



LAWS OF ALASKA

2018

Source
CSHB 126(MLV)

Chapter No.

AN ACT

Relating to workers' compensation benefits for members of the organized militia.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to workers' compensation benefits for members of the organized militia.

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

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

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

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

12 (d) A member of the organized militia who, while performing duties under
13 AS 26.05.070 **or training under AS 26.05.100**, including transit to and from the

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

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

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