

Introduced: 3/15/77
Referred: Health, Education &
Social Services

1 IN THE SENATE

BY KERTTULA

2 SENATE CONCURRENT RESOLUTION NO. 32

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 Annuling an administrative regulation
6 adopted by the Alaska Commission on Post-
7 secondary Education pertaining to the
8 maximum indebtedness that a student may
9 incur under the scholarship loan program.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS under AS 44.62.320 the legislature by concurrent resolution
12 adopted by a vote of both houses may annul a regulation of an agency or
13 department; and

14 WHEREAS AS 14.40.759, when read together with AS 14.40.763, provides
15 that an undergraduate student may be awarded a loan of up to \$2,500 a year
16 for up to six years; and

17 WHEREAS AS 14.40.761, when read together with AS 14.40.763, provides
18 that a graduate student may be awarded a loan of up to \$5,000 a year for up
19 to six years; and

20 WHEREAS the Alaska Commission on Postsecondary Education has adopted a
21 regulation which limits a student's total indebtedness under the scholarship
22 loan program to \$10,000, exclusive of accrued interest payable on prior
23 loans; and

24 WHEREAS the limit on total indebtedness established by this regulation
25 is less than the possible total indebtedness authorized by AS 14.40.759, AS
26 14.40.761, and AS 14.40.763, thereby directly frustrating the intent of those
27 statutes; and

28 WHEREAS an undergraduate would accrue the limit of maximum indebtedness
29 of \$10,000 in four years if the maximum of \$2,500 is borrowed each year; and

1 WHEREAS AS 14.40.765, AS 14.40.763, and AS 14.40.806 evidence no intent
2 that borrowing \$2,500 a year be limited to four years because these statutes
3 do not require a student, as a condition of eligibility for a loan, to enroll
4 in a number of semester hours sufficient to insure that the student graduates
5 in four years; and

6 WHEREAS this regulation would have a particularly adverse effect on
7 those undergraduate students who have already undertaken a program of under-
graduate education planned to last more than four years on the expectation,
reasonably engendered by the aforementioned statutes, that indebtedness in
10 excess of \$10,000 may be incurred; and

11 WHEREAS this regulation would discriminate against those students in the
12 future who, for whatever reason, are unable to complete their undergraduate
13 education in four years; and

14 WHEREAS this regulation would also discriminate against those graduate
15 students who had to incur indebtedness under the program while an under-
16 graduate and could frustrate entirely the intent of AS 14.40.761 to make loan
17 funds available to graduate students;

18 BE IT RESOLVED by the Alaska State Legislature that administrative regu-
19 lation 20 AAC 15.030(a) is annulled.