

Original sponsor: Rules Committee by  
request of the Governor

Offered: 2/16/72  
Referred: Rules

1 IN THE HOUSE

BY THE LABOR AND  
MANAGEMENT COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 212  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to workmen's  
7 compensation."

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

9 \* Section 1. AS 23.30.190 is amended to read:

10 Sec. 23.30.190. COMPENSATION FOR PERMANENT PARTIAL DISABILITY.

11 In case of disability partial in character but permanent in quality  
12 the compensation is 65 per cent of the average weekly wages in  
13 addition to compensation for temporary total disability or temporary  
14 partial disability paid in accordance with secs. 185 or 200 of this  
15 chapter, respectively, and shall be paid to the employee as follows:

- 16 (1) arm lost, 280 weeks compensation, not to exceed \$21,840  
17 [\$16,000];  
18 (2) leg lost, 248 weeks compensation, not to exceed \$20,160  
19 [\$14,200];  
20 (3) hand lost, 212 weeks compensation, not to exceed \$16,800  
21 [\$12,000];  
22 (4) foot lost, 173 weeks compensation, not to exceed \$14,350  
23 [\$10,200];  
24 (5) eye lost, 140 weeks compensation, not to exceed \$11,200  
25 [\$8,000];  
26 (6) thumb lost, 51 weeks compensation, not to exceed \$5,200  
27 [\$2,000];  
28 (7) first finger lost, 28 weeks compensation, not to exceed  
29 \$3,220 [\$1,200];

1 (8) great toe lost, 26 weeks compensation, not to exceed  
2 \$2,660 [\$1,000];

3 (9) second [AND THIRD] finger lost, 18 weeks compensation:  
4 \$2,100; third finger lost, 18 weeks compensation: \$1,750 [, NOT TO  
5 EXCEED \$700];

6 (10) toe other than great toe lost, 8 weeks compensation,  
7 not to exceed \$1,120 [\$350];

8 (11) fourth finger lost, 7 weeks compensation, not to exceed  
9 \$1,050 [\$350];

10 (12) loss of hearing of one ear, 52 weeks compensation, not  
11 exceeding \$3,640 [\$3,000]; loss of hearing of both ears, 200 weeks  
12 compensation, not to exceed \$14,000 [\$10,000];

13 (13) compensation for loss of more than one phalange of a  
14 digit shall be the same as for loss of the entire digit; compensation  
15 for loss of the first phalange is one-half of the compensation for loss  
16 of the entire digit;

17 (14) amputation between the elbow and the wrist is considered  
18 equivalent to the loss of an arm, and amputation between the knee and  
19 ankle is considered equivalent to the loss of a leg;

20 (15) compensation for loss of binocular vision or for 80  
21 per cent or more of the vision of an eye is the same as for loss of  
22 the eye;

23 (16) compensation for loss of two or more digits, or one or  
24 more phalanges of two or more digits of a hand or foot may be propor-  
25 tioned to the resulting loss of use of the injured hand or foot, but  
26 may not exceed the compensation for loss of a hand or foot;

27 (17) compensation for permanent total loss of use of a  
28 member is the same as for loss of the member;

29 (18) compensation for permanent partial loss or loss of use

1 of a member may be for proportionate loss or loss of use of the member;

2 (19) in addition to other allowable compensation, the board  
3 shall award proper and equitable compensation up to \$10,000 [\$3,500]  
4 for serious disfigurement of face, head and, when such disfigurement  
5 is likely to handicap the employee in securing or holding employment,  
6 for serious disfigurement of neck or limbs normally exposed;

7 (20) in all other cases in this class of disability the  
8 compensation is 65 per cent of the difference between his average  
9 weekly wages and his wage-earning capacity after the injury in the  
10 same employment or otherwise, payable during the continuance of the  
11 partial disability, but subject to reconsideration of the degree of  
12 the impairment by the board on its own motion or upon application of  
13 a party in interest; whenever the board determines that it is in the  
14 interest of justice, the liability of the employer for compensation,  
15 or any part of it as determined by the board, may be discharged by  
16 the payment of a lump sum;

17 (21) in a case in which there is a loss of, or loss of use  
18 of more than one member or parts of more than one member set out in  
19 (1) - (18) of this section, not amounting to permanent total disability,  
20 the award of compensation is for the loss of, or loss of use of, each  
21 member or part of the member, which awards shall run consecutively,  
22 except that where the injury affects only two or more digits of the  
23 same hand or foot, (16) of this section applies.

24 \* Sec. 2. AS 23.30.155(1) is amended to read:

25 (1) The total compensation payable under this chapter for injuries  
26 may in no event exceed the sum of \$30,000 [\$20,000]. This subsection  
27 does not apply to cases of permanent total disability or death. In  
28 a case of disability compensable under sec. 190(20) of this chapter,  
29 the total compensation for that disability, and for a temporary total

1 disability or temporary partial disability sustained in addition to  
2 it, may not exceed in the aggregate the sum of \$30,000 [\$17,000].

3 \* Section 3. AS 23.30.175 is amended to read:

4 Sec. 23.30.175. RATES OF COMPENSATION. (a) Compensation for  
5 temporary disability or permanent partial disability may not exceed  
6 \$175 [\$127] a week and may not be less than \$65 [\$25] a week. If the  
7 employee's average weekly wages, as computed under sec. 220 of this  
8 chapter, are less than \$65 [\$25] a week, he shall receive as compensation  
9 for temporary disability his average weekly wages.

10 (b) In computing compensation for permanent total disability the  
11 average weekly wages are considered to have been not more than \$175  
12 [\$127]. If the average weekly wages as computed under sec. 220 of this  
13 chapter are less than \$65 [\$25] a week he shall receive as compensation  
14 for permanent total disability his average weekly wages.