

CS FOR HOUSE BILL NO. 84(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/25/13

Referred: Rules

Sponsor(s): REPRESENTATIVES SADDLER, Thompson, Lynn, Kawasaki, Feige, Millett, LeDoux, Kreiss-Tomkins, Isaacson, Holmes, Herron, Tarr, Costello, Gara, Tammie Wilson, Pruitt, Chenault, Johnson, Josephson, Gruenberg, Stoltze, Tuck

SENATORS Wielechowski, Micciche, Dyson, Bishop, McGuire, Egan, Meyer, Fairclough, Stedman, Ellis, Dunleavy

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 for some or all of the
10 qualifications otherwise required of an applicant for a license or certificate issued
11 under this chapter if

12 (1) the department or applicable board determines that the military
13 education, training, and service is substantially equivalent to some or all of the
14 qualifications otherwise required of an applicant for a license or certificate issued

1 under this chapter; and

2 (2) the applicant provides satisfactory evidence of successful
3 completion of the education, training, or service as a member of the armed forces of
4 the United States, the United States Reserves, the National Guard of any state, the
5 Military Reserves of any state, or the Naval Militia of any state.

6 (b) If the department issues temporary licenses or certificates as authorized by
7 the department or applicable board under AS 08.01.050(a)(9), the department or
8 applicable board shall issue a temporary license or certificate to a person who

9 (1) applies to the department or applicable board in a manner
10 prescribed by the department or board;

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

12 (3) while in the armed forces of the United States or any state, as
13 described in (a) of this section,

14 (A) held a current license or certificate in another state, district,
15 or territory of the United States, practiced in the area of the license or
16 certificate, and maintained the license or certificate in active status before and
17 at the time of application for a license or certificate under this subsection; or

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

22 (c) The department or applicable board shall expedite the procedure for
23 issuance of a license or certificate under (b) of this section for an applicant who is on
24 active duty.

25 (d) A license or certificate issued under (b) of this section is valid for 180 days
26 and may be extended at the discretion of the department or applicable board for one
27 additional 180-day period if the holder of the license or certificate applies for an
28 extension on a form approved by the department or applicable board.

29 (e) The department or applicable board may adopt regulations necessary to
30 implement this section.

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

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

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

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

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

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

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

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

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

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

4 (7) the institution is maintained and operated in compliance with all
5 pertinent ordinances and laws relating to the safety and health of persons on [UPON]
6 the premises of the institution;

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

9 (9) neither the institution nor its agents engage in advertising, sales,
10 collection, credit, or other practices which are false, deceptive, misleading, or unfair;

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

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

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

20 (13) the charges set by the institution for tuition, fees, books, and
21 supplies are fair and equitable; and

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

24 **(A) the institution otherwise accepts transfer credits or**
25 **hours; and**

26 **(B) the credit or hours transfer process meets the**
27 **requirements of the accrediting body of the institution or the commission.**

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

29 (a) The Alaska Workforce Investment Board shall

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

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

5 (3) adopt regulations under AS 44.62 (Administrative Procedure Act)
 6 to carry out the purposes of AS 23.15.820 - 23.15.850, including regulations that set
 7 standards for the percentage of a grant that may be used for administrative costs; the
 8 regulations must clearly identify and distinguish between expenses that may be
 9 included in administrative costs and those that may not be included in administrative
 10 costs; the percentage allowed for administrative costs may not exceed the lesser of five
 11 percent or the amount permitted under the requirements of a federal program, if
 12 applicable;

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

16 **(5) facilitate the development and implementation of a statewide**
 17 **policy and procedure that provides for the acceptance of credit or hours toward a**
 18 **degree or technical program offered by a vocational or technical training center**
 19 **in the state for an applicant who provides satisfactory evidence of successful**
 20 **completion of relevant military education, training, or service as a member of the**
 21 **armed forces of the United States, the United States Reserves, the National**
 22 **Guard of any state, the Military Reserves of any state, or the Naval Militia of any**
 23 **state.**

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

26 **MILITARY EDUCATION, TRAINING, AND SERVICE CREDIT: TRANSITION.**
 27 The Department of Commerce, Community, and Economic Development and applicable
 28 boards may immediately adopt regulations during regularly scheduled meetings that are
 29 necessary to implement AS 08.01.064, added by sec. 1 of this Act, except that the effective
 30 date of the regulations may not be earlier than the effective date of secs. 1 - 4 of this Act.

31 * **Sec. 6.** Sections 1 - 4 of this Act take effect December 31, 2014.

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