

CHAPTER 1058

JOB SERVICE CLAIMS APPEAL BOARD

H. F. 2176

AN ACT relating to the claims appeal board of the Iowa department of job service.

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

Section 1. Section ninety-six point six (96.6), subsection four (4), unnumbered paragraph four (4), Code 1977, is amended to read as follows:

Members of the appeal board shall each be paid ~~twenty-one thousand-seven-hundred-fifty~~ a salary set by the governor, within a range of from eighteen thousand nine hundred dollars to twenty-six thousand six hundred dollars annually ~~until July 4, 1978 and.~~ Each member shall receive be allowed actual and necessary expenses, ~~---Thereafter each member shall be paid forty dollars per day for each day of official business of the appeal board and shall receive actual and necessary expenses, including travel,~~ in the same amounts paid to other state employees incurred in the performance of their duties from funds appropriated to the department.

Approved April 27, 1978

CHAPTER 1059

UNEMPLOYMENT COMPENSATION CONTRIBUTIONS

S. F. 2270

AN ACT providing for procedures to recover payments of unemployment compensation in order to maintain the approval of the state law by the secretary of labor to assure an employer tax credit of two point seven percent for required unemployment compensation contributions, and to assure federal funding of the administration of the Iowa unemployment compensation program.

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

Section 1. Chapter ninety-six (96), Code 1977, is amended by adding the following new section:

NEW SECTION. LIABILITY OF CERTAIN EMPLOYERS. Employers who by election or determination of the Iowa department of job services are liable for payments in lieu of contributions shall not be relieved of any regular benefit charges or

extended benefit charges by any provision of this chapter.

Sec. 2. Section ninety-six point sixteen (96.16), subsection four (4), Code 1977, is amended to read as follows:

4. MISREPRESENTATION. Any person who, by reason ~~of any error, or by reason~~ of the nondisclosure or misrepresentation by him or her or by another, of a material fact ~~(irrespective of whether such nondisclosure or misrepresentation was known or fraudulent)~~ has received any sum as benefits under this chapter while any conditions for the receipt of benefits imposed by this chapter were not fulfilled in his or her case, or while he or she was disqualified from receiving benefits, shall, in the discretion of the department, either be liable to have such sum deducted from any future benefits payable to him or her under this chapter or shall be liable to repay to the department for the unemployment compensation fund, a sum equal to the amount so received by him or her, and such sum shall be collectible in the manner provided in section 96.14, subsection 3, for the collection of past-due contributions.

Sec. 3. Chapter ninety-six (96), Code 1977, is amended by adding the following new section:

NEW SECTION. ERROR IN RECEIVING BENEFITS. Whenever a person receives any sum as benefits and the person is subsequently determined to be ineligible and the person acted in good faith and is not otherwise at fault, the benefits may be recovered unless the recovery would be contrary to equity or good conscience. Recovery shall be made either by having the sum deducted from any future benefits payable to the person or by having the person paying to the department a sum equal to the amount received. The person who is liable to repay the benefits may select the method for repayment.

Approved June 14, 1978