



# LAWS OF ALASKA

2008

**Source**  
CSHB 320(FIN)

**Chapter No.**  
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## AN ACT

Relating to search and rescue training and search and rescue parties; requiring certain search and rescue volunteers to be considered state employees for purposes of workers' compensation coverage; and allowing political subdivisions to elect to provide workers' compensation insurance coverage for search and rescue personnel.

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

THE ACT FOLLOWS ON PAGE 1



## AN ACT

1 Relating to search and rescue training and search and rescue parties; requiring certain search  
2 and rescue volunteers to be considered state employees for purposes of workers'  
3 compensation coverage; and allowing political subdivisions to elect to provide workers'  
4 compensation insurance coverage for search and rescue personnel.

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6 \* **Section 1.** AS 18.60 is amended by adding a new section to article 2 to read:

12 \* Sec. 2. AS 18.60.120 is amended to read:

1 safety or a designee may appoint a competent person to organize, direct, and guide a  
2 search and rescue party for the purpose of rescuing or retrieving the person or the  
3 person's remains. **Only the commissioner, the commissioner's designee, or the**  
4 **person appointed to organize, direct, and guide a search and rescue party may**  
5 **authorize a person to participate in the search and rescue party.**

6 \* **Sec. 3.** AS 18.60.125 is amended to read:

7 **Sec. 18.60.125. Civil immunity.** A person may not bring a civil action for  
8 damages against the state, a political subdivision of the state, or the officers, agents, or  
9 employees of the state or a political subdivision of the state for a death, personal  
10 injury, or property damage that results from an act or omission in performing or failing  
11 to perform activities or duties authorized under **AS 18.60.115 - 18.60.175**  
12 [AS 18.60.120 - 18.60.175]. This section does not apply to a civil action for damages  
13 as a result of intentional misconduct within the course and scope of employment or  
14 agency and with complete disregard for the safety and property of others.

15 \* **Sec. 4.** AS 18.60.175 is amended to read:

16 **Sec. 18.60.175. Regulations.** The Department of Public Safety shall adopt  
17 regulations necessary to carry out the duties assigned by **AS 18.60.115 - 18.60.170**  
18 [AS 18.60.120 - 18.60.170], including regulations dealing with the handling of  
19 nonexpendable property purchased during a search or rescue mission and expenditures  
20 of money for search and rescue. The regulations shall be adopted in accordance with  
21 AS 44.62 (Administrative Procedure Act).

22 \* **Sec. 5.** AS 23.30.092 is amended to read:

23 **Sec. 23.30.092. Volunteer ambulance attendants', police officers', [AND]**  
24 **fire fighters', and search and rescue personnel's insurance.** A political subdivision  
25 may elect to provide benefits and compensation to its volunteer ambulance attendants,  
26 police officers, [OR] fire fighters, **or search and rescue personnel** by obtaining  
27 insurance that would provide its volunteer ambulance attendants, police officers, [OR]  
28 fire fighters, **or search and rescue personnel** with benefits and compensation at least  
29 equivalent to those conferred upon volunteer ambulance attendants, police officers,  
30 [OR] fire fighters, **or search and rescue personnel** by this chapter, and the election  
31 shall be considered compliance with the coverage and insurance provisions of this

1 chapter. The election shall be made by filing copies of the insurance policy or policies  
2 with the commissioner.

3 \* **Sec. 6.** AS 23.30 is amended by adding a new section to read:

4 **Sec. 23.30.246. Search and rescue personnel as state employees.** (a) A  
5 resident of the state who temporarily volunteers to participate in a search and rescue  
6 training exercise or a search and rescue activity and who suffers injury or death during  
7 the course and within the scope of training for or providing search and rescue services  
8 is considered an employee of the state for purposes of this chapter if, at the time of the  
9 injury or death, the volunteer

10 (1) is an authorized participant in a search and rescue training exercise  
11 under AS 18.60.115 or a search and rescue activity under AS 18.60.120; and

12 (2) is not otherwise covered for that injury or death by an employer's  
13 workers' compensation insurance policy or self-insurance certificate.

14 (b) Notwithstanding the methods for calculating an employee's gross weekly  
15 earnings under AS 23.30.220, the gross weekly earnings for a resident of the state  
16 temporarily engaged as a volunteer under (a) of this section are equal to the state  
17 average weekly wage.