

LAWS OF ALASKA

CHAPTER 1

AN ACT

Providing for adjustment of claims under the Alaska Workmen's Compensation Act; amending Section 39 and Subsection (4) (d) of Sec. 40, Ch. 193, SLA 1959.

(C.S.H.B. 252)

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

Section 1. Sec. 39, Ch. 193, SLA 1959, is hereby amended to read as follows:

Sec. 39. Self-Insurance Certificates: Revocation: New Certificate. Whenever an employer has complied with the provisions of this Act relating to self-insurance, the Board shall issue to such employer a certificate which shall remain in force for a period fixed by the Board, but the Board may, upon at least ten days' notice and a hearing, revoke the certificate of such employer upon satisfactory proof that such employer is no longer entitled thereto.

At any time after such revocation the Board may grant a new certificate to the employer, upon his petition and satisfactory proof of his financial ability as provided in this Act.

Every employer authorized as a self-insurer shall provide claims facilities through its own staffed adjusting facilities located within the State of Alaska, or independent, licensed, resident adjusters with power to effect settlement within the State of Alaska.

Sec. 2. Subsection (4) (d) of Sec. 40, Ch. 193, SLA 1959 is hereby amended to read as follows:

(d) **Conditions of Payment.** That the insurer will promptly pay to the person or persons entitled to the same, all benefits conferred by this Act, including physician's fees, nurse's charges, hospital services, hospital supplies, medicines, prosthetic devices, transportation charges to the nearest point where adequate medical facilities are available, burial expenses, and all installments of compensation or death benefits that may be awarded or agreed upon under said Act; that the obligation of the insurer shall not be affected by any default of the insured employer after the injury, or by any default in giving of any notice required by this policy; that the policy is and shall be construed to be a direct promise by the insurer to the person entitled by the insurer to the person entitled to physician's fees, nurse's charges, fees for hospital services, charges for medicines, prosthetic devices, transportation charges to the nearest point where adequate medical facilities are available, and hospital supplies, charges for burial, compensation or death benefits, and shall be enforceable in the name of such person or persons. That the insurer shall provide claims facilities through its own staffed adjusting facilities located within the State of Alaska, or by independent, licensed, resident adjusters with power to effect settlement within the State of Alaska.

Approved February 7, 1962

CHAPTER 2

AN ACT

Relating to minimum wages for employees; amending Ch. 171, SLA 1959; and providing for an effective date.

(S.B. 28)

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

Section 1. Subparagraph (k) of Subsec. (1) of Sec. 2, Ch. 171, SLA 1959, is amended to read:

(k) any individual under eighteen years of age employed on a part-time basis not more than 30 hours in any week.

Sec. 2. Sec. 4, Ch. 171, SLA 1959, is amended to read:

Sec. 4. **Minimum Wages.** Every employer, except as may be otherwise provided in this Act, shall pay to each of his employees wages at a rate of not less than \$.50 an hour greater than the prevailing Federal Minimum Wage Law.

Sec. 3. Sec. 5, Ch. 171, SLA 1959, is amended to read:

Sec. 5. **Handicapped Workers: Ap-**

prentices: Learners. To the extent necessary in order to prevent curtailment of opportunities of employment, the Commissioner may by regulations or by orders, provide for the employment at wages lower than the minimum wage presented in this Act:

(1) of individuals whose earning capacity is impaired by physical or mental deficiency, age, or injury, at such wages and subject to such restrictions and for such period of time as shall be fixed by the Commissioner; and

(2) of apprentices at such wages as are approved by the Commissioner; or

(3) of learners at such wages and subject to such restrictions and for such periods of time as shall be fixed by the Commissioner.

Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved February 13, 1962

CHAPTER 3

AN ACT

Setting forth exemptions to overtime hours requirements of Alaska Wage and Hour Act; amending Sec. 3, Ch. 171, SLA 1959; and providing for an effective date.

(C.S.S.B. 93)

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

Section 1. Sec. 3, Ch. 171, SLA 1959, is amended to read as follows:

Sec. 3. **Overtime Hours.** No employer who employs employees engaged in commerce, or other business, or in the production of goods or materials in Alaska shall employ any of his employees not acting in a supervisory capacity, either male or female, for a work-week longer than forty hours or for more than eight hours per day, except that, should the employer find it necessary to employ any employee in excess of the hours provided for, compensation for such overtime at the rate of one and one-half times the regular rate of pay shall be paid, and this provision shall be deemed to be included in all contracts of employment entered into hereafter; provided that the provisions of this section shall not apply with re-

spect to:

(1) any employee employed by an employer employing less than four employees in the regular course of business, as regular course of business is defined by regulations of the Commissioner of Labor;

(2) any employee employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesman as such terms are defined by regulations of the Commissioner of Labor;

(3) any employee employed in handling, canning, processing, curing, or storing (including cold storage) of any kind of fish, shellfish, or any other aquatic forms of animal or vegetable life, or any by-product thereof;

(4) any employee employed in handling, packing, storing, pasteurizing,