

ALASKA STATE LEGISLATURE

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Official Business

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HB 214 ver W **Sectional Analysis**

Please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill; the bill itself is the best statement of its contents.

Section 1. Amends AS 23.30.005 by adding new subsection to read: The board, in its administrative capacity, shall maintain, index, and make available for public inspection the decisions and orders of the board and the former Workers' Compensation Appeals Commission. Decisions and orders of the former Workers' Compensation Appeals Commission are final and conclusive unless appealed to the Alaska Supreme Court and shall stand instead of the order of the board from which review was taken. Unless reversed by the Alaska Supreme Court, decisions of the former Workers' Compensation Appeals Commission have the force of legal precedent.

Section 2. AS 23.30.107(b) removes language referencing the Commission.

Section 3. AS 23.30.108 (d) removes language referencing the Commission.

Section 4. AS 23.30.108 (e) removes language referencing the Commission.

Section 5. AS 23.30 is amended by adding a new section to read: A decision or order of the board becomes effective when filed in the office of the board under AS 23.30.110 and becomes final on the 31st day after the decision or order is filed unless, before the 31st day, a party files a petition, or a notice of appeal. Final order is not subject to judicial review. Findings are conclusive if supported by substantial evidence and the credibility of the witness. A director may intervene. A court shall award a successful party reasonable costs.

Section 6. AS 23.30.155(f) removes statutory reference to the powers and duties of the Commission and adds a reference to the board in AS 23.30.126

Section 7. AS 39.50.200(b)(31) is amended to remove language defining the Workers' Compensation Appeals Commission.

Section 8. Repeal Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure.

Section 9. Repeals statutes referencing the creation, appointment of members, jurisdiction, powers and duties of the commission, powers and duties of the chair of the commission, administrative review, appeals to the commissions, commission proceedings, appointment of the members through OAH, appointment of the chair.

Section 10. Changes the Alaska Rules of Appellate Procedure by providing that appeals from the Alaska Workers' Compensation Board can be brought in the superior court.

Section 11. 2/3 vote not required for indirect court rule amendments.

Section 12. The Workers' Comp Appeals Commission continues to function as they presently are until December 1, 2016.

Section 13. Transitional Provisions – for appeals not completed before December 2nd shall be automatically transferred to the superior court. Appeals seeking review of Workers' Comp Board decisions that haven't been filed before May 31, 2016 must be filed in the superior court before June 1, 2016. Before June 1, 2016 a party may file for review by the workers' comp appeals commission, after June 1, 2016 a party files for review in the superior court. Before November 1, 2016 a party may request reconsideration of a Workers' Compensation Appeals Commission decision. After November 1, 2016 a party may file an appeal with the Alaska Supreme Court.

Section 14. Terms out commissioners on February 2, 2017.

Section 15. Effective date of June 1, 2016.