

Introduced: 4/7/71
Referred: Labor & Management

1 IN THE HOUSE

BY THE LABOR AND
MANAGEMENT COMMITTEE

2

HOUSE CONCURRENT RESOLUTION NO. 36

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SEVENTH LEGISLATURE - FIRST SESSION

5

Relating to the retrospective applica-

6

tion of certain workmen's compensation

7

benefits.

8

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

9

WHEREAS various proposals are before the legislature which would

10

increase the maximum weekly workman's compensation benefits to persons dis-

11

abled from on-the-job injuries; and

12

WHEREAS compensation today is paid in accordance with the maximum rates

13

in effect at the time of injury; and

14

WHEREAS, although it may be equitable to provide that any legislation

15

increasing the maximum weekly benefits should be made retroactive in appli-

16

cation, there is a serious question of how the retroactive payments could be

17

funded, and by whom; and

18

WHEREAS there also is a serious legal question over whether or not

19

providing for the retroactive application of a law increasing the maximum

20

weekly benefits would be impairing the obligation of contracts section of

21

the United States Constitution;

22

BE IT RESOLVED by the Alaska Legislature that the Legislative Council

23

is directed, in cooperation with the Department of Labor, to undertake a

24

study of the legal and financial implications of making such legislation

25

retroactive, and to include in its study a determination of what the other

26

states have done regarding this type of legislation; and be it

27

FURTHER RESOLVED that the report, including any recommendations the

28

council may have concerning this matter, shall be presented to the Seventh

29

Legislature - Second Session.