

statement shall be open to public inspection in the office of the industrial commissioner treasurer of state.

Sec. 6. Section 85.67, Code 1983, is amended to read as follows:

85.67 ADMINISTRATION OF FUND—SPECIAL COUNSEL. The industrial commissioner treasurer of state shall be charged with the conservation of the assets of the second injury fund, and the collection of contributions thereto to the fund. In furtherance of this purpose, the The attorney general shall appoint a staff member of his staff to represent the industrial commissioner treasurer of state and the fund in all proceedings and matters arising under this division. In his making an award under this division, the industrial commissioner shall specifically find the amount the injured employee shall be paid weekly, the number of weeks of compensation which shall be paid by the employer, the date upon which payments out of the fund shall begin, and, if possible, the length of time such the payments shall continue. The industrial commissioner shall administer the provisions of this division in connection with and under the same procedure as other cases arising under this chapter.

Sec. 7. Section 85.68, Code 1983, is amended to read as follows:

85.68 ACTIONS. The industrial commissioner treasurer of state, on behalf of the second injury fund created under the provisions of this division, shall have a cause of action under the provisions of section 85.22 to the same extent as an employer against any person not in the same employment by reason of whose negligence or wrong the subsequent injury of such the previously disabled person was caused. Any such The action shall be brought by the industrial commissioner treasurer of state on behalf of said the fund, and any recovery, less the necessary and reasonable expenses incurred by the industrial commissioner treasurer of state, shall be paid to the treasurer of state and credited to said the fund.

Sec. 8. Section 86.29, Code 1983, is amended to read as follows:

86.29 THE JUDICIAL REVIEW PETITION. Notwithstanding the terms of the Iowa administrative procedure Act chapter 17A, in a petition for judicial review of a final agency decision in a contested case under any provision of the "Workers' Compensation Act" chapter 85, 85A, 85B, 86, or 87, the name of the opposing party shall precede the name of be named the respondent, and the agency shall not be named as a respondent.

Approved May 9, 1983

CHAPTER 106

ATTORNEY FEES IN MECHANIC'S LIEN ACTION

S.F. 459

AN ACT providing for reasonable attorney fees for a mechanic's lien action.

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

Section 1. NEW SECTION. 572.32 ATTORNEY FEES. In a court action to enforce a mechanic's lien, if the plaintiff furnished labor or materials directly to the defendant, the plaintiff, if successful, shall be awarded reasonable attorney fees.

Approved May 9, 1983