

CHAPTER 46

AN ACT

Amending the Alaska Workmen's Compensation Act.

(C.S.H.B. 67)

Be it enacted by the Legislature of the State of Alaska:

Section 1. AS 23.30.070(f) is repealed and re-enacted to read:

(f) An employer who fails or refuses to send a report required of him by this section or who fails or refuses to send the report required by (a) of this section within the time required shall, if so required by the board, pay the employee or his legal representative or other person entitled to compensation by reason of the employee's injury or death an additional award equal to 20 per cent of the amounts which were unpaid when due. The award shall be against either the employer or his insurance carrier, or both.

Sec. 2. AS 23.30.075 is amended to read:

Sec. 23.30.075. Employer's Liability to Pay. (a) An employer under this chapter, unless exempted, shall either insure and keep insured for his liability under this chapter in an insurance company or association duly authorized to transact the business of workmen's compensation insurance in this state, or shall furnish the board satisfactory proof of his financial ability to pay directly the compensation provided for. If an employer elects to pay directly, the board may, in its discretion, require the deposit of an acceptable security, indemnity, or bond to secure the payment of compensation liabilities as they are incurred.

(b) An employer who fails to insure and keep insured employees subject to this chapter or fails to obtain a certificate of self-insurance from the board, upon conviction, is punishable by a fine of not more than \$1,000, or by imprisonment for not more than one year, or by both. If an employer is a corporation, all persons who, at the time of the injury or death, had authority to insure said corporation or apply for a certificate of self-insurance, and the person actively in charge of the

business of such corporation shall be subject to the penalties prescribed herein and shall be personally, jointly, and severally liable together with the corporation for the payment of all compensation or other benefits for which the corporation is liable under this chapter if said corporation at such time is not insured or qualified as a self-insurer.

Sec. 3. AS 23.30.155(e) is amended to read:

(e) If any installment of compensation payable without an award is not paid within 14 days after it becomes due, as provided in (b) of this section, there shall be added to the unpaid installment an amount equal to 20 per cent of it, which shall be paid at the same time as, and in addition to, the installment, unless notice is filed under (d) of this section or unless the nonpayment is excused by the board after a showing by the employer that owing to conditions over which he had no control the installment could not be paid within the period prescribed for the payment.

Sec. 4. AS 23.30.175(a) is amended to read:

(a) Compensation for temporary disability or permanent partial disability may not exceed \$100 a week and may not be less than \$25 a week. If the employee's average weekly wages, as computed under sec. 220 of this chapter, are less than \$25 a week, he shall receive as compensation for temporary disability his average weekly wages.

Sec. 5. AS 23.30.190(1) is amended to read:

(1) arm lost, 280 weeks' compensation, not to exceed \$14,500;

Sec. 6. AS 23.30.190(2) is amended to read:

(2) leg lost, 248 weeks' compensation, not to exceed \$12,900;

Sec. 7. AS 23.30.190(3) is amended to read:

(3) hand lost, 212 weeks' compensation, not to exceed \$10,900;

Sec. 8. AS 23.30.190(4) is amended to read:

(4) foot lost, 173 weeks' compensation, not to exceed \$9,200;

Sec. 9. AS 23.30.190(5) is amended to read:

(5) eye lost, 140 weeks' compensation, not to exceed \$7,200;

Sec. 10. AS 23.30.190(12) is amended to read:

(12) loss of hearing of one ear, 52 weeks' compensation, not exceeding

\$2,700; loss of hearing of both ears, 200 weeks' compensation, not to exceed \$7,000;

Sec. 11. AS 23.30.265(13) is amended to read:

(13) "injury" means accidental injury or death arising out of and in the course of employment, and an occupational disease or infection which arises naturally out of the employment or which naturally or unavoidably results from an accidental injury, and includes breakage or damage to eyeglasses, hearing aids, dentures, or any prosthetic devices which function as part of the body and further includes an injury caused by the wilful act of a third person directed against an employee because of his employment;

Approved April 11, 1964

CHAPTER 47

AN ACT

Relating to the cigarette tax; and providing for an effective date.

(H.B. 397)

Be it enacted by the Legislature of the State of Alaska:

Section 1. AS 43.50.030(b) is amended to read:

(b) For each license issued to a distributor or wholesaler-distributor, and for each renewal, the fee is \$50.

Sec. 2. AS 43.50 is amended by adding a new section to read:

Sec. 43.50.035. Wholesaler-Distributor License. A person may qualify for a wholesaler-distributor license by furnishing a good and sufficient surety bond in an amount equal to twice the average monthly return and in no case less than \$5,000, payable to the Department of Revenue and approved by the Department of Law. If a wholesaler-distributor fails to pay the cigarette tax when due, his bond may be forfeited and his license revoked. The department may issue permits in place of bonds to resident holders of wholesaler-distributor licenses doing business wholly in the state who pay the tax before shipment.

Sec. 3. AS 43.50.080 is amended to read:

Sec. 43.50.080. Returns. (a) On or before the last day of each calendar month a licensee shall file with the department a return, under penalty of perjury, for each place of business. The return shall state the number of cigarettes manufactured, imported, or acquired by the licensee during the preceding month, and other information which the department requires. If a licensee ceases to import or acquire cigarettes, he shall immediately file with the department a return for the period ending with the cessation.

(b) A person holding a wholesaler-distributor license under sec. 35 of this chapter shall file a return with the department on or before the last day of each calendar month. The return shall state the number of cigarettes sold, including those cigarettes exempt from tax, and remit the tax due by the wholesaler-distributor for the preceding calendar month and other information which the department may require.