

## CHAPTER 61

## KOREAN VETERANS' BONUS

H. F. 143

AN ACT authorizing the state of Iowa to become indebted in the amount of twenty-six million dollars (\$26,000,000) and providing for the issue and sale of bonds of said state in evidence thereof, to procure funds for and pay service compensation to persons who served in the armed forces of the United States at any time between the twenty-seventh day of June, 1950, and the twenty-seventh day of July, 1953, both inclusive or their successors in interest, providing for a board to administer such payments, providing for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest on said bonds, and providing penalties for the violation of the provisions of this Act; providing for the application of any surplus to the retirement of the indebtedness herein created; and providing for submission of this Act to the people to be voted upon at the general election to be held in the year 1956.

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

1 SECTION 1. The state of Iowa is hereby authorized to become in-  
 2 debted in the amount of twenty-six million dollars (\$26,000,000) and  
 3 in evidence thereof there shall be issued and sold negotiable coupon  
 4 bonds of said state as hereinafter provided, and the proceeds thereof  
 5 shall be paid into the treasury of the state to be expended for the  
 6 payment of service compensation to the persons defined in section  
 7 four (4) of this act, or for the benefit of such persons as prescribed  
 8 by section four (4) of this act, and for expenses incurred in carrying  
 9 out the provisions of this act.

1 SEC. 2. The treasurer of the state is hereby directed to cause to  
 2 be prepared negotiable coupon bonds of this state in the amount of  
 3 twenty-six million dollars (\$26,000,000), such bonds to bear interest  
 4 at the rate of not to exceed two and one-half percent (2½%) per  
 5 annum which interest shall be paid semi-annually, such bonds shall  
 6 be issued so that said indebtedness shall be payable in twenty (20)  
 7 equal annual installments, the last of which shall be within twenty  
 8 (20) years from the date of issue, bonds to be callable in numerical  
 9 order on six (6) months notice at one hundred one and one-half per  
 10 cent (101½%) of the par value. Said bonds shall be signed by the  
 11 governor under the great seal of said state, attested by the secretary  
 12 of state and countersigned by the treasurer of state, and the full faith,  
 13 credit and resources of the state of Iowa shall be pledged for the pay-  
 14 ment thereof. The interest coupons attached to said bonds shall bear  
 15 the lithographed facsimile signatures of said officials. The treasurer of  
 16 state shall sell said bonds to obtain funds to carry out the provisions  
 17 of this act, and to make the payments hereinafter provided, such  
 18 bonds shall be sold at not less than the par value thereof and accrued  
 19 interest thereon to the highest and most responsible bidder after ad-  
 20 vertising for a period of twenty (20) consecutive days, Sundays ex-  
 21 cepted, in at least two (2) daily newspapers printed in the state of  
 22 Iowa. Advertisements of sale shall recite that the treasurer of state,  
 23 in his discretion, may reject any or all bids received and, in such  
 24 event, he shall readvertise for bids in the form and manner above  
 25 described as many times as in his judgment may be necessary to  
 26 effect a satisfactory sale. If any of said bonds are not presented for  
 27 payment within ten (10) years after maturity they shall be barred.

1 SEC. 3. The proceeds of such bonds so paid into the treasury of  
2 state shall constitute a service compensation fund and shall be dis-  
3 tributed to the persons entitled thereto as hereinafter prescribed. Said  
4 twenty-six million dollars (\$26,000,000) is hereby appropriated out  
5 of said service compensation fund for the purpose of carrying out the  
6 provisions of this act.

1 SEC. 4. Every person, male or female, who served on active duty,  
2 in the armed forces of the United States, at any time between June  
3 twenty-seventh, 1950 and July twenty-seventh, 1953, both dates in-  
4 clusive, and who at the time of entering into such service was a legal  
5 resident of the state of Iowa, and who had maintained such residence  
6 for a period of at least six (6) months immediately prior thereto,  
7 and was honorably separated or discharged from such service, or is  
8 still in active service in an honorable status, or has been retired, or  
9 has been furloughed to a reserve, or has been placed on inactive status,  
10 shall be entitled to receive from the service compensation fund ten  
11 dollars (\$10.00) for each month that such person was in active do-  
12 mestic service, and twelve and one-half dollars (\$12.50) for each  
13 month that such person was in active foreign service, all prior to  
14 July 27, 1953, not to exceed a total sum of five hundred dollars  
15 (\$500.00), provided that such person served for a period of not less  
16 than one hundred twenty (120) days prior to November 25, 1953.  
17 Compensation for a fraction of a month shall not be considered unless  
18 it be sixteen days or more in which event it shall be computed as a  
19 full month. No person shall be entitled to such compensation who  
20 received a bonus or compensation of like nature, as provided in this  
21 act, from another state. No person shall be entitled to such compen-  
22 sation who being in the service of the armed forces of the United  
23 States, subsequent to June twenty-six, 1950 refused on conscientious,  
24 political, religious, or other grounds to subject himself or herself to  
25 military discipline. Service in the merchant marine shall not be con-  
26 sidered for the purposes of this act. The surviving unremarried  
27 widow or widower, child or children, mother, father, or person stand-  
28 ing in loco parentis, in the order named and none other, of any de-  
29 ceased person, shall be paid the compensation that such deceased per-  
30 son would be entitled to under this act, if living; but, if any person  
31 has heretofore died or shall hereafter die, from service-connected  
32 causes incurred between June twenty-seven, 1950 and July twenty-  
33 seven, 1953, both dates inclusive, and who has not received the bene-  
34 fits of this Act, the first of survivors as hereinbefore designated and  
35 in the order named, shall be paid five hundred dollars (\$500.00), re-  
36 gardless of the length of such service, and provided further that if  
37 such eligible beneficiary is a minor at the time such compensation is  
38 payable, same may be paid to a custodian duly recognized by United  
39 States Veterans Administration.

1 SEC. 5. Active duty in the armed forces of the United States shall  
2 include all time for which credit is received in the computation of  
3 terminal leave, including such leave time as provided for by federal  
4 statutes, including Armed Forces Leave Act of 1946, and attendance  
5 at an armed forces school including such schools conducted at a col-  
6 lege, university, or similar institution of learning but excluding any  
7 period he was assigned by the armed forces to a civilian institution

8 for a course of education or training which was substantially the same  
9 as established courses offered to civilians, or as a cadet or midship-  
10 man, however enrolled, at one of the service academies.

1 SEC. 6. There is hereby created a board to be known as the "Serv-  
2 ice Compensation Board" to consist of the state auditor, state treas-  
3 urer, and the adjutant general. The board shall maintain its office  
4 at the seat of government in Des Moines, Iowa.

1 SEC. 7. Duties. It shall be the duty of the said board to ad-  
2 minister the provisions of this act, to examine all applications and  
3 approve or disapprove the same and make any investigation neces-  
4 sary to establish facts. In the event an application is disapproved by  
5 the board, the claimant shall have the right of appeal to the district  
6 court of the state of Iowa in and for the county of his legal residence  
7 within a period of thirty days from date of mailing by registered mail  
8 of notice of such disapproval. The appeal shall be perfected by filing  
9 in the office of the board, a written notice of appeal setting forth the  
10 order or finding appealed from and the grounds of the appeal. Within  
11 thirty (30) days after the filing of such notice of appeal the board  
12 shall make, certify and file in the office of the clerk of the district  
13 court to which the appeal is taken, a full and complete transcript of  
14 all documents in the proceeding, including any depositions, a tran-  
15 scription or certification of the evidence, if reported, including the notice  
16 of appeal. The clerk shall forthwith docket such appeal. The appeal  
17 shall be heard in such district court as in equity de novo. Appeal may  
18 be taken to the supreme court from any final order or judgment or  
19 decree of the district court. When any application has been approved  
20 by the board, payment shall be made to the applicant in accordance  
21 with the provisions of this act. It shall be the duty of the board to  
22 prepare vouchers and transmit the same to the state comptroller in  
23 payment of the bonus claims provided for herein and other necessary  
24 administrative expenses; said state comptroller shall issue a warrant  
25 for the amount stated therein and the state treasurer shall pay such  
26 warrants out of said bonus fund. The board is hereby empowered to  
27 employ such assistants and incur such other expenses as may be  
28 necessary for such administration and carrying out of the provisions  
29 of this act, and the funds necessary for such administration and  
30 carrying out the provisions of this act shall be expended from said  
31 compensation fund; such assistants as said board may determine shall  
32 give bond in such amount as may be fixed by said board, and shall,  
33 whenever practicable, be persons within the classes as defined in sec-  
34 tion four (4) of this act. The board is hereby empowered to make,  
35 adopt and promulgate such rules and regulations for the carrying  
36 out of the provisions of this act as it deems necessary and expedient  
37 and which are not inconsistent with any provisions of this act.

1 SEC. 8. Before receiving any compensation under the provisions  
2 of this act, the claimant, or his successor in interest, shall file with  
3 the service compensation board, application on forms provided by said  
4 board; such application must be so filed on or before December 31,  
5 1960. Such application shall state facts sufficient to establish the  
6 status of such applicant within a class as defined in section four (4)  
7 of this act, and shall be duly verified.

1 SEC. 9. Whoever knowingly makes a false statement, oral or writ-  
2 ten, relating to a material fact in supporting a claim under the pro-  
3 visions of this act, shall be punished by a fine of not more than one  
4 thousand dollars (\$1,000.00) or be imprisoned for not more than one  
5 year, or both, and shall forfeit all benefits he or she might have been  
6 entitled to under this act.

1 SEC. 10. All payments and allowances made under this act shall  
2 be exempt from taxation and from levy and sale on execution and  
3 all bonds issued hereunder shall be exempt from taxation.

1 SEC. 11. To provide for the payment of the principal of said bonds  
2 so issued and sold and the interest thereon as the same become due  
3 and mature, there is hereby imposed and levied upon moneys and  
4 credits and other intangible personal property subject to taxation at  
5 other than the general property rate a direct annual tax of one (1)  
6 mill upon the dollar, which shall be additional to all other taxes levied  
7 upon such intangible personal property, any other provisions of the  
8 Code notwithstanding, for each of the years said bonds are outstand-  
9 ing. There is also hereby imposed and levied upon all other taxable  
10 property within the state of Iowa, in addition to all other taxes, a  
11 direct annual tax for each of the years said bonds are outstanding,  
12 sufficient in amount, together with the receipts from the tax imposed  
13 upon moneys and credits and other intangible personal property, for  
14 the payment of principal of said bonds as it shall become due, and  
15 sufficient in amount to produce additional sums as may be needed to  
16 pay the interest on said bonds each year for twenty (20) years. The  
17 one (1) mill tax upon moneys and credits and other intangible per-  
18 sonal property shall be collected in the same manner as other taxes  
19 upon money and credits and intangible personal property and shall  
20 be remitted to the treasurer of state and applied to the payment of  
21 the principal and interest of the soldiers' bonus bonds. The treasurer  
22 of the state shall annually certify to the state tax commission prior  
23 to the time for levy of general state taxes the amount of money re-  
24 quired to be raised to pay the principal and interest on such bonds,  
25 maturing in the ensuing year, and said state tax commission shall  
26 annually fix the rate per centum necessary to be levied and assessed  
27 upon the valuation of the taxable property within this state to produce  
28 funds sufficient to pay the principal of and interest upon such bonds  
29 as the same become payable, taking into consideration the receipts  
30 to be derived from the one (1) mill tax imposed upon moneys and  
31 credits and other intangible personal property, and such additional  
32 annual direct tax shall be levied, certified, assessed and collected at  
33 the same time and in the same manner as are taxes for general state  
34 purposes. If any funds remain after the final payment of all legal  
35 claims and expenses, they shall be transferred to the general fund of  
36 the state of Iowa.

1 SEC. 12. If any clause, sentence, paragraph, or part of this act  
2 shall for any reason be adjudged by any court of competent jurisdic-  
3 tion to be invalid, such judgment shall not affect, impair or invalidate  
4 the remainder of the act, but shall be confined in its operation to the  
5 clause, sentence, paragraph, or part thereof directly involved in the  
6 controversy in which such judgment has been rendered.

1 SEC. 13. This law, after legal publication shall be submitted to  
 2 the people of this state at the general election to be held in November,  
 3 nineteen hundred fifty-six, and shall not take effect unless at such  
 4 election it shall receive a majority of all votes cast for and against  
 5 it. Separate ballots shall be provided for the electors which shall be  
 6 in substantially the following form:

7 (Notice to voters: For an affirmative vote upon any question sub-  
 8 mitted upon this ballot, mark a cross mark in the square after the  
 9 word "Yes". For a negative vote, make a similar mark in the square  
 10 following the word "No".)

11 "Shall the following public measure, being an act of the 56th Gen-  
 12 eral Assembly, be adopted and approved?"

13 (Here insert in full this law) Yes   
 14 No

1 SEC. 14. This Act shall take effect immediately upon its adoption  
 2 and approval at such election.

Approved May 13, 1955.

## CHAPTER 62

### ELECTIONS

H. F. 525

AN ACT relating to elections and to amend various sections of the Code relating thereto.

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

1 SECTION 1. Section forty-three point eleven (43.11), Code 1954,  
 2 is hereby amended as follows:

3 Strike from line two (2), subsection one (1), the word "seventy"  
 4 and insert in lieu thereof the word "fifty-five".

5 Strike from line five (5), subsection two (2), the words "one hun-  
 6 dred" and insert in lieu thereof the word "eighty-five".

7 Strike from line five (5), subsection two (2), the word "eighty" and  
 8 insert in lieu thereof the word "sixty-five".

1 SEC. 2. Section forty-three point eleven (43.11), Code 1954, is  
 2 further amended by adding thereto the following subsection:

3 "For elective offices in cities and towns, as provided in section  
 4 three hundred sixty-three point eleven (363.11) of the Code."

1 SEC. 3. Section forty-three point twenty-one (43.21), Code 1954,  
 2 is hereby amended as follows:

3 Strike from line three (3), subsection one (1), the word "seventy"  
 4 and insert in lieu thereof the word "fifty-five".

5 Strike from line two (2), subsection two (2), the word "seventy"  
 6 and insert in lieu thereof the word "fifty-five".

1 SEC. 4. Section forty-three point twenty-two (43.22), Code 1954,  
 2 is hereby amended by striking the word "seventy" from line two (2)  
 3 and inserting in lieu thereof the word "fifty-five".