

Introduced: 3/2/73
Referred: Labor & Management and
Judiciary

1 IN THE HOUSE

BY GARDINER

2 HOUSE BILL NO. 296

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the raising of certain
7 presumptions; providing for court review in certain
8 workmen's compensation claims; and providing for an
9 effective date."

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

11 * Section 1. AS 23.30.155(e) is amended to read:

12 (e) If any installment of compensation payable without an award is
13 not paid within 14 days after it becomes due, as provided in (b) of
14 this section, a rebuttable presumption of controversion is raised which
15 is subject to judicial review, and there shall be added to the unpaid
16 installment an amount equal to 20 per cent of it, which shall be paid
17 at the same time as, and in addition to, the installment, unless notice
18 is filed under (d) of this section or unless the nonpayment is excused
19 by the board after a showing by the employer that owing to conditions
20 over which he had no control the installment could not be paid within
21 the period prescribed for the payment. The granting of an excuse by
22 the board under this section is subject to judicial review.

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

24 (f) If compensation payable under the terms of an award is not
25 paid within 14 days after it becomes due, a conclusive presumption of
26 controversion is raised which is subject to judicial review, and there
27 shall be added to such unpaid compensation an amount equal to 20 per
28 cent of it, which shall be paid at the same time as, but in addition to,
29 the compensation, unless review of the compensation order making the

1 award is had as provided in sec. 125 of this chapter and an interlocu-
2 tory injunction staying payments is allowed by the court.

3 * Sec. 3. This Act takes effect on the day after its passage and approval
4 or on the day it becomes law without approval.

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