

Relating to employer reports of employment security data; and providing for an effective date.

(H.B. 177)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 23.20.125 is repealed.

Sec. 2. This Act shall be retroactive to January 1, 1965.

Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 14, 1965

CHAPTER 75

AN ACT

Providing for determination of the average weekly wage of injured employees under the Alaska Workmen's Compensation Act; and providing for an effective date.

(H.B. 200)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 23.30.220 is repealed and re-enacted to read:

Sec. 23.30.220. **Determination of Average Weekly Wage.** Except as otherwise provided in this chapter, the average weekly wage of the injured employee at the time of the injury is the basis for computing compensation, and is determined as follows:

(1) if at the time of the injury the employee has been employed in the same or similar employment for 27 weeks immediately before the injury, the average weekly wage is the weekly wage at the time of the injury;

(2) if at the time of the injury the employee has been employed in the same or similar employment for less than 27 weeks immediately before the injury, the average weekly wage is that most favorable to the employee calcu-

lated by dividing 52 into the total wages earned, including self-employment, in any one of the three calendar years immediately preceding the injury;

(3) if the board determines that the wage at the time of the injury cannot be fairly calculated under (2) of this section, or cannot otherwise be ascertained without undue hardship to the employee, the wage for calculating compensation shall be the usual wage for similar service rendered by paid employees under similar circumstances, as determined by the board;

(4) if an employee is a minor or an apprentice, or a trainee, as determined by the board, when injured, and under normal conditions his wages would increase during the period of disability, this fact shall be considered in computing his average weekly wage.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 14, 1965

CHAPTER 76

AN ACT

Relating to the organization and composition of the Alaska Workmen's Compensation Board; and providing for an effective date.

(H.B. 213)

Approved April 14, 1965

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 23.30.005 is repealed and re-enacted to read:

Sec. 23.30.005. **Alaska Workmen's Compensation Board.** (a) The Alaska Workmen's Compensation Board shall consist of five members, including a southern panel of three members sitting for the first judicial district and a northern panel of three members sitting for the second, third, and fourth judicial districts. Each panel shall include the commissioner of labor or his designated representative, a representative of industry and a representative of labor. The latter two members of each panel shall be appointed by the governor.

(b) The commissioner shall act as chairman and executive officer of the board and chairman of both panels. If he designates a representative to act for him his representative shall serve in that capacity on the board and on both panels.

(c) The governor shall appoint the management member of the southern panel for a term of four years, and the labor member for a term of three years. He shall appoint the management member of the northern panel for a term of three years, and the labor member for a term of four years.

(d) Initial terms of office shall begin on July 1, 1965.

(e) A member of one panel may serve on the other panel when the commissioner considers it necessary for the prompt administration of this chapter.

Transfers shall be allowed only if a labor or management representative replaces his counterpart on the other panel.

(f) Two members of a panel constitute a quorum for hearing claims, and the action taken by a quorum of a panel is considered the action of the full board.

(g) A claim may be heard by only one panel.

(h) The full board may make identical rules for both panels and may make regulations to carry out the provisions of this chapter. Process and procedure under this chapter shall be as summary and simple as possible. The board or a member of it may for the purposes of this chapter subpoena witnesses, administer or cause to be administered oaths, and may examine or cause to have examined the parts of the books and records of the parties to a proceeding which relate to questions in dispute. The superior court, on application of the board or any members of it, shall enforce the attendance and testimony of witnesses and the production and examination of books, papers, and records.

(i) The board may establish regulations concerning the medical care provided for in this chapter. In addition to the reports required of physicians under sec. 95(a) - (d) of this chapter, the board may direct a physician or hospital rendering medical treatment or service under this chapter to furnish to the board periodic reports of treatment or services on forms procured from the board.

Sec. 2. This Act takes effect July 1, 1965.

Approved April 14, 1965

CHAPTER 77

AN ACT

Relating to the Health Facilities Advisory Council; and providing for an effective date.

(H.B. 236)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 18.05.051 is repealed and re-enacted to read:

Sec. 18.05.051. **Health Facilities Advisory Council** (a) There is created a Health Facilities Advisory Council which shall consist of governmental and non-governmental members.