

Introduced: 2/3/70  
Referred: Labor and  
Management and Judiciary

1 IN THE HOUSE

BY FINK

2 HOUSE BILL NO. 585

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to employers' liability to employees  
7 for injury or death."

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

9 \* Section 1. AS 23.30.055 is amended to read:

10 Sec. 23.30.055. EXCLUSIVENESS OF LIABILITY. The liability of an  
11 employer prescribed in sec. 45 of this chapter is not exclusive and  
12 is not in place of all other liability of the employer and any fellow  
13 employee to the employee, his legal representative, husband or wife,  
14 parents, dependents, next of kin, and anyone otherwise entitled to  
15 recover damages from the employer or fellow employee at law or in  
16 admiralty on account of the injury or death. [HOWEVER, IF AN EMPLOYER  
17 FAILS TO SECURE PAYMENT OF COMPENSATION AS REQUIRED BY THIS CHAPTER, AN]  
18 An injured employee or his legal representative in case death results  
19 from the injury may elect to claim compensation under this chapter, or  
20 to maintain an action against the employer at law or in admiralty for  
21 damages on account of the injury or death. In that action the defendant  
22 may not plead as a defense that the injury was caused by the negligence  
23 of a fellow servant, or that the employee assumed the risk of his  
24 employment, or that the injury was due to the contributory negligence  
25 of the employee.  
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