

CHAPTER 26

WORKMEN'S COMPENSATION. REVIEW OF AWARD

H. F. 263

AN ACT to amend section fourteen hundred fifty-seven (1457) of the code, 1931, relating to review of award or settlement in compensation.

Be it enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. That section fourteen hundred fifty-seven (1457) of
 2 the code, 1931, be amended by adding after the word "time" in line
 3 six (6), the following:
 4 "within five (5) years from the date of the last payment of com-
 5 pensation made under such award or agreement".

House File No. 263. Approved April 5, 1933.

CHAPTER 27

WORKMEN'S COMPENSATION. APPEAL PROCEDURE

S. F. 178

AN ACT to amend the law as the same appears in sections 1479, 1480 and 1481, chapter 72 of the code, 1931, relating to workmen's compensation.

Be it enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. When an injured employee has exercised his or her
 2 right to enforce a compensation claim, based upon the provisions of
 3 sections 1479, 1480 and 1481 of the code, and an appeal, as provided
 4 in section 1449 of the code, is taken to the district court from a deci-
 5 sion or award as made by the industrial commissioner, the employer
 6 and/or the insurance carrier, on the hearing on such appeal in the
 7 district court, shall have the right of trial by jury upon the issues
 8 of fact tendered and allowable within the terms of chapters 70, 71
 9 and 72, and made of record in arbitration proceedings and/or upon
 10 hearing before the industrial commissioner. But the right of a trial
 11 by jury shall only apply to compensation cases within the purview
 12 of sections 1479, 1480 and 1481 of the code.

- 1 SEC. 2. On the trial of the case in the district court with a jury,
 2 the evidence, when certified by the industrial commissioner or his
 3 deputy, as provided in section 1450 of the code, shall be the only com-
 4 petent, relevant and material evidence in the case which shall be read
 5 from the record thus certified, subject to the rulings of the trial judge
 6 upon objections made in the commissioner's court and urged in the
 7 district court. But the law of procedure and evidence, as provided in
 8 section 1441 of the code, shall apply and govern insofar as reasonably
 9 applicable. The trial judge shall give the jury written instruction
 10 on the law of the case, but the jury shall determine the facts upon
 11 the issues submitted.

- 1 SEC. 3. Upon questions of law raised in the district court, the
 2 appeal shall be considered as if made upon one or more of the grounds
 3 for appeal, as provided in section 1453 of the code. If demand in