

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 76

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO PUBLIC EMPLOYMENT AND COVERAGE; AMENDING SECTION 72-205, IDAHO
CODE, TO REMOVE REFERENCE TO THE STATE INSURANCE FUND.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 72-205, Idaho Code, be, and the same is hereby
amended to read as follows:

72-205. PUBLIC EMPLOYMENT GENERALLY -- COVERAGE. The following shall
constitute employees in public employment and their employers subject to the
provisions of this law:

(1) Every person in the service of the state or of any political sub-
division thereof, under any contract of hire, express or implied, and every
official or officer thereof, whether elected or appointed, while performing
his official duties, except officials of athletic contests involving sec-
ondary schools, as defined by section 33-119, Idaho Code.

(2) Every person in the service of a county, city, or any political sub-
division thereof, or of any municipal corporation.

(3) Participants in the Idaho youth conservation project under the su-
pervision of the Idaho state forester.

(4) Every person who is a volunteer emergency responder shall be
deemed, for the purposes of this law, to be in the employment of the political
subdivision or municipality where the department, agency or organization is
organized.

(5) Every person who is a regularly enrolled volunteer member or
trainee of the department of disaster and civil defense, or of a civil de-
fense corps, shall be deemed, for the purposes of this law, to be in the
employment of the state.

(6) Members of the Idaho national guard while on duty and employees of
or persons providing voluntary service to an approved Idaho national guard
morale, welfare, and recreational activity. No Idaho compensation benefits
shall inure to any such member, employee or volunteer or their beneficiaries
for any injury or death compensable under federal law.

(7) A community service worker, as that term is defined in section
72-102, Idaho Code, is considered to be an employee in public employment for
purposes of receiving worker's compensation benefits, which shall be the
community service worker's exclusive remedy for all injuries and occupa-
tional diseases as provided under chapters 1 through 8, title 72, Idaho Code.

(8) Every person who participates in a youth employment program funded
in whole or in part by state or federal money and administered by a state or
federal agency or a nonprofit corporation or entity.

(9) A work experience student, as that term is defined in section
72-102, Idaho Code, who does not receive wages while participating in the

1 school's work experience program shall be covered by the school district's
2 policy ~~with the state insurance fund.~~