

MAR 7 2003
STATE GOVERNMENT

HOUSE FILE 478
BY LUKAN

(COMPANION TO LSB 2675SS
BY HOSCH)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing a veterans trust fund under the control of
2 the commission of veterans affairs and increasing the
3 admission fee for racing and gaming establishments for
4 purposes of the veterans trust fund.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 478

1 Section 1. NEW SECTION. 35A.13 VETERANS TRUST FUND.

2 1. For the purposes of this section, "veteran" means a
3 resident of this state who served in the armed forces of the
4 United States, completed a minimum aggregate of ninety days of
5 active federal service, and was discharged under honorable
6 conditions, or a person listed in section 35.1, subsection 2,
7 paragraph "b".

8 2. A veterans trust fund is created in the state treasury
9 under the control of the commission.

10 3. The trust fund shall consist of all of the following:

11 a. Admission fees credited to the trust fund pursuant to
12 sections 99D.14, 99F.4A, and 99F.10.

13 b. Moneys in the form of a devise, gift, bequest,
14 donation, federal or other grant, reimbursement, repayment,
15 judgment, transfer, payment, or appropriation from any source
16 intended to be used for the purposes of the trust fund.

17 c. Interest attributable to investment of moneys in the
18 fund or an account of the trust fund. Notwithstanding section
19 12C.7, subsection 2, interest or earnings on moneys in the
20 trust fund shall be credited to the trust fund.

21 4. Moneys credited to the trust fund are not subject to
22 section 8.33 and shall not be transferred, used, obligated,
23 appropriated, or otherwise encumbered, except as provided in
24 this section. Moneys in the trust fund may be used for cash
25 flow purposes during a fiscal year provided that any moneys so
26 allocated are returned to the trust fund by the end of that
27 fiscal year.

28 5. The minimum balance of the trust fund required prior to
29 expenditure of moneys from the trust fund is fifty million
30 dollars. Once the minimum balance is reached, the interest
31 and earnings on the fund and any moneys received under
32 subsection 3, paragraph "b", are appropriated to the
33 commission to be used to achieve the purposes of this section.

34 6. Moneys appropriated to the commission under this
35 section may be expended upon a majority vote of the commission

1 membership for the benefit of veterans and the spouses and
2 dependents of veterans, for any of the following purposes:

3 a. College tuition aid.

4 b. Job training aid.

5 c. Veterans nursing facilities.

6 d. Benefits provided to children of disabled or deceased
7 veterans.

8 e. Unemployment aid needed during a veteran's unemployment
9 due to prolonged illness or disability resulting from military
10 service. A diagnosed case of mental distress due to military
11 service-related activities shall be included as a disability
12 under this paragraph.

13 f. Other purposes identified by the commission.

14 Sec. 2. Section 99D.14, Code 2003, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 2A. In addition to the admission fee
17 charged under subsection 2, a licensee shall pay to the
18 commission an admission fee of fifty cents for each person
19 subject to the admission fee charged under subsection 2. The
20 admission revenue received by the commission pursuant to this
21 subsection shall be credited to the veterans trust fund
22 created in section 35A.13. The admission fee established
23 under this subsection shall continue to be paid until a total
24 of fifty million dollars has been credited to the veterans
25 trust fund under this subsection, section 99F.4A, subsection
26 4, and section 99F.10, subsection 3A.

27 Sec. 3. Section 99F.4A, subsection 4, Code 2003, is
28 amended to read as follows:

29 4. The fee admission fees imposed in section 99D.14,
30 subsection subsections 2 and 2A, shall be collected for
31 admission to a racetrack enclosure where gambling games are
32 licensed to operate in lieu of the admission fee fees imposed
33 in section 99F.10.

34 Sec. 4. Section 99F.10, Code 2003, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 3A. In addition to the admission fees
2 charged under subsections 2 and 3, an excursion boat licensee
3 shall pay to the commission an admission fee of fifty cents
4 for each person subject to the admission fee charged under
5 subsection 2. The admission revenue received by the
6 commission pursuant to this subsection shall be credited to
7 the veterans trust fund created in section 35A.13. The
8 admission fee established under this subsection shall continue
9 to be paid until a total of fifty million dollars has been
10 credited to the veterans trust fund under this subsection,
11 section 99D.14, subsection 2A, and section 99F.4A, subsection
12 4.

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EXPLANATION

14 This bill establishes a veterans trust fund under the
15 control of the commission of veterans affairs and increases
16 the admission fee for racing and gaming establishments.

17 New Code section 35A.13 establishes the veterans trust
18 fund. The fund receives the admission fees created in the
19 bill, any other appropriations and moneys provided for
20 purposes of the fund, and interest and earnings on the moneys
21 credited to the fund. Moneys in the fund are not subject to
22 appropriation or transfer except as provided by law. Once the
23 fund reaches a balance of \$50 million, the interest and
24 earnings and other moneys credited to the fund in excess of
25 that amount are appropriated to the commission to be used for
26 the purposes of the fund. The bill specifies that the fund is
27 to be used for the benefit of veterans and the spouses and
28 dependents of veterans for various purposes specified in the
29 bill. The term "veteran" is defined for purposes of the trust
30 fund as a resident of this state who served in the armed
31 forces of the United States, completed a minimum aggregate of
32 90 days of active federal service, and was discharged under
33 honorable conditions, or a person listed in a portion of the
34 Code section 35.1 definition of veteran, which includes former
35 members of the military reserves and the national guard and

1 veterans of certain other types of military-related service.
2 The bill establishes an additional admission fee of \$.50
3 for those persons already subject to an admission fee at
4 racetracks and excursion boat gambling establishments. The
5 additional admission fee continues until a total of \$50
6 million is collected.

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