



LAWS OF ALASKA

1998

Source
SCS.CSHB.334(FIN)

Chapter No.
38

AN ACT

Relating to waiver of tuition and fees for certain family members of a member of the armed services, a peace officer, or a fire fighter killed in the line of duty; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 20, 1998
Actual Effective Date: July 1, 1998

AN ACT

1 Relating to waiver of tuition and fees for certain family members of a member of the armed
2 services, a peace officer, or a fire fighter killed in the line of duty; and providing for an effective
3 date.

4

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

6 **Sec. 14.43.085. Free tuition and fees for a spouse or dependent of a peace**
7 **officer or members of the armed services or a fire department. (a)** A person enrolled
8 as a student in good standing in a state supported educational institution in this state is
9 entitled to a waiver of **undergraduate** tuition and fees if the person was the spouse or
10 dependent child of a bona fide resident of the state who was

11 **(1)** a member of the armed services and who died in the line of duty or
12 who died as a result of injuries sustained while in the line of duty for the state or federal
13 government or **who** was listed by the United States Department of Defense as a prisoner
14 of war or as missing in action; **or**

1 **(2) a peace officer or a member of a fire department who died from**
2 **an act arising out of and in the course of**

3 **(A) employment as a peace officer or a fire fighter; or**

4 **(B) duties as a volunteer fire fighter.**

5 **(b)** In this section,

6 (1) "armed services" means the Alaska National Guard, Alaska Naval
7 Militia, and the armed services of the United States;

8 (2) "dependent child" means a person who was a dependent of a **peace**
9 **officer or of a** member of the armed services **or a fire department** at the time of the
10 **peace officer's or** member's death, and who is

11 (A) the **peace officer's or** member's natural or adopted child;

12 (B) a child in relation to whom the deceased armed services
13 member, **fire fighter, or peace officer** stood in loco parentis for at least three
14 years before the **peace officer's or** member's death;

15 (C) the **peace officer's or** member's stepchild; or

16 (D) the **peace officer's or** member's acknowledged illegitimate
17 child;

18 (3) "**fire department**" means a federal, state, or municipal fire
19 **department or a regularly organized volunteer fire department registered with the**
20 **state fire marshal;**

21 (4) "line of duty" has the meaning given under federal law;

22 (5) "**peace officer**" has the meaning given in AS 01.10.060 and
23 **includes a correctional officer;**

24 (6) [(4)] "resident" means a person who resided in the state for at least one
25 year before serving in the armed services and who lists Alaska as the home state for
26 purposes of military records, **or a person who was employed as a peace officer in this**
27 **state or was a member of a fire department located in this state;**

28 (7) "**spouse**" means a person who was married to a **peace officer or**
29 **to a member of the armed services or a fire department at the time of the peace**
30 **officer's or member's death.**

31 * Sec. 2. APPLICABILITY. (a) A person who is enrolled as a student and who is described

1 in sec. 1 of this Act is entitled to a waiver of tuition and fees regardless of whether the person
2 who died in the line of duty or who died from an act arising out of and in the course of
3 employment or duties as a volunteer fire fighter died before, on, or after the effective date of this
4 Act. A person who is entitled to a waiver of tuition and fees as described in sec. 1 of this Act and
5 who has already paid tuition or fees before the effective date of this Act is not entitled to a refund.

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

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