

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE  
2 CS FOR HOUSE BILL NO. 177 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to the second injury fund; and  
7 providing for an effective date."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. AS 23.30.015(c) is repealed and reenacted to read:  
10 (c) Payment of compensation into the second injury fund within  
11 six months after the date of death operates as an assignment to the  
12 employer, for a period of six months after payment, of all rights of  
13 the deceased's representative to recover damages from the third per-  
14 son. If payment is not made to the second injury fund within six  
15 months after the death or if the employer does not file a lawsuit  
16 against the third person within six months after making the payment to  
17 the second injury fund, the employer shall be subrogated to the rights  
18 of the deceased's representative in an action to recover damages  
19 against a third party. Subrogation under this subsection is limited  
20 to the amount paid by the employer into the second injury fund as a  
21 result of the death.  
22 \* Sec. 2. AS 23.30.040(h) is amended to read:  
23 (h) Administration expenses of the state under this section and  
24 AS 23.30.205 must [SHALL] be paid from the second injury [GENERAL]  
25 fund.  
26 \* Sec. 3. AS 23.30.015(c), as amended by sec. 1 of this Act, applies to  
27 payments made as a result of deaths occurring on or after July 1, 1987.  
28 \* Sec. 4. This Act takes effect July 1, 1987.