, misleading, or unfair;

2 (10) the chief executive officer, trustees, directors, owners,
3 administrators, supervisors, staff, and instructors of the institution are of good
4 reputation and character and have not been convicted of a violation of AS 14.48.020
5 or 14.48.150 or AS 45.50.471 - 45.50.561 or a comparable law in another state or
6 province;

7 (11) the student housing owned, maintained, or approved by the
8 institution is appropriate, safe, and adequate;

9 (12) the institution has a fair and equitable cancellation and refund
10 policy; [AND]

11 (13) the charges set by the institution for tuition, fees, books, and
12 supplies are fair and equitable; **and**

13 **(14) the institution accepts military education, training, or service**
14 **credit or hours toward a degree or technical program offered by the institution if**

15 **(A) the institution otherwise accepts transfer credits or**

16 **hours; and**

17 **(B) the credit or hours transfer process meets the**

18 **requirements of the accrediting body of the institution or the commission.**

19 * **Sec. 4.** AS 23.15.820(a) is amended to read:

20 (a) The Alaska Workforce Investment Board shall

21 (1) administer the Alaska technical and vocational education program
22 established in AS 23.15.820 - 23.15.850;

23 (2) facilitate the development of a statewide policy for a coordinated
24 and effective technical and vocational education training system in this state and, to
25 the extent authorized by federal and state law, plan and coordinate federal, state, and
26 local efforts in technical and vocational education programs;

27 (3) adopt regulations under AS 44.62 (Administrative Procedure Act)
28 to carry out the purposes of AS 23.15.820 - 23.15.850, including regulations that set
29 standards for the percentage of a grant that may be used for administrative costs; the
30 regulations must clearly identify and distinguish between expenses that may be
31 included in administrative costs and those that may not be included in administrative

1 costs; the percentage allowed for administrative costs may not exceed the lesser of five
 2 percent or the amount permitted under the requirements of a federal program, if
 3 applicable;

4 (4) administer the grant program under AS 23.15.840 and establish
 5 grant administration requirements including accounting procedures that apply to
 6 qualified entities and their grantees;

7 **(5) facilitate the development and implementation of a statewide**
 8 **policy and procedure that provides for the acceptance of credit or hours toward a**
 9 **degree or technical program offered by a vocational or technical training center**
 10 **in the state for an applicant who provides satisfactory evidence of successful**
 11 **completion of relevant military education, training, or service as a member of the**
 12 **armed forces of the United States, the United States Reserves, the National**
 13 **Guard of any state, the Military Reserves of any state, or the Naval Militia of any**
 14 **state.**

15 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
 16 read:

17 **MILITARY EDUCATION, TRAINING, AND SERVICE CREDIT: TRANSITION.**

18 The Department of Commerce, Community, and Economic Development and applicable
 19 boards may immediately adopt regulations necessary to implement AS 08.01.064, added by
 20 sec. 1 of this Act, except that the effective date of the regulations may not be earlier than the
 21 effective date of secs. 1 - 4 of this Act.

22 * **Sec. 6.** Sections 1 - 4 of this Act take effect December 31, 2013.

23 * **Sec. 7.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).