

Original sponsor: Fink and Bradner

Offered: 4/21/75
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR 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 governor shall appoint a
11 public adjustor to perform the duties required by secs. 320 - 330 of
12 this chapter. The public adjustor shall be a member of the partially
13 exempt service under AS 39.25.

14 * Sec. 2. AS 21.06.040 is amended to read:

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

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

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

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

5 (b) The public adjustor shall assist members of the public needing
6 help in the determination of the amount of claims or in the settlement
7 of claims with insurers.

8 (c) The public adjustor shall review the settlement practices and
9 the claim payment records of insurers. If an insurer is habitually
10 uncooperative in settling claims, slow in making payments on claims, or
11 engages in practices inconsistent with the purposes of this title, the
12 public adjustor shall request the director to hold a hearing under ch. 6
13 of this title to investigate the insurer and if warranted suspend the
14 license of an insurer not complying with the requirements of this 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 governor and
17 during his term of office is independent of the director and commissioner.
18 The public adjustor may be removed for cause or at the request of the
19 governor; however, the public adjustor may not be removed until a major-
20 ity of the legislature by concurrent resolution concurs in the removal.

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