

Ways and Means 3/10, Pass 5/5

Senate File 280
Ways and Means
Lamborn, Chairman
Van Gilst
Junkins

FILED MAR 7 1975

Withdrawn 5/28
SENATE FILE 280

By NORPEL

H.F. 411 substituted 5/28 (1606)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the dates of World War II, the Korean
2 Conflict, and the Vietnam Conflict.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section nineteen point sixteen (19.16), Code
2 1975, is amended to read as follows:

3 19.16 VETERAN'S NEWSSTAND. The executive council shall,
4 on the application of any disabled, honorably discharged
5 soldier, sailor, marine, or woman who served in the military
6 or naval forces of the United States in the late Civil war,
7 Spanish-American war, Philippine insurrection, China relief
8 expedition, World War I, World War II from December 7, 1941,
9 to ~~September-27-1945~~ December 31, 1946, both dates inclusive,
10 or the Korean conflict at any time between June 27 25, 1950,
11 and ~~July-27-1953~~ January 31, 1955, both dates inclusive,
12 or the Vietnam Conflict at any time between August 5, 1964,
13 ~~and ending on the date the armed forces of the United States~~
14 ~~are directed by formal order of the government of the United~~
15 ~~States to cease hostilities~~ August 15, 1973, both dates
16 inclusive, cause to be reserved in the state capitol a
17 reasonable amount of space in the lobby of said state capitol
18 to be used by such applicant rent-free as a stand for the
19 sale of news, tobaccos, and candies and may in such application
20 permit installation of merchandise vending machines. Should
21 there be more than one applicant for such reserved space,
22 the executive council shall award the same to the person in
23 its opinion most deserving of the same. The executive council
24 shall prescribe the regulations by which the stand shall be
25 operated.

26 Sec. 2. Section thirty-five point nine (35.9), unnumbered
27 paragraph one (1), Code 1975, is amended to read as follows:

28 Said bonus board is authorized to expend not to exceed
29 four hundred dollars per year for any one child who shall
30 have lived in the state of Iowa for two years preceding
31 application for aid hereunder, and who is the child of a man
32 or woman who died during World War I between the dates of
33 April 6, 1917, and June 2, 1921, or during World War II ~~between~~
34 ~~the dates of September 16, 1940, and September-27-1945~~ December
35 31, 1946, both dates inclusive, or the Korean Conflict at

1 any time between June ~~27~~ 25, 1950, and ~~July-27,-1953~~ January
2 31, 1955, both dates inclusive, or the Vietnam Conflict at
3 any time between August 5, 1964, and ~~ending-on-the-date-the~~
4 ~~armed-forces-of-the-United-States-are-directed-by-formal-order~~
5 ~~of-the-government-of-the-United-States-to-cease-hostilities~~
6 August 15, 1973, both dates inclusive, while serving in the
7 military or naval forces of the United States, to include
8 members of the reserve components performing service or duties
9 required or authorized under chapter 39, United States Code
10 and Title 32, United States Code, sections 502 through 505,
11 and active state service required or authorized under chapter
12 29A, or as a result of such service, to defray the expenses
13 of tuition, matriculation, laboratory and similar fees, books
14 and supplies, board, lodging, and any other reasonably
15 necessary expense for such child or children incident to
16 attendance at any educational or training institution of
17 college grade, or in any business or vocational training
18 school of standards approved by said bonus board, said educa-
19 tional institutions to be located within the state of Iowa.
20 Sec. 3. Section seventy point one (70.1), Code 1975, is
21 amended to read as follows:

22 70.1 APPOINTMENTS AND PROMOTIONS. In every public
23 department and upon all public works in the state, and of
24 the counties, cities, and school corporations thereof,
25 honorably discharged men and women from the military or naval
26 forces of the United States in any war in which the United
27 States was or is now engaged, including the Philippine
28 Insurrection, China Relief Expedition, and the Korean Conflict
29 at any time between June ~~27~~ 25, 1950 and ~~July-27,-1953~~ January
30 31, 1955, both dates inclusive, and the Vietnam Conflict
31 beginning August 5, 1964, and ~~ending-on-the-date-the-armed~~
32 ~~forces-of-the-United-States-are-directed-by-formal-order-of~~
33 ~~the-government-of-the-United-States-to-cease-hostilities~~
34 August 15, 1973, both dates inclusive, who are citizens and
35 residents of this state shall be entitled to preference in

1 appointment, employment, and promotion over other applicants
2 of no greater qualifications. For the purposes of this section
3 World War II shall mean service in the armed forces of the
4 United States between December 7, 1941, and ~~September-27-1945~~
5 December 31, 1946, both dates inclusive.

6 Sec. 4. Section two hundred nineteen point one (219.1),
7 Code 1975, is amended to read as follows:

8 ~~.294-4~~ 219.1 FOR WHOM MAINTAINED. The Iowa soldiers home,
9 located in Marshalltown, shall be maintained for honorably
10 discharged soldiers, sailors, marines and nurses who have
11 served the United States in any of its wars, including the
12 Korean conflict at any time between June ~~27~~ 25, 1950, and
13 ~~July-27-1953~~ January 31, 1955, both dates inclusive, and
14 including the Vietnam conflict at any time between August
15 5, 1964, and ~~ending-on-the-date-the-armed-forces-of-the-United~~
16 ~~States-are-directed-by-formal-order-of-the-government-of-the~~
17 ~~United-States-to-cess-hostilities~~ August 15, 1973, both dates
18 inclusive, and who do not have sufficient means or ability
19 to support themselves, and for the dependent spouses and
20 surviving spouses of such soldiers, sailors or marines.

21 For the purposes of this section World War II shall be
22 from December 7, 1941, to ~~September-27-1945~~ December 31, 1946,
23 both dates inclusive.

24 Sec. 5. Section two hundred nineteen point eight (219.8),
25 Code 1975, is amended to read as follows:

26 219.8 QUALIFICATIONS OF COMMANDANT. The commandant shall
27 be a resident of the state of Iowa who has an honorable dis-
28 charge from the United States army, navy or marine corps and
29 who has served in the military or naval forces of the United
30 States in any war, including the Korean conflict at any time
31 between June ~~27~~ 25, 1950, and ~~July-27-1953~~ January 31, 1955,
32 both dates inclusive, and including the Vietnam conflict at
33 any time between August 5, 1964, and ~~ending-on-the-date-the~~
34 ~~armed-forces-of-the-United-States-are-directed-by-formal-order~~
35 ~~of-the-government-of-the-United-States-to-cess-hostilities~~

1 August 15, 1973, both dates inclusive.

2 Sec. 6. Section two hundred fifty point one (250.1), Code
3 1975, is amended to read as follows:

4 250.1 TAX. A tax not exceeding twenty-seven cents per
5 thousand dollars of assessed value may be levied by the board
6 of supervisors upon all taxable property within the county,
7 to be collected at the same time and in the same manner as
8 other taxes, to create a veteran affairs fund for the relief
9 of, and to pay the funeral expenses of honorably discharged,
10 indigent men and women of the United States who served in
11 the military or naval forces of the United States in any war
12 including the Korean Conflict at any time between June 27
13 25, 1950, and ~~July-27-~~1953 January 31, 1955, both dates
14 inclusive, and including the Vietnam Conflict at any time
15 between August 5, 1964, and ~~ending-on-the-date-the-armed~~
16 ~~forces-of-the-United-States-are-directed-by-formal-order-of~~
17 ~~the-government-of-the-United-States-to-cessate-hostilities~~
18 August 15, 1973, both dates inclusive, and their indigent
19 wives, widows and minor children not over eighteen years of
20 age, having a legal residence in the county.

21 Sec. 7. Section two hundred fifty point three (250.3),
22 Code 1975, is amended to read as follows:

23 250.3 COMMISSION OF VETERAN AFFAIRS. The commission of
24 veteran affairs shall consist of three persons, all of whom
25 shall be honorably discharged men or women of the United
26 States who served in the military or naval forces of the
27 United States in any war, including the Korean Conflict at
28 any time between June 27 25, 1950, and ~~July-27-~~1953 January
29 31, 1955, both dates inclusive, and including the Vietnam
30 Conflict at any time between August 5, 1964, and ~~ending-on~~
31 ~~the-date-the-armed-forces-of-the-United-States-are-directed~~
32 ~~by-formal-order-of-the-government-of-the-United-States-to~~
33 ~~cessate-hostilities~~ August 15, 1973, both dates inclusive.
34 Said membership shall at all times, as near as possible, be
35 equally divided among the men and women who served in the

1 Spanish American War, World War I and World War II.

2 Sec. 8. Section two hundred fifty point thirteen (250.13),
3 Code 1975, is amended to read as follows:

4 250.13 BURIAL--EXPENSES. The board shall designate some
5 suitable person in each township to cause to be decently
6 interred in a suitable cemetery and not in any cemetery or
7 part thereof used exclusively for the burial of the pauper
8 dead, the body of any honorably discharged man or woman of
9 the United States, who served in the military or naval forces
10 of the United States during any war, including the Korean
11 Conflict at any time between June 27 25, 1950, and ~~July-27,~~
12 ~~1953~~ January 31, 1955, both dates inclusive, and including
13 the Vietnam Conflict at any time between August 5, 1964, and
14 ~~ending-on-the-date-the-armed-fores-of-the-United-States-are~~
15 ~~directed-by-formal-order-of-the-government-of-the-United~~
16 ~~States-to-eease-hostilities~~ August 15, 1973, both dates
17 inclusive, or the spouse, surviving spouse, or child of such
18 person, if any such person has died without leaving sufficient
19 means to defray the funeral expenses. The commission shall
20 pay such expenses in a sum not exceeding two hundred dollars
21 in any case.

22 Sec. 9. Section two hundred fifty point sixteen (250.16),
23 Code 1975, is amended to read as follows:

24 250.16 MARKERS FOR GRAVES. The commission of veteran
25 affairs in any county shall, upon the petition of five
26 reputable freeholders of any township or municipality in their
27 county, procure for and furnish to said petitioners some
28 suitable and appropriate metal marker, at a cost not exceeding
29 three and one-half dollars each, for the grave of each
30 honorably discharged man or woman of the United States, who
31 served in the military or naval forces of the United States
32 during any war, including the Korean Conflict at any time
33 between June 27 25, 1950, and ~~July-27,-1953~~ January 31, 1955,
34 both dates inclusive, and including the Vietnam Conflict at
35 any time between August 5, 1964, and ~~ending-on-the-date-the~~

1 ~~armed-forces-of-the-United-States-are-directed-by-formal-order~~
2 ~~of-the-government-of-the-United-States-to-cease-hostilities~~
3 August 15, 1973, both dates inclusive, who buried within the
4 limits of said township or municipality, to be placed at his
5 grave to permanently mark and designate said grave for memorial
6 purposes. The expenses thereof shall be paid from any funds
7 raised as provided in this chapter.

8 Sec. 10. Section two hundred fifty point twenty-one
9 (250.21), Code 1975, is amended to read as follows:

10 250.21 WORLD WAR II DATES. For the purposes of this
11 chapter, World War II shall be from December 7, 1941, to
12 ~~September-27-1945~~ December 31, 1946, both dates inclusive.

13 Sec. 11. Section three hundred thirty-two point five
14 (332.5), Code 1975, is amended to read as follows:

15 332.5 VETERAN'S NEWSSTANDS. The board of supervisors
16 of any county shall, on the application of any honorably dis-
17 charged soldier, sailor, marine, or nurse of the army or navy
18 of the United States in the late Civil War, Spanish-American
19 War, Philippine insurrection, China relief expedition, World
20 War I, World War II, from December 7, 1941, to ~~September-27-~~
21 1945 December 31, 1946, both dates inclusive, including the
22 Korean Conflict at any time between June ~~27~~ 25, 1950, and
23 ~~July-27-1953~~ January 31, 1955, both dates inclusive, and
24 including the Vietnam Conflict at any time between August
25 5, 1964, and ~~ending-on-the-date-the-armed-forces-of-the-United~~
26 ~~States-are-directed-by-formal-order-of-the-government-of-the~~
27 ~~United-States-to-cease-hostilities~~ August 15, 1973, both dates
28 inclusive, who was disabled in said war, cause to be reserved
29 in the courthouse of the county a reasonable amount of space
30 in the lobby of said courthouse to be used by such applicant
31 rent-free as a stand for the sale of news, tobaccos, and
32 candies. Should there be more than one applicant for such
33 reserved space, the board of supervisors shall award the same
34 to the person in their opinion most deserving of the same.
35 The supervisors shall prescribe the regulations by which the

1 stands shall be operated.

2 Sec. 12. Section three hundred thirty-five point four
3 (335.4), unnumbered paragraph two (2), Code 1975, is amended
4 to read as follows:

5 This section shall apply to any man or woman entitled
6 thereto who served at any time in any of the armed branches
7 of the United States of America, including members of the
8 merchant marine in time of war, and including the Korean
9 Conflict at any time between June 27 25, 1950, and ~~July-27-~~
10 ~~1953~~ January 31, 1955, both dates inclusive, and the Vietnam
11 Conflict beginning at any time between August 5, 1964, and
12 ~~ending-on-the-date-the-armed-forces-of-the-United-States-are~~
13 ~~directed-by-formal-order-of-the-government-of-the-United~~
14 ~~States-to-cess-hostilities~~ August 15, 1973, both dates
15 inclusive, members of the armed forces of any country allied
16 with the United States of America, and of the armed forces
17 of Iowa, the various states and territories.

18 Sec. 13. Section four hundred point ten (400.10), Code
19 1975, is amended to read as follows:

20 400.10 PREFERENCES. In all examinations and appoint-
21 ments under the provisions of this chapter, other than promo-
22 tions and appointments of chief of the police department and
23 chief of the fire department, honorably discharged men and
24 women from the military or naval forces of the United States
25 in any war in which the United States was or is now engaged,
26 including the Philippine Insurrection, China Relief Expedition
27 and the Korean Conflict at any time between June 27 25, 1950
28 and ~~July-27-~~~~1953~~ January 31, 1955, both dates inclusive,
29 and the Vietnam Conflict beginning at any time between August
30 5, 1964, and August 15, 1973, both dates inclusive, and who
31 are citizens and residents of this state, shall be given the
32 preference, if otherwise qualified.

33 For the purposes of this section World War II shall be
34 from December 7, 1941, to ~~September-27-~~~~1945~~ December 31, 1946,
35 both dates inclusive.

1 Sec. 14. Section four hundred ten point seven (410.7),
2 Code 1975, is amended to read as follows:

3 410.7 SOLDIERS AND SAILORS. Any member of the fire or
4 police department, who resigned or obtained leave of absence
5 therefrom to serve in the United States air force or air force
6 reserve, army, navy or marine reserve, or marine corps, of
7 the United States, or as a member of the United States army
8 and navy reserve, the Spanish-American war, in the World War
9 1917-1918, or in World War II from December 7, 1941, to
10 ~~September-27-1945~~ December 31, 1946, both dates inclusive,
11 or in the Korean Conflict at any time between June 27 25,
12 1950, and ~~July-27-1953~~ January 31, 1955, both dates inclusive,
13 or in the Vietnam Conflict at any time between August 5, 1964,
14 and ~~ending-on-the-date-the-armed-forces-of-the-United-States~~
15 ~~are-directed-by-formal-order-of-the-government-of-the-United~~
16 ~~States-to-cess-hostilities~~ August 15, 1973, both dates
17 inclusive, and has returned with an honorable discharge from
18 such service, to the fire or police department, shall have
19 the period of such service included as part of his period
20 of service in the department.

21 Sec. 15. Section four hundred twenty-seven point three
22 (427.3), subsection four (4), Code 1975, is amended to read
23 as follows:

24 4. The property, not to exceed one thousand eight hundred
25 fifty-two dollars in taxable value of any honorably separated,
26 retired, furloughed to a reserve, placed on inactive status,
27 or discharged soldier, sailor, marine, or nurse of the second
28 World War, army of occupation in Germany November 12, 1918,
29 to July 11, 1923, American expeditionary forces in Siberia
30 November 12, 1918, to April 30, 1920, second Nicaraguan
31 campaign with the navy or marines in Nicaragua or on combatant
32 ships 1926-1933, second Haitian suppressions of insurrections
33 1919-1920, navy and marine operations in China 1937-1939 and
34 Yangtze service with navy and marines in Shanghai or in the
35 Yangtze Valley 1926-1927 and 1930-1932 or of the Korean

1 Conflict at any time between June 27 25, 1950, and January
2 31, 1955, both dates inclusive, or those who served on active
3 duty during the Vietnam Conflict beginning at any time between
4 August 5, 1964, and ~~ending on June 30~~ August 15, 1973, both
5 dates inclusive, and as defined in section 35C.2.

6 For the purposes of this section, the second World War
7 shall be from December 7, 1941, to ~~September 27, 1945~~ December
8 31, 1946, both dates inclusive.

9 EXPLANATION

10 This bill changes the dates for service during World War
11 II, the Korean Conflict, and the Vietnam Conflict to conform
12 with dates used by the United States government.

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LSB 1356L
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SENATE FILE 280
FISCAL NOTE

Date Prepared: April 28, 1975
Requested by: Senator Lamborn
Prepared in regard to Senate File 280, An Act relating to the dates of World War II, the Korean Conflict, and the Vietnam Conflict. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

Following is the estimated cost under Senate File 280.

War Orphans Educational Aid

World War I - No additional cost. These war orphans have either acquired their education or are too old to be interested.

World War II-Present dates of eligibility are from September 16, 1940, to September 2, 1945. Senate File 280 would change these dates from September 3, 1945, to December 31, 1946, which would make more war orphans eligible. This fifteen month and twenty-nine day period would make eligible an estimated 55 at \$400 each, or \$22,000 per year.

Korean War - \$30,000 per year. (75 individuals @ \$400).

Vietnam Conflict - Present dates of eligibility are from August 5, 1964, to present date. No estimate available at this time.

Military Service Exemptions

World War I - No change.

World War II - From September 3, 1945, to December 31, 1946, would make veterans of our armed forces honorably discharged who entered active military service on or after September 3, 1945, eligible for property tax exemption to December 31, 1946. It is estimated that an additional 3600 veteran property owners would become eligible. Assuming the average age of the veteran property owner is 50 and that he will live an additional 25 years, and also assuming that the average property tax exemption is \$55, the annual increase in cost would be approximately \$198,000.

Over the additional 25 year period the total cost would be approximately \$4.9 million.

Korean - No significant change.

Vietnam - Would have no significant effect. Would extend the period by one month and fifteen days.

Total estimated cost under Senate File 280 would be approximately \$250,000 per year.

FILED
MAY 1, 1975

GERRY D. RANKIN
LEGISLATIVE FISCAL DIRECTOR