

Introduced: 3/18/74  
Referred: Health, Education  
and Social Services

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 477

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Violent Crimes Compensation  
7 Board."

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

9 \* Section 1. AS 18.67.010 is amended to read:

10 Sec. 18.67.010. PURPOSE. It is the purpose of this chapter to  
11 facilitate and permit the payment of compensation to innocent persons  
12 injured, [AND] to dependents of persons killed, and to certain other  
13 persons who by virtue of their relationship to the victim of a crime  
14 incur actual and reasonable expense as a result of certain serious  
15 crimes or in attempts to prevent the commission of crime or to appre-  
16 hend suspected criminals.

17 \* Sec. 2. AS 18.67.040(a) is amended to read:

18 Sec. 18.67.040. ACTION ON APPLICATION: HEARINGS. (a) Upon  
19 application made under the provisions of this chapter, the board  
20 shall consider the application and rule on it. The board may,  
21 upon its own motion, order a hearing, specifying the time and  
22 place it is to be held; if a hearing is ordered, the board shall give  
23 notice to the applicant. If, after consideration without a hearing,  
24 the decision is unfavorable to the applicant, in whole or in part, the  
25 board shall furnish him a written statement of the reason for the  
26 ruling. If, within 30 days after receipt of this statement, the  
27 applicant requests a hearing on his application, the board shall  
28 specify [FIX] a time and place for a hearing and shall give notice to  
29 the applicant. If no request for a hearing is made within the

1 specified time, the decision of the board is final.

2 \* Sec. 3. AS 18.67.080(a)(2) is amended to read:

3 (2) in the case of personal injury or death of the victim,  
4 to a person responsible or who had been responsible for the maintenance  
5 of the victim who has suffered pecuniary loss or incurred expenses as  
6 a result of the injury or death; or

7 \* Sec. 4. AS 18.67.090 is amended to read:

8 Sec. 18.67.090. RECOVERY FROM COLLATERAL SOURCE. (a) Up to the  
9 maximum set in sec. 130(c) of this chapter, the board may award com-  
10 penensation for losses and expenses allowable under sec. 110 of this  
11 chapter for which the applicant is not compensated by [THE BOARD SHALL  
12 DEDUCT FROM COMPENSATION AWARDED UNDER THIS CHAPTER THE PAYMENTS  
13 RECEIVED FROM] the offender or [FROM] a person on behalf of the  
14 offender, or by [FROM] the United States, a state, or any of its  
15 subdivisions or agencies, or a private source or emergency awards  
16 under sec. 120 of this chapter, for injury or death compensable under  
17 this chapter.

18 (b) If compensation is awarded under this chapter and the person  
19 receiving it also receives a collateral sum under (a) of this section  
20 which has not been deducted from it, the board may require that he  
21 refund either the amount of the collateral sum [HE SHALL REFUND TO  
22 THE BOARD THE LESSER OF THE SUMS] or the amount of compensation paid  
23 to him under this chapter, whichever is less.

24 \* Sec. 5. AS 18.67.110(2) is amended to read:

25 (2) loss of earning power as a result of total or partial  
26 incapacity of the victim, and reasonable expenses of job retraining of  
27 or similar employment-oriented rehabilitative services for the victim;

28 \* Sec. 6. AS 18.67.130(b) is amended to read:

29 (b) No compensation may be awarded if the victim

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(1) is a relative of the offender;

(2) is, at the time of the personal injury or at the time of the injury which results in the death of the victim living with the offender as a member of the same [HIS] family or household, or maintaining a sexual relationship, whether illicit or not, with the offender [PERSON] or with a member of the offender's [HIS] family;

(3) violated a penal law of the state, which violation caused or contributed to his injuries or death; or

(4) is injured as a result of the operation of a motor vehicle, boat or airplane unless the vehicle was used as a weapon in a deliberate attempt to injure or kill [RUN] the victim [DOWN].

\* Sec. 7. AS 18.67.130(c) is amended to read:

(c) No compensation may be awarded under this chapter in an amount in excess of \$10,000 per applicant per incident. However, in the case of the death of a victim who has more than one dependent applying for compensation, the total compensation which may be awarded as a result of that death may not exceed \$20,000. All [AND ALL] payments shall be made in a lump sum.