

CHAPTER 1052

SECOND INJURY WORKERS' COMPENSATION

H. F. 2435

AN ACT relating to providing additional funding for the second injury under workers' compensation.

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

Section 1. Section eighty-five point sixty-five (85.65), Code 1977, is amended to read as follows:

85.65 PAYMENTS TO SECOND INJURY FUND. The employer, or, if insured, his or her insurance carrier in each case of compensable injury causing death shall pay to the treasurer of state for the second injury fund the sum of one hundred thousand dollars, said payment to be made at the time compensation payments are begun, or at the time the burial expenses are paid in a case where there are no dependents; provided, however, that such payments shall be required only in cases of injury resulting in death coming within the purview of this chapter and occurring after July ~~47-4945~~ 1, 1978. These payments shall be in addition to any payments of compensation to injured employees or their dependents, or of burial expenses as provided in this chapter.

Sec. 2. Section eighty-five point sixty-six (85.66), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

When the total amount of such payments provided for in the preceding section, together with accumulated interest thereon and earnings, equals or exceeds fifty one hundred thousand dollars no further contributions to said fund shall be required; but whenever, thereafter, the amount of such sum shall be reduced below ~~thirty~~ fifty thousand dollars by reason of payments made to employees pursuant to the provisions of this division, the said contributions shall be resumed forthwith and shall continue until such sum, together with accumulated interest and earnings, shall again amount to fifty one hundred thousand dollars. The industrial commissioner shall promulgate rules for the maintenance of the second injury fund and the making of contributions thereto, and shall determine when the contributions shall be made to said fund and when they shall be suspended; and he or she is hereby

empowered and authorized to enforce said rules and the collection of said contributions.

Approved June 2, 1978

CHAPTER 1053
FIRE FIGHTERS CLOTHING AND EQUIPMENT

H. F. 606

AN ACT relating to the standards for protective clothing and equipment used by fire fighters.

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

Section 1. Section eighty-eight point five (88.5), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. The commissioner shall establish standards and promulgate rules for protective helmets, boots, fire coats, trousers, gloves, work uniforms and may set standards for any other protective clothing or equipment which shall be worn or used by fire fighters within the state. In establishing these standards, the commissioner shall consider the standards of or proposed by the national fire protection association, the international association of fire fighters and any federal agency which may have such standards. The commissioner shall provide a copy of the standards, rules and any changes thereto to each fire department operating in this state. The standards established and the rules promulgated hereunder shall apply to protective clothing and equipment worn or used by every fire fighter in the state, provided that the standards and rules shall be advisory rather than mandatory for volunteer fire departments.

Sec. 2. The standards promulgated by the commissioner under the provisions of this Act shall be effective for all equipment purchased after January 1, 1979. All equipment for which standards are established under the provisions of this Act shall meet the standards promulgated under the provisions of this Act prior to January 1, 1981.

Approved May 12, 1978