

Introduced: 4/1/71
Referred: Labor & Management

1 IN THE SENATE

BY THE LABOR AND
MANAGEMENT COMMITTEE

2 SENATE BILL NO. 202

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for permanent partial
7 disability."

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 \$17,600
17 [\$16,000];
- 18 (2) leg lost, 248 weeks compensation, not to exceed \$15,620
19 [\$14,200];
- 20 (3) hand lost, 212 weeks compensation, not to exceed \$13,200
21 [\$12,000];
- 22 (4) foot lost, 173 weeks compensation, not to exceed \$11,220
23 [\$10,200];
- 24 (5) eye lost, 140 weeks compensation, not to exceed \$8,800
25 [\$8,000];
- 26 (6) thumb lost, 51 weeks compensation, not to exceed \$2,200
27 [\$2,000];
- 28 (7) first finger lost, 28 weeks compensation, not to exceed
29 \$1,320 [\$1,200];

1 (8) great toe lost, 26 weeks compensation, not to exceed
2 \$1,100 [\$1,000];

3 (9) second and third finger lost, 18 weeks compensation,
4 not to exceed \$770 [\$700];

5 (10) toe other than great toe lost, 8 weeks compensation,
6 not to exceed \$385 [\$350];

7 (11) fourth finger lost, 7 weeks compensation, not to exceed
8 \$385 [\$350];

9 (12) loss of hearing of one ear, 52 weeks compensation, not
10 exceeding \$3,300 [\$3,000]; loss of hearing of both ears, 200 weeks
11 compensation, not to exceed \$11,000 [\$10,000];

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

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

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

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

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

28 (18) compensation for permanent partial loss or loss of use
29 of a member may be for proportionate loss or loss of use of the member;

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

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

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

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

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

1 may not exceed in the aggregate the sum of \$30,000 [\$17,000].
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