

- a. The person has possession of an explosive or incendiary device or material,~~or,~~
- b. The person has possession of a dangerous weapon,~~or,~~
- c. The person intentionally or recklessly inflicts bodily injury on any person.
- d. The person performs or participates in a sex act with any person which would constitute sexual abuse under section 709.1.

2. Burglary in the first degree is a class "B" felony.

Approved April 6, 1998

CHAPTER 1060

WORKERS' COMPENSATION COVERAGE FOR COMMUNITY COLLEGE STUDENTS IN SCHOOL-TO-WORK PROGRAMS

H.F. 2443

AN ACT relating to state workers' compensation coverage for students at a community college participating in school-to-work programs.

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

Section 1. Section 85.61, subsection 2, unnumbered paragraph 2, Code Supplement 1997, is amended to read as follows:

"Employer" also includes and applies to an eligible postsecondary institution as defined in section 261C.3, subsection 1, a school corporation, or an accredited nonpublic school if a student enrolled in the eligible postsecondary institution, school corporation, or accredited nonpublic school is providing unpaid services under a school-to-work program that includes, but is not limited to, the components provided for in section 258.10, subsection 2, paragraphs "a" through "f". However, if such a student participating in a school-to-work program is participating in open enrollment under section 282.18, "employer" means the receiving district. "Employer" also includes and applies to a community college as defined in section 260C.2, if a student enrolled in the community college is providing unpaid services under a school-to-work program that includes, but is not limited to, the components provided for in section 258.10, subsection 2, paragraphs "a" through "f", and that is offered by the community college pursuant to a contractual agreement with a school corporation or accredited nonpublic school to provide the program. If a student participating in a school-to-work program that includes, but is not limited to, the components provided for in section 258.10, subsection 2, paragraphs "a" through "f", is paid for services provided under the program, "employer" means any entity otherwise defined as an employer under this subsection which pays the student for providing services under the program.

Sec. 2. Section 85.61, subsection 11, unnumbered paragraph 5, Code Supplement 1997, is amended to read as follows:

"Worker" or "employee" includes a student enrolled in a public school corporation or accredited nonpublic school who is participating in a school-to-work program that includes, but is not limited to, the components provided for in section 258.10, subsection 2, paragraphs "a" through "f". "Worker" or "employee" also includes a student enrolled in a community college as defined in section 260C.2, who is participating in a school-to-work program that includes, but is not limited to, the components provided for in section 258.10, subsection 2, paragraphs "a" through "f" and that is offered by the community college pursuant to a

contractual agreement with a school corporation or accredited nonpublic school to provide the program.

Approved April 6, 1998

CHAPTER 1061

WORKERS' COMPENSATION — DIVISION AND COMMISSIONER NAME CHANGE — COMPENSATION DURING HEALING PERIOD

H.F. 2465

AN ACT relating to workers' compensation by changing the name of the division and personnel responsible, providing for the commencement of compensation during a healing period, and providing for reporting requirements.

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

Section 1. Section 84A.1, subsections 2 and 3, Code 1997, are amended to read as follows:

2. The chief executive officer of the department is the director who shall be appointed by the governor, subject to confirmation by the senate under the confirmation procedures of section 2.32. The director shall serve at the pleasure of the governor. The governor shall set the salary of the director within the applicable salary range established by the general assembly. The director shall be selected solely on the ability to administer the duties and functions granted to the director and the department and shall devote full time to the duties of the director. If the office of director becomes vacant, the vacancy shall be filled in the same manner as the original appointment was made.

The director of the department shall, subject to the requirements of section 84A.1B, prepare, administer, and control the budget of the department and its divisions and shall approve the employment of all personnel of the department and its divisions.

The director shall direct the administrative and compliance functions and control the docket of the division of ~~industrial services~~ workers' compensation.

3. The department shall include the division of labor services, the division of ~~industrial services~~ workers' compensation, and other divisions as appropriate.

Sec. 2. Section 84A.5, subsections 4 and 5, Code 1997, are amended to read as follows:

4. The division of ~~industrial services~~ workers' compensation is responsible for the administration of the laws of this state relating to workers' compensation under chapters 85, 85A, 85B, 86, and 87. The executive head of the division is the ~~industrial~~ workers' compensation commissioner, appointed pursuant to section 86.1.

5. The director shall form a coordinating committee composed of the director, the labor commissioner, the ~~industrial~~ workers' compensation commissioner, and other administrators. The committee shall monitor federal compliance issues relating to coordination of functions among the divisions.

Sec. 3. Section 85.26, subsection 2, Code 1997, is amended to read as follows:

2. An award for payments or an agreement for settlement provided by section 86.13 for benefits under this chapter or chapter 85A or 85B, where the amount has not been commuted, may be reviewed upon commencement of reopening proceedings by the employer or the employee within three years from the date of the last payment of weekly benefits made