

Original sponsor: Rules Committee by  
request of the Legislative Council  
Subcommittee on Workmen's Compensation

Offered: 4/6/76  
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND  
MANAGEMENT COMMITTEE

2 CS FOR SENATE BILL NO. 569

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 deter-  
14 mined by the table contained in this subsection and, if the employee's  
15 average weekly wages, as computed under sec. 220 of this chapter, are at  
16 least \$65 a week, may not be less than \$65 a week. If the employee's  
17 average weekly wages, as computed under sec. 220 of this chapter, are  
18 less than \$65 a week, he shall receive as compensation for his dis-  
19 ability his average weekly wages.

20 On

The Rate Shall Be

21 July 1, 1975

80 per cent of the state's average  
weekly wage

22  
23 January 1, 1976

100 per cent of the state's average  
weekly wage

24  
25 January 1, 1977

133.3 per cent of the state's average  
weekly wage

26  
27 January 1, 1979

166.6 per cent of the state's average  
weekly wage

28  
29 January 1, 1981

200 per cent of the state's average

1 weekly wage

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

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

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

26 (e) In this section, "state" means a state of the United States,  
27 the District of Columbia, Puerto Rico, the Virgin Islands, American  
28 Samoa, Guam, and the Trust Territory of the Pacific Islands.  
29