

Offered: 4/25/85
Referred: Rules

Original sponsor: P.Fischer

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE SENATE

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CS FOR SENATE BILL NO. 254 (L&C) am H

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to workers' compensation."

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

8 * Section 1. AS 23.30.230 is repealed and reenacted to read:

9 Sec. 23.30.230. PERSONS NOT COVERED. (a) The following persons
10 are not covered by this chapter:

11 (1) part-time baby-sitters;

12 (2) cleaning persons;

13 (3) harvest help and similar part-time or transient help;

14 and

15 (4) persons employed as entertainers on a contractual
16 basis.

17 (b) The exclusion of certain persons under (a) of this section,
18 may not be construed to require inclusion of other persons as employ-
19 ees for purposes of compensation under this chapter.

20 * Sec. 2. AS 23.30 is amended by adding a new section to read:

21 Sec. 23.30.239. SOLE PROPRIETORS AND PARTNERS AS EMPLOYEES. (a)
22 A person who is a sole proprietor, or a member of a partnership, may
23 elect coverage as an employee under this chapter by making written
24 application to an insurer. The insurer may accept the application and
25 fix an assumed monthly wage at which the person shall be carried on
26 the payroll for purposes of this chapter.

27 (b) When the application is accepted, the person is subject to
28 the provisions and entitled to the benefits of this chapter. The
29 person shall promptly notify the insurer whenever there is a change in

1 the status of the person as a sole proprietor or partner.

2 (c) Notwithstanding the provisions of AS 23.30.120(a), a person
3 covered under (a) of this section bears the burden of proof of the
4 validity of the claim.

5 (d) A person who has elected coverage under (a) of this section
6 may cancel the election by giving written notice to the insurer.
7 Notwithstanding AS 23.30.030(5), the cancellation becomes effective
8 the day following the filing of notice with the insurer.