

House Bill 332

In The House

January 19, 1981

Introduced and referred
to Committee on Labor
and Industry.

April 23, 1981

Died in Committee.

1 HOUSE BILL NO. 332
2 INTRODUCED BY *Kanduch Patrick Daily*
3 *Honorable Member Joe Bran*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE ANNUAL
5 ADJUSTMENTS TO TOTAL PERMANENT DISABILITY BENEFITS
6 COMMENSURATE IN PERCENTAGE TO ADJUSTMENTS TO THE STATE'S
7 AVERAGE WEEKLY WAGE; AMENDING SECTION 39-71-702, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 39-71-702, MCA, is amended to read:

11 "39-71-702. Compensation for injuries producing total
12 permanent disability. (1) ~~Weekly initial weekly~~ compensation
13 benefits for injury producing total permanent disability
14 shall be 66 2/3% of the wages received at the time of the
15 injury. ~~The except that~~ maximum weekly compensation
16 benefits shall not exceed the state's average weekly wage.
17 ~~For injuries sustained after June 30, 1981, the amount of~~
18 ~~benefit so determined shall be adjusted annually~~
19 ~~commensurate in percentage to adjustments to the state's~~
20 ~~average weekly wage.~~ Total permanent disability benefits
21 shall be paid for the duration of the worker's total
22 permanent disability.

23 (2) In cases where it is determined that periodic
24 benefits granted by the Social Security Act, 42 U.S.C. 301
25 (1935), are payable because of the injury, the weekly

1 benefits payable under this section are reduced, but not
2 below zero, by an amount equal, as nearly as practical, to
3 one-half the federal periodic benefits for such week."

-End-

-2- INTRODUCED BILL
HB 332