

HOUSE BILL NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES JOSEPHSON AND LYNN, Tuck, Gara, Kito, Tarr

Introduced: 1/21/15

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a death benefit for health insurance payable to the widows,
2 widowers, and children of police officers, firefighters, or emergency medical technicians
3 who die because of work-related injuries."

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

5 * **Section 1.** AS 23.30.215(a) is amended to read:

6 (a) If the injury causes death, the compensation is known as a death benefit
7 and is payable in the following amounts to or for the benefit of the following persons:

8 (1) reasonable and necessary funeral expenses not exceeding \$10,000;

9 (2) if there is a widow or widower or a child or children of the
10 deceased, the following percentages of the spendable weekly wages of the deceased:

11 (A) 80 percent for the widow or widower with no children;

12 (B) 50 percent for the widow or widower with one child and 40
13 percent for the child;

14 (C) 30 percent for the widow or widower with two or more

children and 70 percent divided equally among the children;

(D) 100 percent for an only child when there is no widow or widower;

(E) 100 percent, divided equally, if there are two or more children and no widow or widower;

(3) if the widow or widower remarries, the widow or widower is entitled to be paid in one sum an amount equal to the compensation to which the widow or widower would otherwise be entitled in the two years commencing on the date of remarriage as full and final settlement of all sums due the widow or widower;

(4) if there is no widow or widower or child or children, then for the support of father, mother, grandchildren, brothers, and sisters, if dependent upon the deceased at the time of injury, 42 percent of the spendable weekly wage of the deceased to such beneficiaries, share and share alike, not to exceed \$20,000 in the aggregate;

(5) \$5,000 to a surviving widow or widower, or equally divided among surviving children of the deceased if there is no widow or widower;

(6) for a surviving widow, widower, child, or children of a peace officer, firefighter, or emergency medical technician, the cost of health insurance premiums to cover the widow, widower, child, or children with health insurance that is the same or substantially the same as the health insurance the employer provided to the deceased on the date of the death for one year beginning on the later of

(A) the day after the date of death; or

(B) the date the employer-provided health insurance terminates.

* Sec. 2. AS 23.30.215 is amended by adding a new subsection to read:

(j) In this section,

(1) "emergency medical technician" means

(A) a volunteer emergency medical technician;

(B) an employee certified under AS 18.08 as an emergency medical technician and employed to provide emergency medical services;

1 (2) "firefighter" means

2 (A) a person employed by a municipal fire department or who
3 is a member of a volunteer fire department registered with the state fire
4 marshal, or a person registered for purposes of workers' compensation with the
5 state fire marshal as a member of a volunteer fire department;

6 (B) a volunteer firefighter;

7 (3) "police officer" means

8 (A) an employee of the state or a municipal police department
9 with the authority to arrest and issue citations; detain a person taken into
10 custody until that person can be arraigned before a judge or magistrate;
11 conduct investigations of violations of and enforce criminal laws, regulations,
12 and traffic laws; search with or without a warrant persons, dwellings, and other
13 forms of property for evidence of a crime; and take other action consistent with
14 exercise of these enumerated powers when necessary to maintain the public
15 peace;

16 (B) an officer or employee of the Department of Transportation
17 and Public Facilities who is stationed at an international airport and has the
18 general police powers authorized under AS 02.15.230(a);

19 (C) a University of Alaska public safety officer with the
20 general police powers authorized under AS 14.40.043;

21 (D) a volunteer police officer.