

5 may be or become entitled by reason of any payments made to any pre-
6 viously disabled person out of said Fund.

1 SEC. 8. That the law as it appears in subsection six (6) of section
2 one thousand three hundred ninety-two (1392), Code, 1939, is hereby
3 amended by striking from lines nine (9) and eighteen (18) of said
4 subsection, the words "state treasury" and by substituting in lieu
5 thereof the words "Second Injury Fund in the custody of the Treasurer
6 of State".

1 SEC. 9. That the law as it appears in subsection eight (8) of section
2 one thousand three hundred ninety-seven (1397), Code, 1939, be and
3 the same is hereby amended by adding thereto the following: "This
4 paragraph shall not apply to compensable injuries arising under the
5 Second Injury Compensation Act."

1 SEC. 10. This Act is and shall be amendatory of chapter seventy
2 (70), Code, 1939, and shall be inserted in said chapter and become a
3 part thereof.

Approved March 16, 1945.

CHAPTER 82

WORKMEN'S COMPENSATION

S. F. 114

AN ACT to amend sections fourteen hundred twenty-four (1424), fourteen hundred
twenty-five (1425), fourteen hundred thirty-seven (1437), fourteen hundred thirty-
eight (1438), fourteen hundred forty (1440), fourteen hundred forty-one (1441),
fourteen hundred forty-two (1442), fourteen hundred forty-three (1443), fourteen
hundred forty-four (1444), fourteen hundred forty-six (1446), fourteen hundred
forty-seven (1447), fourteen hundred sixty (1460) of the 1939 code of Iowa relat-
ing* workmen's compensation law of Iowa, providing for an additional deputy
industrial commissioner and prescribing the powers and duties of the industrial
commissioner, his deputies, and providing for procedure for hearings on appli-
cation for arbitration before the deputy industrial commissioners and boards
of arbitration.

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

1 SECTION 1. Section fourteen hundred twenty-four (1424), code
2 1939, is hereby amended by striking from line two (2) thereof the
3 word "deputy" and by inserting in lieu thereof the following:
4 "first and second deputy industrial commissioner"

5 Further amend this section by adding at the end thereof the fol-
6 lowing: "Wherever the term 'deputy industrial commissioner' is used
7 in this chapter it shall mean either the first or second deputy indus-
8 trial commissioner".

1 SEC. 2. Section fourteen hundred twenty-five (1425), code 1939,
2 is hereby amended by striking from line four (4) the word "deputy"
3 and by inserting in lieu thereof the word "deputies".

1 SEC. 3. Section fourteen hundred thirty-seven (1437), code 1939,
2 is hereby repealed and the following enacted in lieu thereof:

*According to enrolled act.

3 "If the employer and injured employee or his representatives or
4 dependents fail to reach an agreement in regard to compensation,
5 either party may file with the industrial commissioner a petition for
6 arbitration together with two copies thereof, stating therein his or
7 her claims in general terms. Thereupon the commissioner or one of
8 the deputies shall in writing notify the parties that the defendant is
9 given at least ten days in which to answer said petition or otherwise
10 plead. A defense other than a general denial of claimant's alleged
11 facts must be plead as a special defense."

1 SEC. 4. Section fourteen hundred thirty-eight (1438), code 1939,
2 is hereby repealed and the following enacted in lieu thereof:

3 "Petitions for arbitration shall be heard before a deputy industrial
4 commissioner unless either party shall notify the industrial commis-
5 sioner or a deputy before the time fixed for hearing that they desire
6 a board of arbitration to hear and determine the rights of the respec-
7 tive parties. When a board of arbitration is requested by either party,
8 such board shall consist of three persons, one of whom shall be a
9 deputy industrial commissioner, who shall act as chairman. The
10 other two arbitrators shall be named, respectively, by the two parties
11 to the proceeding."

1 SEC. 5. Amend section fourteen hundred forty (1440), code 1939,
2 by adding after the word "The" in line one (1) the following:

3 "deputy industrial commissioner or the"
4 Further amend said section by striking from line four (4) the word
5 "board" and by inserting in lieu thereof the following:

6 "deputy industrial commissioner or the board of arbitration"

7 Further amend said section by striking from lines eight (8) and
8 nine (9) the words "of the board".

9 Further amend said section in line twelve (12) by inserting after
10 the word "commissioner" the following:

11 "or one of his deputies"

1 SEC. 6. Amend section fourteen hundred forty-one (1441), code
2 1939, by adding in line five (5) after the word "commissioner" the
3 following:

4 "or his deputies"

1 SEC. 7. Amend section fourteen hundred forty-two (1442), code
2 1939, by adding the words "or one of his deputies" after the word
3 "commissioner" where it appears in lines four (4), five (5), and
4 seven (7) of said section.

1 SEC. 8. Amend section fourteen hundred forty-three (1443), code
2 1939, by adding the words "or one of his deputies" after the word
3 "commissioner" where it appears in lines two (2) and four (4) of
4 said section.

1 SEC. 9. Amend section fourteen hundred forty-four (1444), code
2 1939, by adding the words "or one of his deputies" after the word "com-
3 missioner" in line four (4) of said section.

1 SEC. 10. Section fourteen hundred forty-six (1446), code 1939,
2 is hereby repealed and the following enacted in lieu thereof:

3 "The decision of a deputy industrial commissioner or board of
4 arbitration, together with a statement or certificate of evidence sub-
5 mitted at the hearing, the findings of fact, rulings of law and any
6 other matters pertinent to questions arising at such hearing, shall
7 be filed in the office of the industrial commissioner."

1 SEC. 11. Amend section fourteen hundred forty-seven (1447), code
2 1939, by adding in line two (2) after the word "a" the following:

3 "deputy industrial commissioner or"

4 Further amend said section by inserting in line eleven (11) after
5 the word "the" the following:

6 "deputy industrial commissioner or"

1 SEC. 12. Amend section fourteen hundred sixty (1460), code 1939,
2 by adding in line two (2) after the word "a" the following:

3 "deputy industrial commissioner or"

Approved April 20, 1945.

CHAPTER 83

WORKMEN'S COMPENSATION REPORTS

S. F. 310

AN ACT to repeal section one thousand four hundred thirty-five (1435), code, 1939, and to enact a substitute therefor relating to a penalty for wilful failure to file reports required under chapter seventy-one (71), code, 1939, which may be required in workmen's compensation matters.

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

1 SECTION 1. Section one thousand four hundred thirty-five (1435),
2 Code, 1939, is hereby repealed and the following is enacted in lieu
3 thereof "Any employer who wilfully fails to make the reports re-
4 quired by this chapter shall be liable to a penalty of fifty dollars for
5 each offense to be recovered by the commissioner. The commissioner
6 shall be represented by the county attorney of the county in which
7 such proceedings is brought."

Approved April 6, 1945.

CHAPTER 84

WORKMEN'S COMPENSATION AGREEMENTS

S. F. 311

AN ACT to amend section one thousand four hundred thirty-six (1436), code, 1939, relating to filing memorandum of agreement for payment of weekly compensation in workmen's compensation matters.

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

1 SECTION 1. Section one thousand four hundred thirty-six (1436),
2 Code, 1939, is hereby amended by striking from line five (5) thereof
3 the word "employee" and by inserting in lieu thereof the words "the