

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2

HOUSE BILL NO. 401

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing a workplace safety education and
7 training program; providing for funding the program
8 through the workers' compensation insurance premium
9 tax; and providing for an effective date."

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

11 * Section 1. POLICY AND FINDINGS. The legislature declares that it is
12 the public policy of this state to promote safe and healthful conditions in
13 the workplace. Further, it is the public policy of this state to encourage
14 voluntary compliance with safety and health regulations and to encourage
15 the prevention of illness and injury through education and training. The
16 legislature finds that this education and training policy is necessary
17 because

18 (1) Alaska's occupational safety and health injury and illness
19 incidence rate was 31 percent higher than the national average in 1987;

20 (2) eleven out of every 100 Alaska workers suffered a
21 work-related injury or illness in 1987;

22 (3) many of the injuries and illnesses suffered by the state's
23 workers have resulted in loss of time at work, as demonstrated by a
24 time-loss rate for Alaska that was 26 percent higher than the national
25 average in 1987;

26 (4) Alaska's proportion of injuries in high-risk industries is
27 greater than that of many of its sister states; for example, the Alaska
28 injury and illness rate for logging is 174 percent higher than the national
29 average; and

1 (5) in Alaska, the worker fatality rate during the period 1980 -
2 1984 was almost four times the national rate; the Alaska worker fatality
3 rate was 33.5 cases per 100,000 workers as compared to the national rate of
4 8.8 cases per 100,000 workers.

5 * Sec. 2. LEGISLATIVE INTENT. It is the intent of the legislature to
6 encourage the full benefits of illness and injury prevention measures by
7 creating an education and training program on workplace safety and health
8 which will operate in part through grants to public and private employers,
9 trade associations, nonprofit organizations, labor organizations or their
10 federations, and educational institutions, to provide education, training,
11 and other effective prevention measures. Furthermore, it is the intent of
12 the legislature to foster voluntary preventive activities on the part of
13 employers and employees through effective statewide education and training
14 on workplace safety and health.

15 * Sec. 3. AS 18.60 is amended by adding new sections to read:

16 Sec. 18.60.071. WORKPLACE SAFETY EDUCATION AND TRAINING PROGRAM.

17 (a) The department shall administer a workplace safety education and
18 training program. In administering the program, the department shall
19 award grants to public and private employers, trade associations,
20 nonprofit organizations, labor organizations or their federations, and
21 educational institutions to provide effective workplace safety educa-
22 tion and training and other illness and injury prevention measures in
23 Alaska, subject to the availability of money in the workplace safety
24 education and training account established by AS 18.60.072.

25 (b) The functions of the workplace safety education and training
26 program are to

27 (1) develop and implement statewide workplace safety educa-
28 tion and training measures to familiarize employers, supervisors,
29 employees, and union leaders with techniques of accident prevention

1 and investigation;

2 (2) develop and implement consultative educational tech-
3 niques to achieve long-range solutions to workplace safety problems;

4 (3) acquire, develop, and distribute workplace safety
5 pamphlets, booklets, brochures, and other appropriate safety media
6 that might be useful in providing workplace safety education and
7 training;

8 (4) provide technical and educational assistance regarding
9 workplace safety to employers in Alaska, with special emphasis on
10 small business employers;

11 (5) educate and train department staff engaged in adminis-
12 tering the program; and

13 (6) conduct other activities necessary for the implementa-
14 tion of an effective program.

15 (c) The department may adopt regulations to implement this sec-
16 tion.

17 Sec. 18.60.072. WORKPLACE SAFETY EDUCATION AND TRAINING ACCOUNT.
18 The workplace safety education and training account is established in
19 the general fund. The commissioner of administration shall separately
20 account for money collected under AS 21.09.210(b)(3) that the Depart-
21 ment of Commerce and Economic Development deposits in the general
22 fund. The annual estimated balance in the account may be appropriated
23 by the legislature to the Department of Labor to implement
24 AS 18.60.071.

25 * Sec. 4. AS 21.09.210(b) is amended to read:

26 (b) Each insurer, and each formerly authorized insurer with
27 respect to premiums received while an authorized insurer in this
28 state, shall pay a tax on the total direct premium income received
29 during the year ending on the preceding December 31 and paid for the

1 insurance of property or risks resident or located in the state other
2 than wet marine and transportation insurance, after deducting from the
3 total direct premium income the applicable cancellations, returned
4 premiums, the unabsorbed portion of any deposit premium, all policy
5 dividends, unabsorbed premiums refunded to policyholders, refunds,
6 savings, savings coupons and other similar returns paid or credited to
7 policyholders with respect to their policies. No deductions may be
8 made of cash surrender value of policies. Considerations received on
9 annuity contracts are not included in the direct premium income and
10 are not subject to tax. The tax shall be paid to the director annual-
11 ly before April 1, and is computed at the following rates: [RATE OF]

12 (1) for domestic and foreign insurers, except hospital and
13 medical service corporations, and excluding workers' compensation
14 premiums, 2.7 percent;

15 (2) for hospital and medical service corporations, six
16 percent of their gross premiums less claims paid;

17 (3) for workers' compensation premiums, 3.45 percent, of
18 which .75 percent may be appropriated for the purposes of AS 18.60.-
19 071.

20 * Sec. 5. This Act takes effect July 1, 1990.