

**CS FOR HOUSE BILL NO. 126(MLV)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered: 2/24/17

Referred: Labor and Commerce

Sponsor(s): HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to workers' compensation benefits for members of the organized**  
2   **militia."**

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

4   \* **Section 1.** AS 23.30 is amended by adding a new section to read:

5           **Sec. 23.30.236. Members of the organized militia as employees.** (a) A  
6        member of the organized militia who has been ordered into active state service by the  
7        governor under AS 26.05.070 or ordered into training under AS 26.05.100, and who  
8        suffers an injury, disability, or death in the line of duty, is an employee of the state for  
9        purposes of this chapter.

10           (b) The gross weekly earnings for members of the organized militia are  
11        calculated using the methods prescribed under AS 26.05.260(h).

12           \* **Sec. 2.** AS 26.05.260(d) is amended to read:

13           (d) A member of the organized militia who, while performing duties under  
14        AS 26.05.070 **or training under AS 26.05.100**, including transit to and from the

1 member's home of record, suffers an injury or disability in the line of duty is entitled  
2 to all compensation and benefits available under AS 23.30 (Alaska Workers'  
3 Compensation Act). For a member of the Alaska State Defense Force, compensation  
4 and benefits under this subsection are provided as though the member were a state  
5 employee. A member of the organized militia who has not been ordered into active  
6 state service by the governor under AS 26.05.070 **or ordered into training under**  
7 **AS 26.05.100** is not entitled to compensation and benefits under AS 23.30 (Alaska  
8 Workers' Compensation Act).

9 \* **Sec. 3.** AS 26.05.260(e) is amended to read:

10 (e) If a member of the organized militia dies as a result of an injury or  
11 disability suffered in the line of duty while performing duties under AS 26.05.070 **or**  
12 **training under AS 26.05.100**, including transit to and from the member's home of  
13 record, death benefits shall be paid to the persons in the amounts specified in  
14 AS 23.30.215. For a member of the Alaska State Defense Force, the death benefits  
15 under this subsection are provided as though the member were a state employee. A  
16 person is not entitled to death benefits as specified in AS 23.30.215 for a member of  
17 the organized militia who dies as a result of an injury or disability suffered in the line  
18 of duty but who had not been ordered into active state service by the governor under  
19 AS 26.05.070 **or ordered into training under AS 26.05.100**.