

Senate Bill 249

Published
July 31, 1965.

CHAPTER 166

AN ACT to amend 102.11 (1) (intro. par.), 102.47 (2), 102.52 (17) and (18) and 102.58; and to create 102.42 (8) of the statutes, relating to workmen's compensation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 102.11 (1) (intro. par.) of the statutes is amended to read:

102.11 (1) (intro. par.) The average weekly earnings for temporary disability shall be taken at not less than \$12.50, nor more than ~~\$91.43~~ \$97.15, resulting in a maximum weekly compensation rate of \$68; for permanent total disability or death at not less than \$20, nor more than ~~\$91.43~~ \$97.15, resulting in a maximum weekly compensation rate of \$68 for permanent total disability and of \$48.57½ for death benefits; and for permanent partial disability at not less than \$20, nor more than ~~\$62.57~~ \$65.72, resulting in a maximum weekly compensation rate of \$46. Between said limits the average weekly earnings shall be determined as follows:

SECTION 2. 102.42 (8) of the statutes is created to read:

102.42 (8) MEDICAL EXPENSES. In the event of a claim by a state employe under the conditions enumerated in s. 102.03, involving only payment of medical expense of not to exceed a gross of \$50, the employing department may approve payment of such reasonable medical expense for necessary medical treatment to whomsoever owing, subject to subsequent review by the commission. If the employing department rejects the claim, the employe may make claim to the commission. Payment shall be charged to the appropriate fund, as provided by s. 20.550 (1).

SECTION 3. 102.47 (2) of the statutes is amended to read:

102.47 (2) Where the injury proximately causes permanent partial disability, the unaccrued compensation shall first be applied toward funeral expenses, not to exceed ~~\$350~~ \$500, any remaining sum to be paid to dependents, as provided in this section and ss. 102.46 and 102.48, and there shall be no liability for any other payments. All computations under this subsection shall take into consideration the present value of future payments.

SECTION 4. 102.52 (17) and (18) of the statutes are amended to read:

102.52 (17) Total deafness from accident or sudden trauma, ~~333 1/3~~
330 weeks;

(18) Total deafness of one ear from accident or sudden trauma, ~~50~~
55 weeks.

SECTION 5. 102.58 of the statutes is amended to read:

102.58 Where injury is caused by the ~~willful~~ failure of the employe to use safety devices where provided in accordance with any statute or lawful order of the commission and adequately maintained, and their use is reasonably enforced, by the employer, or where injury results from the employe's ~~willful~~ failure to obey any reasonable rule adopted by the employer for the safety of the employe and of which the employe has notice, or where injury results from the intoxication of the employe, the compensation, and death benefit provided herein shall be reduced 15 per cent.

SECTION 6. This act shall take effect on July 1, 1965, or on the first of the month following publication, whichever is later.

SECTION 7. This bill is declared to be an emergency bill, recommended by the joint committee on finance, in accordance with the requirements of section 16.47 (2) of the statutes.

Approved July 30, 1965.
