

CHAPTER 100

AN ACT

[C. S. H. B. 11]

To provide for the care of sick and disabled fishermen; establishing a board; making an appropriation.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. There is hereby created a Board for Care of Sick and Disabled Fishermen, consisting of the Commissioner of Labor, who shall be the chairman and administrative officer of the Board; the Commissioner of Health; the Commissioner of Taxation; and four members appointed by the Governor and approved by members of the Senate and House of Representatives in joint session assembled, for four year terms, except that first appointments shall be so made and arranged that one term shall expire on June 30th of each year. The appointive members shall be selected from licensed commercial fishermen who shall have been so engaged in the Territory for the five years immediately preceding their appointment.

Board
created.

Membership.

Section 2. The Board for Care of Sick and Disabled Fishermen may make rules for the conduct of its business and make and promulgate suitable orders, rules and regulations for carrying out the purposes of this Act, including such as are necessary or advisable to protect the fund hereinafter established by limiting or suspending payments from the fund. All such rules and regulations shall be uniform in application. The Board shall meet in Juneau in January of each year and may hold such additional meetings at such other places in the Territory as may be necessary. All meetings shall be open to the public and the Board shall keep a record of its proceed-

Promulgate
rules and
regulations.

ings and submit, through the Governor, to the Legislature, a biennial report of its activities.

Compensation.

Section 3. Members of the Board shall serve without salary, but will be entitled to \$15.00 per day as compensation for time spent in performance of their duties at Board meetings, plus transportation and per diem for time away from home on a travel status.

Fund created.

Section 4. There is hereby created a fund, designated as the "Fishermen's Fund" to be administered by the Commissioner of Labor under the direction of the Board for Care of Sick and Disabled Fishermen, with the Territorial Treasurer as custodian of the Fund. The Fund shall be composed of 30% of the money hereafter derived by the Territory from all commercial fishermen's licenses, including clam diggers' licenses, and money appropriated to carry out the purposes of this Act, all of which money shall be covered into the Fund. Payments from the Fund for expenses and other disbursements necessary to carry out the purposes of this Act shall be made upon vouchers approved by the administrative officer of the Board. Said Fund shall be continuous until otherwise provided by law.

Eligibility for benefits.

Section 5. Each fisherman qualified under this Act shall, upon his becoming disabled as hereinafter specified, be entitled to receive benefits as follows: Immediately after he sustains any injury or disability arising out of any accident directly connected with his operations as a commercial fisherman either ashore in Alaska or in the territorial waters of Alaska, or suffers a disease which is occupational with respect to his work as a fisherman, such fisherman shall be entitled to emergency treatment, transportation to the nearest place where approved medical facilities are available, medical care and hospitalization. He shall also be entitled to such assistance after discharge from the hospital during period

of convalescence as the Board may allow in consideration of the condition of the Fund.

Section 6. The Board is hereby authorized to pay out of the Fund all reasonable transportation charges incurred under the provisions of Section 5, including cost of returning such fisherman to his boat, to his home or to such other place as may reasonably meet with his convenience, and such reasonable hospital, nursing, medical and surgical expense as may be incurred in his examination, treatment and care.

Transportation
payments.

In carrying out the provisions of this Act, the Board may enter into contracts or other arrangements with hospitals and doctors located within the Territory for furnishing care on an annual basis to persons entitled to benefits under this Act.

Contracts
with doctors.

Section 7. In providing care for persons entitled to benefits under this Act, the Board shall provide the type and quality of treatment which will restore the fisherman to health and productivity, if possible. In this connection the Board may enter into cooperative arrangements with other Territorial, State and Federal agencies, including the United States Public Health Service, and private clinics and rehabilitation centers for the care and treatment of such persons. Unless by the unanimous agreement of all members of the Board and for compelling reasons, no compensation shall be paid for the care of any one person involving a single injury or disability beyond a period of one year from the date of initial allowance; nor shall compensation be paid for medical care or hospitalization rendered prior to ascertainable time of an injury, or prior to authorization in the case of disability caused by an occupational disease. nor shall the total allowance for any one injury or disablement exceed \$2,500.00.

Time limit
of care.

Fisherman
defined.

Section 8. As used in this Act, "fisherman" shall be defined as any person who is licensed by the Territory to engage in commercial fishing and who at the time injury is sustained or illness contracted is actually so engaged, or occupied in Alaska in preparing or dismantling boats or gear used in such fishing; Provided, that such commercial fishermen as are within the jurisdiction of the Alaska Workmen's Compensation Act by reason of an employer-employee relationship, or otherwise, or are eligible for and able to obtain benefits under any Federal act applicable in their respective cases shall not be eligible for benefits under this Act.

Appropriation.

Section 9. There is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of \$5,000.00 to be covered into the Fishermen's Fund for organizational purposes, but with the condition that said amount be returned to the General Fund of the Territory within one year.

Severability
clause.

Section 10. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act and such application to other persons or circumstances shall not be affected thereby.

Approved March 24, 1951.

CHAPTER 101

AN ACT

[S. J. C. S. H. B. 14]

To adopt as the Code of Alaska, the compilation of Laws authorized in Ch. 28 Session Laws of Alaska 1947; and declaring an emergency.