

# STATE OF ALASKA

## THE LEGISLATURE

1977

Source

SCR 32

Legislative  
Resolve No.

87



Annuling an administrative regulation adopted by the Alaska Commission on Postsecondary Education pertaining to the maximum indebtedness that a student may incur under the scholarship loan program.

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

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED by the Alaska State Legislature that administrative regulation 20 AAC 15.030(a) is annulled.