HOUSE BILL NO. 126

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Introduced: 2/15/17
Referred: House Special Committee on Military and Veterans' Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

"An Act relating to workers' compensation benefits for members of the organized militia."

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

* Section 1. AS 23.30 is amended by adding a new section to read:

Sec. 23.30.236. Members of the organized militia as employees. (a) A member of the organized militia who has been ordered into active state service by the governor under AS 26.05.070 or ordered into training under AS 26.05.100, and who suffers an injury or disability in the line of duty, is an employee of the state for purposes of this chapter.

(b) The gross weekly earnings for members of the organized militia are calculated using the methods prescribed under AS 26.05.260(h).

* Sec. 2. AS 26.05.260(d) is amended to read:

(d) A member of the organized militia who, while performing duties under AS 26.05.070 or training under AS 26.05.100, including transit to and from the
member's home of record, suffers an injury or disability in the line of duty is entitled
to all compensation and benefits available under AS 23.30 (Alaska Workers' Compensation Act). For a member of the Alaska State Defense Force, compensation and benefits under this subsection are provided as though the member were a state employee. A member of the organized militia who has not been ordered into active state service by the governor under AS 26.05.070 **or ordered into training under AS 26.05.100** is not entitled to compensation and benefits under AS 23.30 (Alaska Workers' Compensation Act).

* Sec. 3. AS 26.05.260(e) is amended to read:

(e) If a member of the organized militia dies as a result of an injury or disability suffered in the line of duty while performing duties under AS 26.05.070 **or training under AS 26.05.100**, including transit to and from the member's home of record, death benefits shall be paid to the persons in the amounts specified in AS 23.30.215. For a member of the Alaska State Defense Force, the death benefits under this subsection are provided as though the member were a state employee. A person is not entitled to death benefits as specified in AS 23.30.215 for a member of the organized militia who dies as a result of an injury or disability suffered in the line of duty but who had not been ordered into active state service by the governor under AS 26.05.070 **or ordered into training under AS 26.05.100**.