

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**.