CHAPTER 1078

DISASTER AID INDIVIDUAL ASSISTANCE GRANTS

H.F. 2564

AN ACT concerning the disaster aid individual assistance grant program.

Be It Enacted by the General Assembly of the State of Iowa:

   Section 1.   Section 29C.20A, subsections 2 and 3, Code Supplement 2007, are amended to read as follows:
   2. The grant funds shall be administered by the department of human services. The department shall adopt rules to create the Iowa disaster aid individual assistance grant program. The rules shall specify the eligibility of applicants and eligible items for grant funding. ~~The rules shall be adopted no later than January 1, 2008.~~ The executive council shall use grant funds to reimburse the department of human services for its actual expenses associated with the administration of the grants.
   3. To be eligible for a grant, an applicant shall have an annual household income that is less than ~~one~~ two hundred ~~thirty~~ percent of the federal poverty level based on the number of people in the applicant's household as defined by the most recently revised poverty income guidelines published by the United States department of health and human services. The amount of a grant for a household shall not exceed ~~twenty-five percent of one hundred thirty percent of the federal poverty level for a household of one~~ five thousand dollars. Expenses eligible for grant funding shall be limited to personal property, home repair, food assistance, and temporary housing assistance. An applicant for a grant shall sign an affidavit committing to refund any part of the grant that is duplicated by any other assistance, such as but not limited to insurance or assistance from community development groups, charities, the small business administration, and the federal emergency management agency.

Approved April 11, 2008

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CHAPTER 1079

WORKERS' COMPENSATION —
CALCULATION OF CERTAIN WEEKLY BENEFITS

H.F. 2568

†**AN ACT** relating to the calculation of certain weekly workers' compensation benefits by requiring certain weekly workers' compensation benefits to be calculated by including an employee's shift differential pay and by changing the basis for calculating the weekly rate for certain injured inmates.

Be It Enacted by the General Assembly of the State of Iowa:

   Section 1.   Section 85.36, subsections 6 and 7, Code 2007, are amended to read as follows:
   6. In the case of an employee who is paid on a daily or hourly basis, or by the output of the employee, the weekly earnings shall be computed by dividing by thirteen the earnings, including shift differential pay but not including overtime or premium pay, of the employee earned in the employ of the employer in the last completed period of thirteen consecutive calendar

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† Estimate of additional local revenue expenditures required by state mandate on file with the Secretary of State

weeks immediately preceding the injury. If the employee was absent from employment for reasons personal to the employee during part of the thirteen calendar weeks preceding the injury, the employee's weekly earnings shall be the amount the employee would have earned had the employee worked when work was available to other employees of the employer in a similar occupation. A week which does not fairly reflect the employee's customary earnings shall be replaced by the closest previous week with earnings that fairly represent the employee's customary earnings.

7. In the case of an employee who has been in the employ of the employer less than thirteen calendar weeks immediately preceding the injury, the employee's weekly earnings shall be computed under subsection 6, taking the earnings, <u>including shift differential pay but</u> not including overtime or premium pay, for such purpose to be the amount the employee would have earned had the employee been so employed by the employer the full thirteen calendar weeks immediately preceding the injury and had worked, when work was available to other employees in a similar occupation. If the earnings of other employees cannot be determined, the employee's weekly earnings shall be the average computed for the number of weeks the employee has been in the employ of the employer.

Sec. 2.   Section 85.59, unnumbered paragraph 4, Code 2007, is amended to read as follows:
If an inmate is permanently incapacitated by injury in the performance of the inmate's work in connection with the maintenance of the institution, in an industry maintained in the institution, or in an industry referred to in section 904.809, while on detail to perform services on a public works project, or while performing services authorized pursuant to section 904.809, or is permanently or temporarily incapacitated in connection with the performance of unpaid community service under the direction of the district court, board of parole, or judicial district department of correctional services, or in connection with the provision of services pursuant to a chapter 28E agreement entered into pursuant to section 904.703, or who is performing a work assignment of value to the state or to the public under chapter 232, that inmate shall be awarded only the benefits provided in section 85.27 and section 85.34, subsections 2 and 3. The weekly rate for such permanent disability is equal to ~~sixty-six and two-thirds percent of the state average weekly wage paid employees as determined by the department of workforce development under section 96.19, subsection 36, and in effect at the time of the injury~~ <u>the minimum rate as provided in this chapter</u>.

Approved April 11, 2008

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CHAPTER 1080
SUSTAINABLE NATURAL RESOURCE FUNDING
ADVISORY COMMITTEE
H.F. 2580

AN ACT providing for a sustainable natural resource funding advisory committee.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1.   SUSTAINABLE NATURAL RESOURCE FUNDING ADVISORY COMMITTEE. There is established a sustainable natural resource funding advisory committee.
1. The advisory committee shall include all of the following members:
a. (1) The director of the department of natural resources who shall be the chairperson of the advisory committee.