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IN THE HOUSE

BY MR. TAYLOR

HOUSE BILL NO. 369

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to injuries from machinery or mechanical appliances; permitting an action by an employee collecting compensation under the Alaska Workmen's Compensation Act; and providing for an effective date."

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

Section 1. Sec. 43-2-53, ACLA 1949, is amended to read:

Sec. 43-2-53. CONTRACT OF EMPLOYMENT, INSURANCE, ETC., NOT BAR TO ACTION: SET OFF: INSURANCE, ETC., PAID FOR BY EMPLOYEE. No contract of employment, insurance, secured payment for injury or death under the Alaska Workmen's Compensation Act, relief benefit, or indemnity for injury or death entered into by or on behalf of any employee, nor the acceptance of any such insurance, compensation or award, relief benefit, or indemnity by the person entitled thereto, shall constitute any bar or defense to any action brought to recover damages for personal injuries to or death of any employee; Provided, however, that upon the trial of such action the defendant may set off therein any sum contributed by such employer toward any such insurance, compensation or award, relief benefit, or indemnity that may have been paid to such employee, or in case of his death to his personal representative.

And provided further, That any insurance, relief benefit,

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or indemnity furnished by the master and paid for by contributions exacted from, or paid by his employee shall not be allowed as set off.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.