

HB

334

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: January 20, 1998

FURTHER REFERRALS:

Date of Committee Action: 1/27/98

The FINANCE Committee considered:

HB 334

HOUSE BILL NO. 334

TUITION WAIVER FOR POLICE WIDOW/CHILD

“An Act relating to wavier of tuition and fees for certain family members of a police officer killed in the line of duty; and providing for an effective date.”

recommends it be replaced with the following committee substitute C.S. HB 334 (Fin) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) UA _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
	Therriault	X			
	Mulder	X			
	Martin	X			
	Kohring	X			
	DAVIES	X			
	Grussendorf	X			
	Moses	X			
	DAVIS	X			
	Kelky FOSKOR	X			

CHAIR'S SIGNATURE

C.O. Chair Therriault

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. HB 334

Revision Date (Note if correction) _____ Dept. Affected University of Alaska
 Title An Act relating to waiver of tuition & fees for BFU University of Alaska
family members of a police officer killed in the line of duty. Component Systemwide Budget Reductions &
 Sponsor Reps. Kelly, Theriault, James, Porter, ... Additions
 Requester House Finance Committee Component Serial No. #1296

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	5.4	5.4	5.4	5.4	5.4	5.4
Miscellaneous						
TOTAL OPERATING	5.4	5.4	5.4	5.4	5.4	5.4

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	5.4	5.4	5.4	5.4	5.4	5.4
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	5.4	5.4	5.4	5.4	5.4	5.4

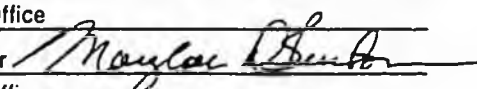
Estimate of any current year (FY98) cost: none

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill extends the tuition waiver provisions of AS 14.43.085 to include spouses and dependent children of municipal police officers killed in the line of duty. Except in the event of catastrophic loss, the university anticipates the fiscal impact of this bill to be relatively minor. This fiscal note assumes that on the average, two students will utilize this program each year, at a cost of \$2,700 each or a total cost per year of \$5,400.

Prepared by Marylou Burton Phone 474-6490
 Division UA Statewide Budget Office Date 1/26/98
 Approved by C. Marylou Burton, Director  Date 1/26/98
 Agency UA Statewide Budget Office

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Adopted
1/27/98

CS FOR HOUSE BILL NO. 334(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES KELLY, Therriault, James, Porter, Phillips, Vezey, Foster, Davies, Kubina, Brice, Kempler

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to waiver of tuition and fees for certain family members of a
2 police officer killed in the line of duty; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 14.43.085 is amended to read:

5 Sec. 14.43.085. Free tuition and fees for a spouse or dependent of members
6 of the armed services or the police. A person enrolled as a student in good standing
7 in a state supported educational institution in this state is entitled to a waiver of
8 undergraduate tuition and fees if the person was the spouse or dependent child of a
9 bona fide resident of the state who was a member of the armed services the state
10 troopers, or a municipal police department and who died in the line of duty or who
11 died as a result of injuries sustained while in the line of duty for the municipal, state,
12 or federal government or who was listed by the United States Department of Defense
13 as a prisoner of war or as missing in action. In this section,

14 (1) "armed services" means the Alaska National Guard, Alaska Naval

1 Militia, and the armed services of the United States;

2 (2) "dependent child" means a person who was a dependent of a
3 member of the armed services, the state troopers, or a municipal police department
4 at the time of the member's death, and who is

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

6 (B) a child in relation to whom the deceased armed services
7 member, state trooper, or municipal police officer stood in loco parentis for
8 at least three years before the member's death;

9 (C) the member's stepchild; or

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

11 (3) "line of duty" has the meaning given under federal law and includes
12 acts arising out of and in the course of employment;

13 (4) "resident" means a person who resided in the state for at least one
14 year before serving in the armed services, the state troopers, or a municipal police
15 department and who lists Alaska as the home state for purposes of military records
16 or state or municipal employment records.

17 * Sec. 2. APPLICABILITY. (a) A person who is enrolled as a student and who is
18 described in sec. 1 of this Act is entitled to a waiver of tuition and fees regardless of whether
19 the person who died in the line of duty died before, on, or after the effective date of this Act.
20 A person who is entitled to a waiver of tuition and fees as described in sec. 1 of this Act and
21 who has already paid tuition or fees before the effective date of this Act is not entitled to a
22 refund.

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

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

Alaska State Legislature

REPRESENTATIVE
PETER KELLY

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While in Juneau
State Capitol
Juneau, Alaska
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House District 31

House Of Representatives

Sponsor Statement HB 334

An Act Waiving State Tuition for Sons or Daughters of a Police Officer Slain in the Line of Duty.

With this bill we are adding to the fairly short list of youth for whom we will waive tuition at our State University. The University plays an important role in all of our lives, it should be available for a youth whose parent made the ultimate sacrifice protecting our lives and freedoms.

Nothing can replace a husband, a wife, a father or a mother, but for those men and women who will stand in harms way for us this bill is a small token of our appreciation.

HUGH C. "BILL" RUDOLPH



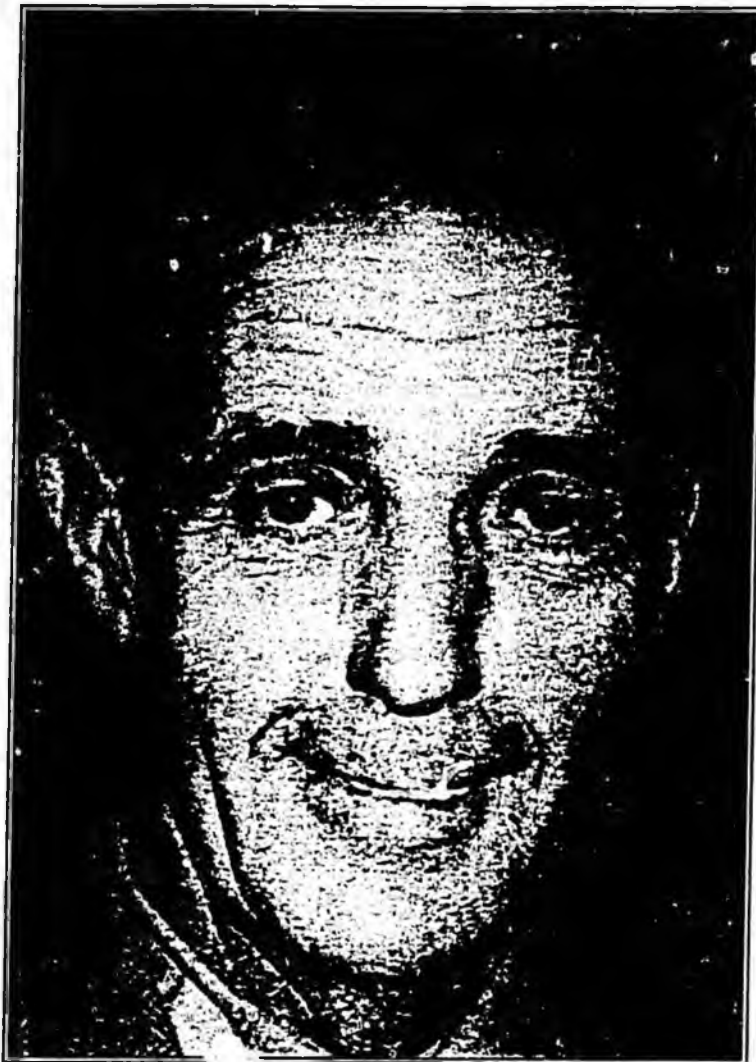
1908 - 1946

Hugh C. "Bill" Rudolph, born in Valdez, Alaska, in 1909, moved to Juneau in 1926. Rudolph was a well known and respected young business man and a member of the Juneau Volunteer Fire Department. Bill Rudolph was also a member of the Moose Lodge of Sitka and the Elks Lodge of Juneau.

On May 22, 1946, The Juneau Volunteer Fire Department responded to a fire at the Perelle Apartments. Volunteer Firefighter Bill Rudolph, while carrying a hose line up a 20-foot ladder, fell and was knocked unconscious. He was later diagnosed with a skull fracture. The twenty foot fall took the life of Firefighter Rudolph on June 4, 1946.

Bill Rudolph's survivors at the time of his death, in addition to his widow, Mungie Larsen Rudolph, were his parents, Mr. & Mrs. C. Rudolph, three sisters and three brothers.

THOMAS A. DUNNIGAN



1908 - 1967

Thomas A. Dunnigan, born in 1908 in Walla Walla, Washington, moved to Anchorage in 1953. He became a volunteer firefighter with Spenard Volunteer Fire Department and was elected as Fire Chief in 1961, a position he held until 1965.

Chief Dunnigan was one of the founders and a Charter member of the Alaska State Firefighter's Association. Chief Dunnigan was also an active member of the Spenard Lions Club.



SPENARD BUILDERS SUPPLY FIRE - 1967

On May 28, 1967, a General Alarm Fire did \$500,000 damage to the Spenard Builders Supply and took the life of Retired Spenard Fire Chief Thomas Dunnigan, who was working as a volunteer firefighter. Dunnigan was killed instantly when he stepped on a downed power line at the scene of the fire. Five engine companies and an aerial unit responded from the City of Anchorage Fire Department when the 2:15 am call came in and arrived to find the structure fully involved. Tom Dunnigan was killed only 45 minutes later, just before 3:00 AM.

At the time of his death, survivors included a son Dennis Dunnigan, who was a City of Anchorage firefighter and was on duty the night his father was killed, a daughter, Mrs. Doreen Donald, three brothers, Archie, Joe and Jerry and a sister, Rose Dunnigan.

HARRY V. NEWELL



1899 - 1955

Harry V. Newell, 56 years old, Captain of the Ketchikan Fire Department, was killed on April 7, 1955 fighting a fire in the basement repair shop of the Smith Electric Company in Ketchikan.

Three other firefighters and police officers were overcome by smoke and gases, but were revived shortly after. Newell who was wearing a Scott Air Pak had been in the fire building for an estimated 20 minutes before he was rescued and brought outside. Records regarding the fire do not indicate the cause nor the damage.

Harry Newell had been a Captain in the Ketchikan Fire Department for a number of years, was a past governor for the Moose Lodge, a past ruler of the Elks Lodge, and a member of the Eagles Lodge. He was survived by a separated wife, Mary, two sons of Ketchikan, Bob and Harry F., and a daughter then of Vancouver, Washington, Mrs. John Connors. Harry had lived in Ketchikan for 32 years.

DONALD P. HYDE



_____ - 1971

Firefighter Specialist Four Donald P. Hyde, distinguished himself by an exceptionally valorous action on April 27, 1971 at Fort Wainwright, Alaska.

Firefighter Specialist Hyde was in an off-duty status in the Post Fire Station at Fort Wainwright, Alaska, when a fire call came in. Firefighter Specialist Hyde voluntarily responded to the emergency along with the on-duty firefighters.

When he arrived at the scene he was confronted by neighbors of the fire victims and the screams of, "Save my baby," by the mother of a child that was trapped inside the burning apartment.

Immediately, Firefighter Specialist Hyde, donned his protective breathing apparatus, without waiting for a hose line, dashed through the back door of the dense, smoke filled and extremely hot apartment to attempt to rescue the child.

Firefighter Specialist Hyde proceeded upstairs and was able to search the two bedrooms before the intense heat and smoke almost overpowered him. Seeking to escape, he returned to the first floor apartment. By this time his breathing apparatus had apparently malfunctioned due to the extreme heat. Firefighter Specialist Hyde was caught in an unexpected backflash and his protective clothing was ignited. He directed firefighters working at a window to his location in the inferno to spray water on him and was able to get through a broken window where he was assisted to safety.

Firefighter Specialist Hyde was taken to Bassett Army Hospital where he succumbed to his injuries a few hours later.

Firefighter Specialist Hyde demonstrated heroism far beyond the call of duty with the utmost courage and bravery in his attempt to save another's life without regard to his own.

CHARLES W. "CHUCK" WHITETHORN



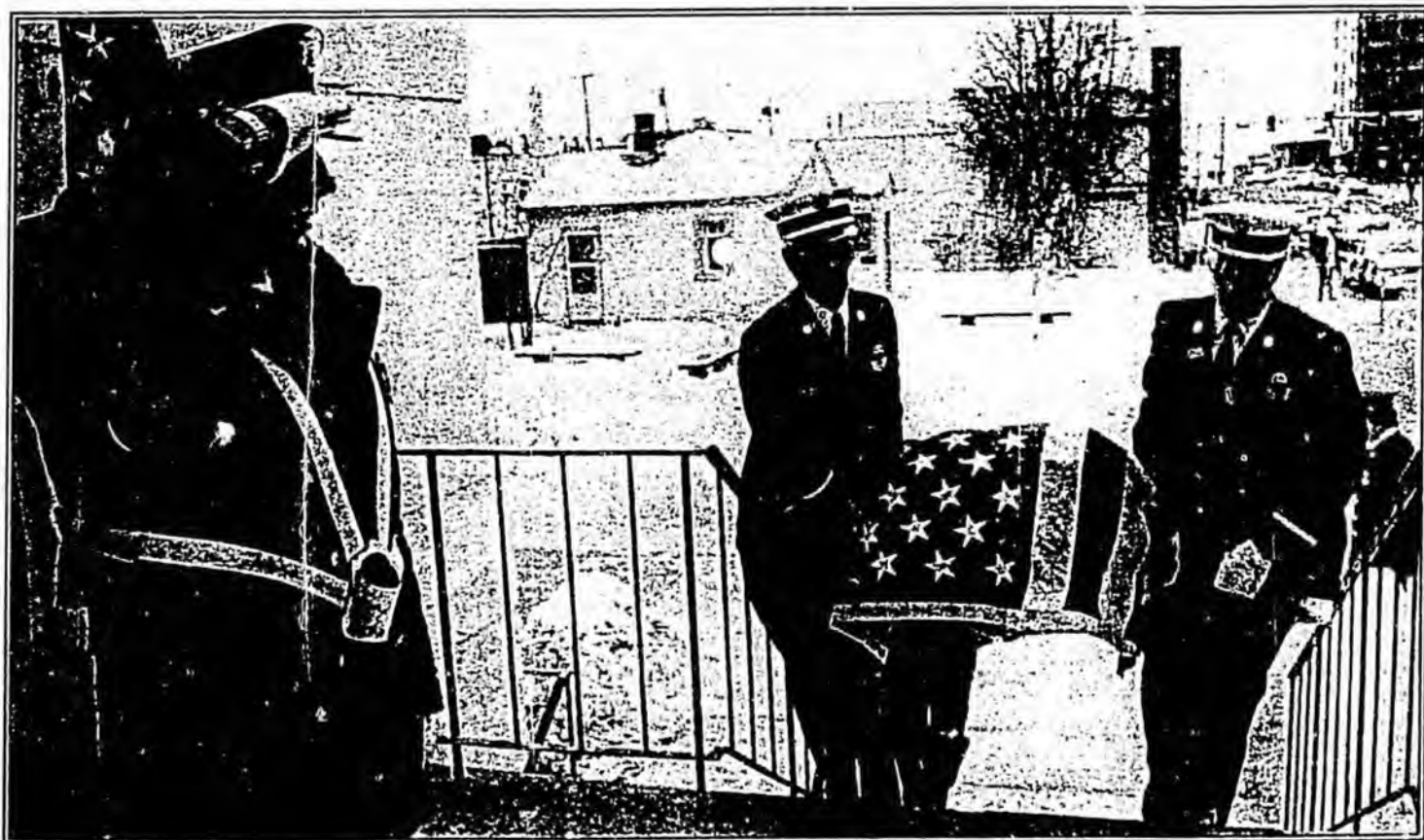
1952 - 1976

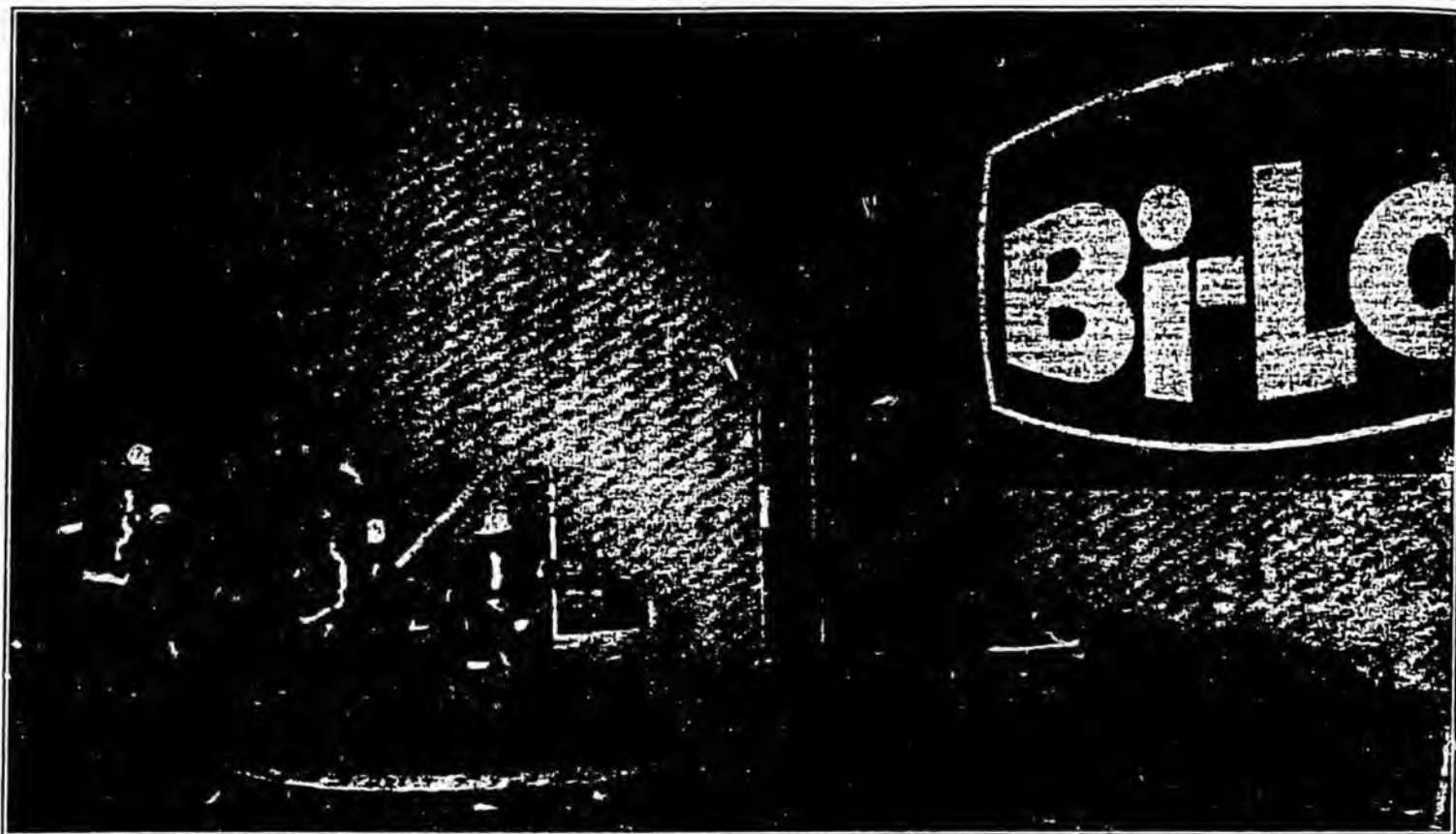
Charles W. "Chuck" Whitethorn was born in South Dakota in 1952, he moved to Anchorage in 1972 and went to work for the Greater Anchorage Area Borough Fire Department after his discharge from his firefighting position with Elmendorf Air Force Base Fire Department.

Firefighter Whitethorn was struck in the chest by an unknown object during the violent flashover and there in the raging fire gave his life while protecting his community.

Charles Whitethorn was only 23 but he died doing what he wanted to do: fighting fires. He is an example of the quiet valor of dedicated men who spend long days waiting for that call which may require them to give their utmost -- even their lives. They are too seldom appreciated.

Among his survivors at the time of his death was his widow, Debbie Whitethorn, his bride of six weeks, his parents, Charles and Lavonne Whitethorn of Madison, South Dakota, a sister, Patricia Andrews and two brothers, John and Hal.





BI-LO SUPERMARKET FIRE - 1976

On February 6, 1976, just past mid-night, a fire was reported at the Bi-Lo Supermarket on Muldoon Road. Anchorage Fire Department, Engine 6 was the first to respond. The fire was immediately declared a Third Alarm Fire and mutual aid units from Ft. Richardson Army Base and Elmendorf Air Force Base assisted. Fire apparatus responding to the Bi-Lo Supermarket fire was six engines, one squad, one aerial ladder truck, one elevating platform truck, one rescue vehicle, one ambulance, 41 firefighters and five chief officers. It took two hours and twenty-two minutes to bring the fire under control.

Firefighter Whitethorn was a member of Engine 6, which was the first due engine on location at the Muldoon Bi-Lo Supermarket.

Firefighter Whitethorn, upon arriving at the scene, was manning an 1 1/2 inch hose line and went through the front door of the supermarket, attempting to bring the fire under control, when a violent flashover occurred.

CHRISTINE J. "CHRISTY" PENNINGTON



1971 - 1991

Christine J. "Christy" Pennington, was born in Kodiak, Alaska, in 1971 and had been a Firefighter/EMT with the Ester Volunteer Fire Department since January, 1990. Christy was attending classes at the University of Alaska - Fairbanks and had a three month old son.

On March 15, 1991, Christine Pennington, a Firefighter & Emergency Medical Technician for Ester Volunteer Fire Department, responded from her home to a medical emergency call, along with her three month old baby, Jonathan. While rushing to save a life, she lost hers and that of her infant son when she lost control of her Ford Bronco and slammed into an on-coming pickup. The infant died instantly and Christine who was pinned in the crushed car, died later at Fairbanks Memorial Hospital.

Christine was survived by her parents, Henry and Janet Pennington of Kodiak, her sister, Linda Pennington and her fiancé, Johnnie Patterson. Christine was described by her friends and co-workers as cheerful, energetic, loving and helpful person. Christy loved the outdoors and horses. She competed in rodeos from age 9 to 19.

Christy died while doing the most meaningful thing she found in life.

Alaska Law Enforcement Officers Memorial



Doris Wayne Barber
Sitka Police Department, July 28, 1960

Leroy Garvin Bohuslov
Department of Fish & Game, March 5, 1964

Gary George Wohlfel
Department of Fish and Game, March 5, 1964

Donald Thomas Dull
Juneau Police Department, October 19, 1964

Kenneth Grant Hauska
Craig Police Department, January 30, 1966

Benjamin Franklin Strong
Anchorage Police Department, January 4, 1968

Thomas Charles Dillon
Bethel Police Department, November 19, 1972

Dennis Finbar Cronin
Alaska State Troopers, February 18, 1974

Earl Ray Hoggard
Ketchikan Police Department, March 30, 1974

Larry Robert Carr
Alaska State Troopers, December 11, 1974

Frank Stuart Rodman
Alaska State Troopers, December 11, 1974

Jonathon Paul Flora
Anchorage Police Department, September 8, 1975

Richard James Adair
Juneau Police Department, April 17, 1979

Jimmy Earl Kennedy
Juneau Police Department, April 17, 1979

Harry Edward Kier
Anchorage Police Department, October 28, 1980

Roland Edgar Chevalier, Jr.
Alaska State Troopers, April 4, 1982

John L. [unclear]
Fish & Wildlife Protection, January 14, 1983

Gordon Brewster Bartel
Kodiak Police Department, January 15, 1983

Troy Lynn Duncan
Alaska State Troopers, May 18, 1984

David Cameron Harris
56th MP Co. Ft. Richardson, July 23, 1984

Ignatious John Charlie
Atkasuk Police Department, May 10, 1985

Harry Biddington Hanson, Jr.
Anchorage Police Department, July 17, 1986

Ronald Eugene Zimin
VPSO S. Naknek, October 22, 1986

Louie Gordon Mizelle
Anchorage Police Department, June 8, 1989

Anthony Crawford Jones
Dillingham Police Department, February 12, 1992

Karl William Relahue
Juneau Police Department, May 4, 1992

C.E. "Swack" Swackhammer
Department of Public Safety, October 11, 1994

Robert Lee Bittick
Alaska State Troopers, October 11, 1994

Dan Richard Seely
Anchorage Police Department, October 26, 1996

The Journal of the Alaska Peace Officers Association is dedicated to all the Peace Officers in Alaska who have been killed in the line of duty since Statehood.

The names of these fallen officers are engraved on bronze plates on the pedestal of the statue of the Peace Officer, located in front of the Statewide Scientific Crime Detection Laboratory, 5500 Tudor Road, Anchorage. These names, and the statue commemorating their dedication to duty along with flowers, usually sent anonymously, may be viewed at any time.

The memory of their supreme sacrifice lives forever in the tradition of peace officers throughout Alaska.

Adopted

0-LS1380A.2
Ford
1/27/98

AMENDMENT 1

OFFERED IN THE HOUSE
TO: HB 334

BY REPRESENTATIVE **FOSTER**

- 1 Page 1, line 2, following "officer":
- 2 Insert "**or fire fighter**"

- 3 Page 1, line 6:
- 4 Following "services":
- 5 Insert "**a fire department,**"
- 6 Following "or":
- 7 Insert "the"

- 8 Page 1, line 9, following "services":
- 9 Insert "**a fire department,**"

- 10 Page 1, line 11, following "government,":
- 11 Insert "**or fire department,**"

- 12 Page 2, line 3, following "services":
- 13 Insert "**a fire department,**"

- 14 Page 2, line 7:
- 15 Delete "the"
- 16 Insert "**fire fighter,**"

- 17 Page 2, line 11, following "(3)":
- 18 Insert "**'fire department' means a federal, state, or municipal fire department or**
- 19 **a regularly organized volunteer fire department registered with the state fire marshal;**

1 (4)"

2 Page 2, line 13:

3 Delete "(4)"

4 Insert "(5) [(4)]"

5 Page 2, line 14, following "services":

6 Insert ". a fire department."

7 Page 2, line 16:

8 Delete "or municipal"

9 Insert ". municipal. or fire department"

Adopted

AMENDMENT 2

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUSSENDORF

TO: HB 334

- 1 Page 1, line 9, following "troopers":
- 2 Insert "the village public safety officers program."

- 3 Page 2, line 3, following "troopers":
- 4 Insert "the village public safety officers program."

- 5 Page 2, line 7, following "trooper":
- 6 Insert "the village public safety officer."

- 7 Page 2, line 14, following "troopers":
- 8 Insert "the village public safety officers program."

ROLL CALL: HOUSE FINANCE COMMITTEE

DATE _____

SUBJECT _____

MEMBER	YES	NO
KOHRING		
MARTIN		
MOSES		
MULDER		
DAVIES, JOHN		
DAVIS, GARY		
GRUSSENDORF		
FOSTER		
KELLY		
THERRIAULT		
HANLEY		

TOTAL

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PASSED _____

FAILED _____