

House File 2122 Do Pass 3/23 (p. 1249)

Senate File 2297

Labor and Industrial Relations: Sherzan, Chair; Corey and Parker.

FILED MAR

SENATE FILE 2297

BY COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

(FORMERLY SSB 2216)

Approved 3/5 (p. 671)

Passed Senate, Date 3-22-84 (p. 963) Passed House, Date 3-27-84 (p. 1341)

Vote: Ayes 41 Nays 6 Vote: Ayes 93 Nays 0

Approved April 10, 1984 (p. 164)

A BILL FOR

1 An Act relating to the payment of workers' compensation benefits
2 in pneumoconiosis cases.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S. 2297

1 Section 1. Section 85A.13, subsection 3, Code 1983, is
2 amended by striking the subsection.

3 Sec. 2. This Act applies to claims for workers' compen-
4 sation benefits in pneumoconiosis cases filed on or after
5 the effective date of this Act.

6 EXPLANATION

7 This bill repeals the threshold requirement of one-third
8 total disability for the receipt of workers' compensation
9 benefits in pneumoconiosis (black lung) cases. The bill also
10 repeals the special schedule of maximum benefits for pneumo-
11 coniosis cases so that the same benefits are payable in such
12 cases as in other workers' compensation cases. The bill takes
13 effect July 1 following enactment and applies to pneumoconiosis
14 claims filed on or after that date.

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SENATE FILE 2297

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FISCAL NOTE

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REQUESTED BY SENATOR GETTINGS

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In compliance with a written request there is hereby submitted a
Fiscal Note for Senate File 2297 pursuant to Joint Rule 17.

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21 Senate File 2297 repeals the threshold requirement of one-third
22 total disability for the receipt of worker's compensation benefits
23 in pneumoconiosis (black lung) cases. The bill also repeals the
24 special schedule of maximum benefits for pneumoconiosis cases so
that the same benefits are payable as in other workers' compen-
sation cases.

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26 This bill is not expected to have a significant fiscal effect on
either state or local governments. There are possibly a few
27 Regents' employees working with coal, but there is not any infor-
28 mation available on these workers' claims.

29 Source: State Comptroller's Office

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(4113S,84-235B,JMN)

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RECEIVED BY THE SECRETARY OF THE SENATE, MARCH 9, 1984

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FILED:
33 MARCH 13, 1984

BY DENNIS C. PROUTY, DIRECTOR
LEGISLATIVE FISCAL BUREAU

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LSB 4113S 70

rj/jw/5

SENATE FILE 2297

S-5418

1 Amend Senate File 2297 as follows:
2 1. Page 1, by striking line 2 and inserting in
3 lieu thereof the words "amended to read as follows:
4 3. COMPENSATION PAYABLE. Except as in this chapter
5 otherwise provided, compensation for disability from
6 uncomplicated pneumoconiosis shall be payable in
7 accordance with the provisions hereof; provided,
8 however, that no compensation shall be payable for
9 disability from pneumoconiosis of less than ~~thirty-~~
10 ~~three-and-one-third~~ twenty-five percent of total,
11 and provided further that, during the transitory
12 period, the aggregate compensation payable to employees
13 and their dependents for disability and death for
14 uncomplicated pneumoconiosis shall be limited as
15 follows: If disablement occurs or in case of no claim
16 for prior disablement, if death occurs in the third
17 calendar month after October 1, 1947, the total
18 compensation and death benefits payable shall not
19 exceed the sum of five hundred dollars. If disablement
20 occurs or in case of no claim for prior disablement,
21 if death occurs during the next calendar month, the
22 total compensation and death benefits payable shall
23 not exceed five hundred fifty dollars. Thereafter,
24 the total amount or limit of the compensation and
25 death benefits payable for disability and death shall
26 be increased at the rate of fifty dollars per month,
27 the aggregate payable in each case to be limited
28 according to the foregoing formula for the month in
29 which disability occurs, or, in case of no claim for
30 prior disablement, in which death occurs. Such
31 progressive increase in the limits of the aggregate
32 compensation and benefits for disability and death
33 shall continue until the limit upon such benefits
34 fixed in the workers' compensation law is reached,
35 and thereafter the total aggregate of such compensation
36 and benefits shall be the total compensation and
37 benefits otherwise provided in the workers'
38 compensation law."

S-5418 FILED
MARCH 16, 1984

BY JOHN JENSEN

SENATE FILE 2297

S-5419

1 Amend Senate File 2297 as follows:
2 1. Page 1, line 4, by striking the word "filed"
3 and inserting in lieu thereof the words "where
4 injurious exposure occurred".

S-5419 FILED
MARCH 16, 1984

BY JOHN W. JENSEN

AN ACT
RELATING TO THE PAYMENT OF WORKERS' COMPENSATION BENEFITS
IN PNEUMOCONIOSIS CASES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 85A.13, subsection 3, Code 1983, is amended by striking the subsection.

Sec. 2. This Act applies to claims for workers' compensation benefits in pneumoconiosis cases filed on or after the effective date of this Act.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2297, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 10, 1984

TERRY E. BRANSTAD
Governor