

Original sponsor: Rules Committee
by request of the Governor

Offered: 3/14/63
Referred: Rules

1 IN THE HOUSE

BY THE LABOR AND MANAGEMENT
COMMITTEE

2 CS FOR HOUSE BILL NO. 67

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending the Alaska Workmen's
7 Compensation Act."

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

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 AS 23.30.070(f) is repealed and re-enacted to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

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

20 * Sec. 2. AS 23.30.075 is amended to read:

21 Sec. 23.30.075. EMPLOYER'S LIABILITY TO PAY. (a) An
22 employer under this chapter, unless exempted, shall either
23 insure and keep insured for his liability under this chapter
24 in an insurance company or association duly authorized to
25 transact the business of workmen's compensation insurance in
26 this state, or shall furnish the board satisfactory proof of
27 his financial ability to pay directly the compensation pro-
28 vided for. If an employer elects to pay directly, the board
29 may, in its discretion, require the deposit of an acceptable

1 security, indemnity or bond to secure the payment of com-
2 pensation liabilities as they are incurred.

3 N (b) An employer who fails to insure and keep insured
4 E employees subject to this chapter or fails to obtain a
5 W certificate of self-insurance from the board, upon conviction,
6 is punishable by a fine of not more than \$1,000, or by im-
7 prisonment for not more than one year, or by both. If an
8 employer is a corporation, all persons, who at the time of
9 the injury or death had authority to insure said corporation
10 or apply for a certificate of self-insurance, and the person
11 actively in charge of the business of such corporation, shall
12 be subject to the penalties prescribed herein and shall be
13 personally, jointly and severally liable together with the
14 corporation for the payment of all compensation or other
15 benefits for which the corporation is liable under this
16 chapter if said corporation at such time is not insured or
17 qualified as a self-insurer. Failure of the corporation to
18 M secure the necessary insurance or certificate makes the
19 A president, secretary, and treasurer jointly and severally
20 T liable with the corporation for any compensation or other
21 T benefit which may accrue under this chapter with respect to
22 E any injury which may occur to an employee of the corporation
23 R until it secures insurance or a certificate.

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

25 (e) If any installment of compensation payable without
26 an award is not paid within 14 days after it becomes due, as
27 provided in (b) of this section, there shall be added to the
28 unpaid installment an amount equal to 20 [10] per cent of it,
29 which shall be paid at the same time as, but in addition to,

1 the installment, unless notice is filed under (d) of this
2 section or unless the nonpayment is excused by the board
3 after a showing by the employer that owing to conditions
4 over which he had no control the installment could not be
5 paid within the period prescribed for the payment.

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

7 (a) Compensation for temporary disability or permanent
8 partial disability may not exceed \$100 a week and may not be
9 less than \$25 [\$18] a week. If the employee's average weekly
10 wages, as computed under sec. 220 of this chapter, are less
11 than \$25 [\$18] a week, he shall receive as compensation for
12 temporary disability his average weekly wages.

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

14 (1) arm lost, 280 weeks' compensation, not to
15 exceed \$14,500 [\$9,800];

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

17 (2) leg lost, 248 weeks' compensation, not to
18 exceed \$12,900 [\$8,700];

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

20 (3) hand lost, 212 weeks' compensation, not to
21 exceed \$10,900 [\$7,500];

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

23 (4) foot lost, 173 weeks' compensation, not to
24 exceed \$9,200 [\$6,100];

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

26 (5) eye lost, 140 weeks' compensation, not to
27 exceed \$7,200 [\$4,900];

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

29 (12) loss of hearing of one ear 52 weeks' compen-

1 sation, not exceeding \$2,700 [\$1,800]; loss of hearing of
2 both ears, 200 weeks' compensation, not to exceed \$7,000;

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

4 (13) "injury" means accidental injury or death
5 arising out of and in the course of employment, and an
6 occupational disease or infection which arises naturally
7 out of the employment or which naturally or unavoidably re-
8 sults from an accidental injury, and includes breakage or
9 damage to eyeglasses, hearing aids, dentures, or any pros-
10 thetic devices which function as part of the body and fur-
11 ther includes an injury caused by the wilful act of a third
12 person directed against an employee because of his employ-
13 ment;

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29