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Senate BILL NO. *56*
Shirley Flynn
Olson, H. Smith Thieser

INTRODUCED BY
A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
PAYMENT OF A WORKMEN'S COMPENSATION CLAIMANT'S ATTORNEY AND
WITNESS FEES IN CERTAIN CASES."

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

Section 1. Payment by employer or insurer of fees for
claimant's legal services and witnesses. (1) If an
employer or insurer pays or tenders payment of compensation
under Title 92, but controversy relates to the amount of
compensation due, and the settlement or award is greater
than the amount paid or tendered by the employer or insurer,
a reasonable attorney's fee as established by the division
or the workmen's compensation judge if the case has gone to
a hearing, based solely upon the difference between the
amount settled for or awarded and the amount tendered or
paid, may be awarded in addition to the amount of
compensation.

(2) When an attorney's fee is awarded against an
employer or insurer under this section there may be further
assessed against the employer or insurer reasonable costs,
fees, and mileage for necessary witnesses attending a
hearing on the claimant's behalf. Both the necessity for

1 the witness and the reasonableness of the fees must be
2 approved by the division or the workmen's compensation
3 judge.

-End-

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Approved by Committee
on Labor & Employment
Relations

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Senate BILL NO. *56*
INTRODUCED BY *Samuel Flynn, Paulus, Nathan*
Olsen, H. Smith, Thiersen

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-End-

1 *Senate* BILL NO. *56*
 2 INTRODUCED BY *Glenn Flynn, Patricia Nether*
 3 *Olson, R. Smith, Thieszen*

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-End-

THIRD READING

SB 56

1 SENATE BILL NO. 56
 2 INTRODUCED BY HIMSL, FLYNN, GRAHAM, MATHERS, OLSON, R. SMITH,
 3 THIESSEN
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
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