

Introduced: 1/23/75  
Referred: Commerce and  
Judiciary

1 IN THE HOUSE

BY FINK AND BRADNER

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2 HOUSE BILL NO. 52

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating an office of the public adjustor;  
7 and providing for an effective date."

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

9 \* Section 1. AS 21.06 is amended by adding a new section to read:

10 Sec. 21.06.035. PUBLIC ADJUSTOR. The director shall appoint a  
11 public adjustor to perform the duties required by secs. 320 - 330 of  
12 this chapter.

13 \* Sec. 2. AS 21.06.040 is amended to read:

14 Sec. 21.06.040. PROHIBITED INTERESTS REWARDS. (a) The director  
15 or a deputy, examiner, public adjustor, assistant or employee of the  
16 director shall not be financially interested, directly or indirectly, in  
17 an insurer, insurance agency, or insurance transaction except as a  
18 policyholder or claimant under a policy, except that as to matters  
19 where a conflict of interests does not exist, the director may employ  
20 or retain from time to time insurance actuaries, attorneys, or other  
21 technicians who are independently practicing their professions even  
22 though similarly employed or retained by insurers or others.

23 (b) The director or a deputy, examiner, public adjustor, or  
24 employee of the director, shall not be given or receive a fee,  
25 compensation, loan, gift, or other thing of value in addition to the  
26 compensation and expense allowance provided by law, for any service  
27 rendered or to be rendered as director, deputy, examiner, public  
28 adjustor, or employee or in connection therewith.

29 \* Sec. 3. AS 21.36 is amended by adding new sections to read:

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1           Sec. 21.36.320. OFFICE OF THE PUBLIC ADJUSTOR. (a) There is  
2 established in the division of insurance an office of the public  
3 adjustor.

4           (b) The public adjustor shall act as an ombudsman for members  
5 of the public needing help in the determination of the amount of claims  
6 or in the settlement of claims with insurers.

7           (c) The public adjustor shall review the settlement practices  
8 and the claim payment records of insurers. If an insurer is habitually  
9 uncooperative in settling claims, slow in making payments on claims,  
10 or engages in practices inconsistent with the purposes of this title,  
11 the public adjustor shall request the director to hold a hearing under  
12 ch. 6 of this title to investigate the insurer and if warranted suspend  
13 the license of an insurer not complying with the requirements of this  
14 title.

15           Sec. 21.36.330. TERM, INDEPENDENCE OF PUBLIC ADJUSTOR. The public  
16 adjustor is appointed for a term of four years by the director. During  
17 the term of office, the public adjustor is independent of the director  
18 and commissioner, and may be removed only for cause determined by  
19 the concurrence of two-thirds of the legislature.

20 \* Sec. 4. This Act takes effect July 1, 1975.  
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