

Introduced: 3/5/65
Referred: Labor and Management and Judiciary

1 IN THE HOUSE

RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 200

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for determination of the
7 average weekly wage of injured employees
8 under the Alaska Workmen's Compensation Act;
9 and providing for an effective date."

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

11 * Section 1. AS 23.30.220 is repealed and re-enacted to read:

12 Sec. 23.30.220. DETERMINATION OF AVERAGE WEEKLY WAGE.

13 Except as otherwise provided in this chapter, the average
14 weekly wage of the injured employee at the time of the
15 injury is the basis for computing compensation.

16 (1) If at the time of the injury the employee has
17 been employed in the same or similar employment for 27 weeks
18 immediately prior to the injury, the average weekly wage is
19 the weekly wage at the time of the injury.

20 (2) If at the time of the injury the employee has
21 been employed in the same or similar employment for less
22 than 27 weeks immediately prior to the injury, the average
23 weekly wage is that most favorable to the employee calculated
24 by dividing 52 into the total wages earned, including self-
25 employment, in any one of the three calendar years immediate-
26 ly preceding the injury.

27 (3) If the board determines that the wage at the
28 time of the injury cannot be fairly calculated under (2), or
29 cannot otherwise be ascertained without undue hardship to

HB 200

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the employee, the wage for calculating compensation shall be the usual wage for similar service rendered by paid employees under similar circumstances, as determined by the board.

(4) If an employee is a minor, an apprentice, or a trainee when injured, and under normal conditions his wages would increase during the period of disability, this fact may be considered in computing his average weekly wage.

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