

1 IN THE HOUSE

BY MR. LEONARD

2

HOUSE BILL NO. 378

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRD LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act providing for assignment of injured
7 workman's rights against third persons under
8 Workmen's Compensation Act; and providing
9 for an effective date."

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

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* Section 1. AS 23.30.015(a) is amended to read:

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Sec. 23.30.015. Compensation where third persons are

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liable. (a) If on account of a disability or death for

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which compensation is payable under this chapter the person

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entitled to such compensation determines or believes that

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some person other than the employer or a person or persons

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in his employ is liable in damages, he need not elect whether

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to receive such compensation or to recover damages against

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such third person.

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* Section 2. AS 23.30.015(b) is amended to read:

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(b) Acceptance of such compensation under an award in a

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compensation order filed by the board shall operate as an

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assignment to the employer of all right of the person en-

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titled to compensation to recover damages against such third

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person unless such person shall commence an action against

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such third person within six months after such award, in

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which case acceptance of such compensation under an award

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shall operate as a pro tanto subrogation to the employer in

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the amount accepted.

1 * Section 3. AS 23.30.015(c) is amended to read:

2 (c) Payment of compensation into the second injury
3 fund provided for in Section 40 of this chapter shall not
4 operate as an assignment or pro tanto subrogation to the
5 employer under the same circumstances as provided in (a)
6 and (b) unless six months have passed since the date on
7 which the injury was incurred.

8 * Section 4. This act takes effect July 1, 1964.

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