

HB

66

Bill No. House Bill 66

Date January 21, 1985

Title "An Act relating to workers' compensation;
and providing for an effective date."


Contact J. L. McClintock
465-2790


The Department of Labor and the Workers' Compensation Board recommends passage of House Bill 66, providing an additional board panel for Southcentral Alaska. This increases the composition of the board from eight lay members to ten lay members.

The additional board panel is required for the Southcentral region in order to expeditiously handle the heavy board hearing load for that area. In the past, it took up to four months for parties to obtain a board hearing in the Anchorage area. By scheduling additional hearing rounds, which more than doubles the days Southcentral board members sit hearings compared to the other panels, we have been able to schedule parties for hearing within 45 to 60 days. However, the lay board members are unable to dedicate that much time to hearings because of their job commitments in the private sector. During the last two years, three Southcentral board members have been forced to resign board positions due to the expanded hearing schedule.

It is critical that an additional board panel be added in Southcentral so that the expanded hearing schedule will be met, allowing the parties to be scheduled for hearing within 45 days.

APPROVED


Jim Robison
Commissioner


- POSITION PAPER -

POSITION PAPER/Department of Labor

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

P.O. BOX 1149
JUNEAU, ALASKA 99802
PHONE: (907) 465-2700

January 30, 1985

The Honorable Fred Zharoff
Chairman
Labor and Commerce Committee
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Zharoff:

The Department's Workers' Compensation bill, House Bill 66, is presently before your committee.

After this bill passed the House, it came to our attention that it should have carried an immediate effective date instead of the July 1, 1985 date reflected. Accordingly, I would appreciate your assistance in amending Section 2 of House Bill 66 to read:


This Act takes effect immediately in accordance with AS 01.10.070(c).

This will provide immediate relief to our existing board members who are having difficulty dedicating so much time to Workers' Compensation Board hearings.

I apologize for the Department's oversight in this regard.

Thank you for your help.

Sincerely,


for Jim Robison
Commissioner

STATE OF ALASKA

DEPARTMENT OF LABOR

DIVISION OF WORKERS' COMPENSATION

BILL SHEFFIELD, GOVERNOR

1111 WEST 8th, Rm 305
BOX 1149
JUNEAU, ALASKA 99802
PHONE: (907) 465-2790

February 4, 1985

Michael Thill
Professional Assistant
Labor and Commerce
Alaska State Senate
Pouch V
Juneau, AK 99811

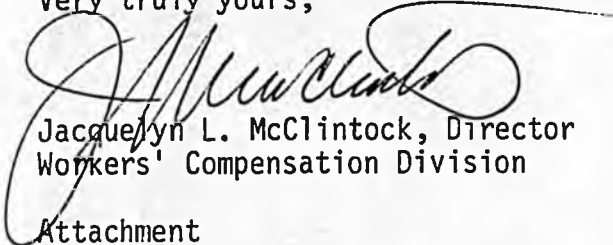
Dear Michael:

Attached are the workload figures you requested on the Alaska Workers' Compensation Board.

Not included in the workload figures are the number of days the full Board meets in two executive sessions per year for three to four days each in Juneau, Anchorage or Fairbanks; the five day training sessions for new Board members; and the part of days Board members spend in reviewing the decisions and orders drafted by the hearing officers and keeping abreast of decisions issued by other Board panels and the Superior and Supreme Courts.

Please contact me if you have further questions.

Very truly yours,



Jacquelyn L. McClintock, Director
Workers' Compensation Division

Attachment

cc: Commissioner Jim Robison

Southern Panel
Juneau, Sitka, Ketchikan

Northern Panel
Fairbanks

Southcentral Panel
Anchorage

Total

Number of Board Hearing Days

CY84 122
CY85 141

22
18

26
29

74
94

Number of Cases Scheduled

FY84 855
* FY85 (6 mos. data) 517

104
61

133
83

618
373

Average Number of Days to Obtain Hearing

FY84 68.0
* FY85 (6 mos. Data) 60.1

42.7
24.8

48.6
56.1

80.5
66.7

Average Number of Day for Board Decision

FY84 31.0
* FY85 (6 mos. Data) 27.7

51.1
38.5

33.0
23.0

27.1
28.2

BILL SHEFFIELD,
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

MB 66

January 15, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the Workers' Compensation Board. This bill establishes an additional Workers' Compensation Board panel for the south-central region to deal with the increased load of hearings held in the Anchorage area. (Currently it takes up to four months to obtain a hearing.) Additionally, the bill proposes to bring the law into conformity with actual practice by stating that the lay members of the board, but not the commissioner of labor or his designee, are subject to confirmation by the legislature. (As a department head, the commissioner is, of course, already subject to confirmation.)

This bill is a high priority for the Department of Labor, and I urge your prompt and favorable consideration of it.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

- GOVERNOR'S TRANSMITTAL LETTER -



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

Chairman's Information:

- 1) HB 66 "An Act relating to workers' compensation; and providing for an effective date."
 - a) Introduced: Governor
 - b) Co-Sponsors:
- 2) INTENT: To provide for an additional board panel for Southcentral Region to expedite the hearing process for the Workers Comp Board. Increases the composition of the board from 8 lay members to 10 lay members. Additionally, statutory changes are made with regard to the confirmation of board members. Spells out that only the lay members require legislative confirmation.

L&C CS contains an immediate effective date as requested by the Department of Labor.

FISCAL NOTES: \$0 *(IN FY85 Budget; CONTINUATION FY86)*

IMPORTANT: Need a motion to adopt the CS before the committee

BILL HISTORY: 6 Do pass in H (L&C); House Floor: 33y 5nay

3) COMMITTEE COMMENTS:

4) PUBLIC HEARINGS:

- a) Sponsor
- b) Public witnesses:

5) BILL ACTION:

- a) Hold in committee?
- b) Assign to sub committee for further review?
- c) Move from Committee?
- d) close public hearings?

6) COMMITTEE ACTION:

- a) amendments?
- b) CS adoption? (I have a draft CS which provides for an immediate effective date)

SCS HB 66 (L&C)

INTENT: The intent of this legislation is to expedite the Workers' Compensation Board hearing process by creating an additional panel for the Southcentral Region. The bill increases the composition of the Board from 8 lay members to 10 lay members and makes clear that only the lay members require confirmation by the Legislature.

Commission assigned

Funding required is contained within the Department of Labors operating budget and a zero fiscal note accompanies this bill.

The Labor and Commerce CS contains an effective date change which was requested by the Department. The CS provides for an immediate effective date.

Handwritten mark

WORKER'S COMP BOARD:

Administers the workers comp act; sits as judge/jury for irreconcilable disputes between injured worker and insurer.

Receives \$50 per day and standard travel/per diem

Include

- recommend passage by the body -

Ford
2/4/85

*Move
for
2 Sept
C.S.*

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 66 (L&C)
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; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 23.30.005(a) is amended to read:

10 (a) The Alaska Workers' Compensation Board consists [SHALL
11 CONSIST] of [NINE MEMBERS, INCLUDING] a southern panel of three mem-
12 bers sitting for the first judicial district, a northern panel of
13 three members sitting for the second and fourth judicial districts,
14 two southcentral panels [A SOUTH-CENTRAL PANEL] of three members each
15 sitting for the third judicial district, and one panel of three mem-
16 bers that may sit in any judicial district. Each panel must [SHALL]
17 include the commissioner of labor or the designated representative of
18 the commissioner, a representative of industry, and a representative
19 of labor. The latter two members of each panel shall be appointed by
20 the governor and [. ALL PANEL MEMBERS] are subject to confirmation by
21 a majority of the members of the legislature in joint session.

22 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

24 - SCS HB 66 L&C -

Worker's Compensation

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
Joe H. Butler P.O. Box 704 Anchorage 99510 At Large/Labor	83/03/15		85/07/01
Thomas W. Chandler 1217 Water Street Ketchikan 99901 1st JD/Industry	82/06/18		85/07/01
Elmer Eller 7801 Lotus Drive Anchorage 99501 3rd JD/Industry	85/01/02		85/07/01
Mary A. Pierce 2040 Sturbridge Circle Anchorage 99501 3rd JD/Industry	84/07/31		87/07/01
Delia I. Pruhs P.O. Box 1735 Fairbanks 99707 2/4th JD/Industry	83/08/19		86/07/01
David W. Richards 3112 Wild Meadow Lane Juneau 99801 1st JD/Labor	80/06/06	83/08/19	86/07/01
Jim Robison Labor Juneau 99802 Comm./Designee - Chair	82/12/06		
Jackie S. Russell P.O. Box 4157 Kenai 99611 At Large/Industry	83/03/15		85/07/01
Joe J. Thomas II 879 Vide Way Fairbanks 99701 2/4th JD/Labor	83/08/19	84/07/02	87/07/01

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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16 bers that may sit in any judicial district. Each panel must [SHALL]
17 include the commissioner of labor or the designated representative of
18 the commissioner, a representative of industry, and a representative
19 of labor. The latter two members of each panel must [SHALL] be ap-
20 pointed by the governor and [. ALL PANEL MEMBERS] are subject to
21 confirmation by a majority of the members of the legislature in joint
22 session.

23 * Sec. 2. This Act takes effect July 1, 1985.
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COMMITTEE COPY

- HB 66 -

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 66
 Title: "An Act relating to workers' compensation."
 Sponsor: Rules Committee
 Requestor: Rules Committee
 Date of Request: December 4, 1984

FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Public Protection
 BRU, Program or Subprogram(s) Affected: Workers' Compensation

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Jacquelyn L. McClintock *J. McClintock* Phone: 465-2790
 Division: Workers' Compensation Date: 12/4/84

Approved by Commissioner: Jim Robison *Robert W. Jordan* Date: 12/4/84
 Agency: Labor

LEG:B:5

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

- FISCAL NOTE

7/1/84