CHAPTER 1035
POLITICAL SUBDIVISION DEFINED
H. F. 2036

AN ACT to define "political subdivision" for purposes of
    appeals to the state appeal board for suspension of
    statutory property tax levy limits on property tax
    budgets in certain situations.

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

Section 1. Acts of the Sixty-seventh General Assembly,
1977 Session, chapter forty-three (43), section one (1),
amending chapter twenty-four (24), Code 1977, is amended by
adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section
only, "political subdivision" means a city, county, school
district, or any other special purpose district which certifies
its budget to the county auditor and derives funds from a
property tax levied against taxable property situated within
the political subdivision.

Approved March 10, 1978

CHAPTER 1036
WORKERS' COMPENSATION FOR INMATES
S. F. 2133

AN ACT to limit claims of inmates injured while working to
    workers' compensation.

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

Section 1. Section twenty-five A point fourteen (25A.14),
Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. Any claim by an inmate as defined in
section five (5) of this Act.

Sec. 2. Section eighty-five point thirty-six (85.36),
subsection ten (10), Code 1977, is amended by adding the
following new lettered paragraph:

NEW LETTERED PARAGRAPH. If the employee was an inmate
as defined in section five (5) of this Act, the inmate's
actual earnings shall be disregarded, and the weekly
compensation rate shall be as set forth in section five (5)

of this Act.

Sec. 3.   Section eighty-five point forty-five (85.45),
Code 1977, is amended by adding the following new unnumbered
paragraph:

NEW UNNUMBERED PARAGRAPH.   Future payments of compensation
shall not be commuted to a present worth lump sum payment
when the employee is an inmate as set forth in section five
(5) of this Act.

Sec. 4.   Section eighty-five point sixty-one (85.61),
subsection two (2), Code 1977, is amended by adding the
following new paragraph:

NEW PARAGRAPH.   "Workman" or "employee" shall include an
inmate as defined in section five (5) of this Act.

Sec. 5.   Chapter eighty-five (85), Code 1977, is amended
by adding the following new section:

NEW SECTION.   For the purposes of this section, the term
"inmate" includes a person confined in a reformatory, state
penitentiary, release center, or other state penal or
correctional institution while that person works in connection
with the maintenance of the institution or in an industry
maintained therein or while on detail to perform services
on a public works project.

If an inmate is permanently incapacitated by injury in
the performance of his or her work in connection with the
maintenance of the institution or in an industry maintained
therein or while on detail to perform services on a public
works project, that inmate shall be awarded only such benefits
as are provided in section eighty-five point twenty-seven
(85.27) and section eighty-five point thirty-four (85.34),
subsections two (2) and three (3) of the Code.   The weekly
rate for such permanent disability shall be equal to sixty-
six and two-thirds percent of the state average weekly wage
paid employees as determined by the Iowa department of job
service under the provisions of section ninety-six point three
(96.3) of the Code and in effect at the time of the injury.

Weekly compensation benefits under this section may be
determined prior to the inmate's release from the institution,
but payment of benefits to an inmate shall commence as of
the time of the inmate's release from the institution either
upon parole or final discharge.

If an inmate is receiving benefits under the provisions
of this section and is recommitted to an institution covered
by this section, the benefits shall immediately cease.   If

benefits cease because of the inmate's recommitment, the
benefits shall resume upon subsequent release from the
institution.

If death results from the injury, death benefits shall
be awarded and paid to the dependents of the inmate as in
other workers' compensation cases except that the weekly rate
shall be equal to sixty-six and two-thirds percent of the
state average weekly wage paid employees as determined by
the Iowa department of job service under the provisions of
section ninety-six point three (96.3) of the Code and in
effect at the time of the injury.

Payment under this section shall be made promptly out of
appropriations which have been made for that purpose, if any.
An amount or part thereof which cannot be paid promptly from
the appropriation shall be paid promptly out of money in the
state treasury not otherwise appropriated.

The time limit for commencing an original proceeding to
determine entitlement to benefits under this section shall
be the same as set forth in section eighty-five point twenty-
six (85.26) of the Code. If an injury occurs to an inmate
so as to qualify the inmate for benefits under this section,
notwithstanding the fact that payments of weekly benefits
are not commenced, a memorandum of agreement shall be filed
with the industrial commissioner within thirty days of the
time the responsible authority receives notice or knowledge
of the injury as required by section eighty-five point twenty-
three (85.23) of the Code.

If a dispute arises as to the extent of disability when
a memorandum of agreement is on file or when an award deter-
mining liability has been made, an action to determine the
extent of disability must be commenced within one year of
the time of the release of the inmate from the institution.
This shall not bar the right to reopen the claim as provided
by section eighty-six point thirty-four (86.34) of the Code.

Responsibility for the filings required by chapter eighty-
six (86) of the Code for injuries resulting in permanent
disability or death and as modified by this section shall
be made in the same manner as for other employees of the
institution.

Sec. 6. Section eighty-eight point three (88.3), subsection
five (5), Code 1977, is amended to read as follows:

5. "Employee" means an employee of an employer who is
employed in a business of his employer. "Employee" also means
an inmate as defined in section five (5) of this Act, when

he or she works in connection with the maintenance of the
institution, in an industry maintained in the institution,
or while otherwise on detail to perform services for pay.

   Sec. 7.   This Act is effective January 1, 1979.

Approved June 5, 1978

CHAPTER 1037

OFFICIAL MEETINGS OPEN TO PUBLIC

H. F. 2074

AN ACT relating to the holding of meetings by governmental bodies
   expressly created by statute or executive order, local govern-
   mental bodies, and other groups created by such governmental
   bodies, in open session, unless otherwise exempted by statute,
   and providing remedies and damages.

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

   Section 1.   Chapter twenty-eight A (28A), Code 1977, is
amended by striking the chapter and inserting in lieu thereof
sections two (2) through nine (9) of this Act.

   Sec. 2.   NEW SECTION.   INTENT--DECLARATION OF POLICY.
This Act seeks to assure, through a requirement of open
meetings of governmental bodies, that the basis and rationale
of governmental decisions, as well as those decisions
themselves, are easily accessible to the people.   Ambiguity
in the construction or application of this Act should be
resolved in favor of openness.

   Sec. 3.   NEW SECTION.   DEFINITIONS.   As used in this
chapter:

   1.   "Governmental body" means:

   a.   A board, council, commission or other governing body
expressly created by the statutes of this state or by executive
order.

   b.   A board, council, commission, or other governing body
of a political subdivision or tax-supported district in this
state.

   c.   A multimembered body formally and directly created
by one or more boards, councils, commissions, or other
governing bodies subject to paragraphs "a" and "b" of this
subsection.

   d.   Those multimembered bodies to which the state board
of regents or a president of a university has delegated the