

SENATE BILL NO. 159

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY SENATORS PASKVAN, Menard, Meyer, McGuire, Olson, Davis

REPRESENTATIVES Fairclough, Kerttula, Lynn

Introduced: 3/20/09

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act increasing the maximum funeral expenses payable as a workers' compensation
2 death benefit; and providing for an effective date."

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

4 * **Section 1.** AS 23.30.215(a) is amended to read:

5 (a) If the injury causes death, the compensation is known as a death benefit
6 and is payable in the following amounts to or for the benefit of the following persons:

7 (1) reasonable and necessary funeral expenses not exceeding \$10,000
8 [\$5,000];

9 (2) if there is a widow or widower or a child or children of the
10 deceased, the following percentages of the spendable weekly wages of the deceased:

11 (A) 80 percent for the widow or widower with no children;

12 (B) 50 percent for the widow or widower with one child and 40
13 percent for the child;

14 (C) 30 percent for the widow or widower with two or more

1 children and 70 percent divided equally among the children;

2 (D) 100 percent for an only child when there is no widow or
3 widower;

4 (E) 100 percent, divided equally, if there are two or more
5 children and no widow or widower;

6 (3) if the widow or widower remarries, the widow or widower is
7 entitled to be paid in one sum an amount equal to the compensation to which the
8 widow or widower would otherwise be entitled in the two years commencing on the
9 date of remarriage as full and final settlement of all sums due the widow or widower;

10 (4) if there is no widow or widower or child or children, then for the
11 support of father, mother, grandchildren, brothers, and sisters, if dependent upon the
12 deceased at the time of injury, 42 percent of the spendable weekly wage of the
13 deceased to such beneficiaries, share and share alike, not to exceed \$20,000 in the
14 aggregate;

15 (5) \$5,000 to a surviving widow or widower, or equally divided among
16 surviving children of the deceased if there is no widow or widower.

17 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
18 read:

19 **APPLICABILITY.** The death benefit for funeral expenses under AS 23.30.215(a)(1),
20 as amended by sec. 1 of this Act, applies to an injury occurring on or after the effective date
21 of this Act.

22 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).