

Introduced: 2/3/76  
Referred: Labor & Management and  
Judiciary

1 IN THE HOUSE

BY THE LABOR AND MANAGE-  
MENT COMMITTEE

2 HOUSE BILL NO. 682

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to workmen's compensation rates for  
7 injured workers residing in states other than Alaska,  
8 and for death benefits."

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

10 \* Section 1. AS 23.30.175 is amended to read:

11 Sec. 23.30.175. RATES OF COMPENSATION. (a) The weekly rate of  
12 compensation for disability or death for a recipient residing in Alaska  
13 may not exceed the percentage of the state average weekly wage as  
14 determined by the table contained in this subsection and may not be  
15 less than \$65 a week. [IF THE EMPLOYEE'S AVERAGE WEEKLY WAGES, AS COM-  
16 PUTED UNDER SEC. 220 OF THIS CHAPTER, ARE LESS THAN \$65 A WEEK, HE SHALL  
17 RECEIVE AS COMPENSATION FOR HIS DISABILITY HIS AVERAGE WEEKLY WAGES.]

18 On	The Rate Shall Be
19 July 1, 1975	80 per cent of the state's average 20 weekly wage
21 January 1, 1976	100 per cent of the state's average 22 weekly wage
23 January 1, 1977	133.3 per cent of the state's average 24 weekly wage
25 January 1, 1979	166.6 per cent of the state's average 26 weekly wage
27 January 1, 1981	200 per cent of the state's average 28 weekly wage

29 (b) As soon as practicable after June 30 of each year, and before

1 December 15 of each year, the commissioner shall determine the state  
2 average weekly wage for the three consecutive calendar quarters ending  
3 June 30. This determination is the applicable state average weekly wage  
4 for the annual period beginning with January 1 of the next year and  
5 ending December 31. The initial determination under this subsection  
6 shall be made as soon as practicable after May 22, 1975. This deter-  
7 mination shall be made for each state as defined in (e) of this section.

8 (c) For a recipient who resides in a state other than Alaska, the  
9 weekly rate of compensation shall be the weekly grant he would have  
10 received if he resided in Alaska, times the ratio of the average weekly  
11 wage of the state in which he resides and the average weekly wage of  
12 Alaska. For the purposes of this chapter, absence from Alaska for a  
13 continuous period of more than 90 days creates a rebuttable presumption  
14 of nonresidential status; however this presumption does not arise if the  
15 director of workmen's compensation determines that the absence from  
16 Alaska is for purposes other than to establish residency in another  
17 state.

18 (d) For a recipient who resides in a jurisdiction other than a  
19 state as defined in (e) of this section, the weekly rate of compensa-  
20 tion shall be the weekly grant he would have received if he resided in  
21 Alaska times the ratio of the average weekly wage of the jurisdiction  
22 in which he resides, as determined by the commissioner, and the average  
23 weekly wage of Alaska.

24 (e) In this section, "state" means a state of the United States,  
25 the District of Columbia, Puerto Rico, the Virgin Islands, American  
26 Samoa, Guam, and the Trust Territory of the Pacific Islands.

27 \* Sec. 2. AS 23.30.215(a)(3) is amended to read:

28 (3) if the widow or widower remarries, she or he is entitled  
29 to five [TWO] years compensation in one sum;