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SENATE FILE 350

By SCHWENGELS and BRILES

Passed Senate, Date _____ Passed House, Date _____

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

Approved _____

A BILL FOR

1 An Act relating to the transfer of authority to control,
2 manage, direct and operate the Iowa veterans home,
3 to the Iowa department of veterans affairs.

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

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1 Section 1. Chapter thirty-five A (35A), Code 1979, is
2 amended by adding the following new section:

3 NEW SECTION. COMMANDANT--DUTIES AND POWERS. In addition
4 to the duties and responsibilities provided in chapter two
5 hundred nineteen (219) of the Code, the commandant of the
6 Iowa veterans home shall:

7 1. Furnish to the commission a budget for the Iowa veterans
8 home and other reports as required by law or as directed by
9 the commission.

10 2. Coordinate all professional health care delivery ser-
11 vices rendered by the department of social services and other
12 federal, state and local agencies to residents of the Iowa
13 veterans home for the advancement of the health and welfare
14 of the residents.

15 3. Coordinate volunteer programs, and receive grants and
16 gifts provided to the home or its residents with the approval
17 of the commission or as provided by law or rule.

18 Sec. 2. Section thirty-five A point two (35A.2), subsec-
19 tion six (6), Code 1979, is amended to read as follows:

20 6. Assist the United States veterans administration, ~~the~~
21 ~~Iowa-veterans-home~~, funeral directors, and federally chartered
22 veterans service organizations in providing information
23 concerning veterans service records and veterans affairs data.

24 Sec. 3. Section thirty-five A point six (35A.6), subsec-
25 tion one (1), Code 1979, is amended to read as follows:

26 1. Appoint a director of the Iowa department of veterans
27 affairs and a commandant of the Iowa veterans home.

28 Sec. 4. Section thirty-five A point six (35A.6), subsec-
29 tion six (6), Code 1979, is amended by striking the subsection
30 and inserting in lieu thereof the following:

31 6. Control, manage, and operate the Iowa veterans home.

32 Sec. 5. Section two hundred seventeen point eight (217.8),
33 Code 1979, is amended to read as follows:

34 217.8 DIVISION OF CHILD AND FAMILY SERVICES. The director
35 of the division of child and family services shall be qualified

1 by training, experience and education in the field of welfare
2 and social problems. He The director shall be entrusted with
3 the administration of programs involving neglected, dependent
4 and delinquent children, child welfare, aid to dependent
5 children, aid to disabled persons and shall administer and
6 be in control of the Iowa juvenile home, the state training
7 schools for boys and for girls, ~~the Iowa soldiers home~~ and
8 such other related programs established for the general welfare
9 of families, adults and children as directed by the
10 commissioner. The director shall also provide professional
11 health care services as required by law, to residents of the
12 Iowa veterans home, in cooperation with the commandant of
13 the home.

14 Sec. 6. Section two hundred eighteen point one (218.1),
15 subsection one (1), Code 1979, is amended by striking the
16 subsection and renumbering the remaining subsections.

17 Sec. 7. Section two hundred eighteen point three (218.3),
18 subsection one (1), Code 1979, is amended to read as follows:

19 1. The director of the division of child and family
20 services of the department of social services shall have
21 primary authority and responsibility relative to the following
22 said institutions: ~~Iowa veterans home~~, the training school
23 for girls, the training school for boys and the Iowa juvenile
24 home.

25 Sec. 8. Section two hundred eighteen point nine (218.9),
26 unnumbered paragraph three (3), Code 1979, is amended to read
27 as follows:

28 The director of the division of child and family services
29 of the department of social services, subject to the approval
30 of the commissioner of such department shall appoint the
31 superintendents of the juvenile home, the training school
32 for boys, and the training school for girls ~~and the commandant~~
33 ~~of the veterans home.~~

34 Sec. 9. Section two hundred nineteen point two (219.2),
35 Code 1979, is amended to read as follows:

1 219.2 RIGHT TO ADMISSION. All persons named in section
2 219.1 who do not have sufficient means for their own support,
3 or who are disabled by disease, wounds, old age or otherwise,
4 or who are unable to earn a livelihood, and who have been
5 residents and citizens of the state of Iowa for the three
6 years immediately preceding the date of the application and
7 who are residents of the state of Iowa at the time of the
8 application, may be admitted to the home as members thereof
9 under such rules ~~and-regulations~~ as may be adopted by the
10 ~~direeter~~ commission.

11 Sec. 10. Section two hundred nineteen point three (219.3),
12 Code 1979, is amended to read as follows:

13 219.3 ELIGIBILITY--RULES--GENERAL MANAGEMENT. The ~~direeter~~
14 commission shall have power to determine the eligibility of
15 applicants for admission to the home in accordance with the
16 provisions of this chapter, and shall adopt all the necessary
17 rules ~~and-regulations~~ for the preservation of order and
18 enforcement of discipline, the promotion of health and well-
19 being of all the members and for the management and control
20 of the home and ~~the~~ its grounds ~~thereof~~.

21 Sec. 11. Section two hundred nineteen point seven (219.7),
22 Code 1979, is amended to read as follows:

23 219.7 COMMANDANT. The ~~direeter~~ commission shall appoint
24 a commandant who shall serve as the chief executive of the
25 home and who, subject to the orders of the commission, shall
26 have the immediate custody and control, ~~subject-to-the-orders~~
27 ~~of-the-direeter~~, of all property used in connection with the
28 home.

29 Sec. 12. Section two hundred nineteen point nine (219.9),
30 Code 1979, is amended to read as follows:

31 219.9 SALARY. The commandant shall receive such annual
32 salary as the ~~direeter~~ commission may determine. In addition
33 to ~~said~~ the salary, the ~~direeter~~ commission shall furnish
34 ~~said~~ the commandant with a dwelling house or with appropriate
35 quarters in lieu thereof ~~and-such~~. The provisions of section

1 two hundred eighteen point fourteen (218.14) of the Code
2 regarding additional allowances as-are-provided-in-section
3 218-14 for executive heads of state institutions under the
4 control of the department of social services shall also apply.

5 Sec. 13. Section two hundred nineteen point eleven
6 (219.11), Code 1979, is amended to read as follows:

7 219.11 EMPLOYEES' AND OFFICERS' COMPENSATION. The
8 commandant, subject to the ~~director's~~ commission's approval,
9 shall appoint all subordinate officers. The employees shall
10 be appointed by the commandant who shall keep in the record
11 of each officer and employee, the date of employment, the
12 compensation, and the date of discharge and the reasons
13 ~~therefor~~ for discharge. The commandant shall have the power
14 to discharge any officer or employee for insubordination or,
15 neglect of duty or other good cause and ~~his~~ the acts and
16 decisions of the commandant shall be reviewable only by the
17 ~~director~~ commission whose decision shall be final.

18 Sec. 14. Section two hundred nineteen point fourteen
19 (219.14), Code 1979, is amended to read as follows:

20 219.14 CONTRIBUTING TO OWN SUPPORT. Every member of the
21 home who receives a pension, compensation or gratuity from
22 the United States government, or who receives income ~~from~~
23 ~~any-source~~ of more than twenty dollars per month from any
24 source, shall contribute to his or her own maintenance or
25 support while a member of the home. The amount of the
26 contribution and the method of collection shall be determined
27 by the ~~director~~ commission, but the amount shall in no case
28 exceed the actual cost of keeping and maintaining such a
29 person in the home. The ~~director~~ commission may require any
30 member of the home to render such assistance in the care of
31 the home and its ground as his or her psychosocial and physical
32 condition will permit, as a phase of that member's
33 rehabilitation program. The director shall compensate each
34 member who furnishes such assistance at rates established
35 by the ~~director~~ commission in accordance with the provisions

1 of section 17 of the United States fair labor standards Act
2 (52 Stat 1068, 29 USC 214), as amended to January 1, 1976.

3 Sec. 15. Section two hundred nineteen point sixteen
4 (219.16), Code 1979, is amended to read as follows:

5 219.16 CONDITIONAL ADMITTANCE. ~~The-director-may,-if~~ If
6 there is room for all dependent applicants and members, the
7 commission may admit and allow to remain in the home, persons
8 who have sufficient means for their own support, but who are
9 otherwise eligible to become members of the home, on payment
10 of the cost of their support, which cost and method of
11 collection shall be fixed ~~from-time-to-time~~ by the ~~director~~
12 commission.

13 Sec. 16. Section two hundred nineteen point eighteen
14 (219.18), Code 1979, is amended to read as follows:

15 219.18 RULES ENFORCED--POWER TO DISMISS. The commandant
16 shall administer and enforce all rules ~~and-regulations~~ adopted
17 by the ~~director~~ commission, including rules of discipline,
18 and shall have power to dismiss subject to the approval of
19 the commission, any member from the home for infraction of
20 ~~such the~~ rules ~~and-regulations-subject-to-the-approval-of~~
21 ~~the-director~~.

22 Sec. 17. Section two hundred nineteen point nineteen
23 (219.19), Code 1979, is amended to read as follows:

24 219.19 DUAL CONVICTION--PROBATION. Any person who, while
25 a member of the home, is twice convicted of an offense against
26 the statutes of the state, or twice found guilty by the
27 commandant or a court martial of intoxication or other
28 infraction of the rules of the home, shall be required to
29 deposit all of his or her pension money with the commandant
30 immediately upon receipt of his or her pension check or
31 warrant. In lieu of trial by the commandant, the member may
32 demand a court martial. Such pension money shall be deposited
33 by the commandant in a separate account for and in behalf
34 of such pensioner and the commandant shall, under such rules
35 as the ~~director~~ commission may provide, pay the same out with

1 the consent of the pensioner in such manner and for such
 2 purposes as the ~~director~~ commission may approve. If, after
 3 a period of six months, the pensioner shall conduct himself
 4 or herself in an orderly and sober manner, ~~said~~ the deposit
 5 shall be returned to ~~him~~ the pensioner. If the pensioner
 6 ~~be~~ is discharged from the home, the balance of ~~such~~ the deposit
 7 shall be paid to ~~said~~ the pensioner within thirty days after
 8 ~~his~~ discharge.

9 Sec. 18. Section two hundred nineteen point twenty-one
 10 (219.21), Code 1979, is amended to read as follows:

11 219.21 -REPORT BY DIRECTOR COMMISSION. ~~The-director-shall,~~
 12 ~~biennially~~ Biennially, on or before October ~~1~~ first, prior
 13 to the meeting of the general assembly, the commission shall
 14 make a full and detailed report to the governor ~~showing~~.
 15 The report shall show the condition of the home, the number
 16 of members in the home, the order and discipline enforced,
 17 and the needs of the home financially and otherwise, together
 18 with an itemized statement of all receipts and disbursements
 19 and any and all other matters of importance in the management
 20 and control of the home.

21 Sec. 19. Section two hundred nineteen point twenty-four
 22 (219.24), Code 1979, is amended by striking the section and
 23 inserting in lieu thereof the following:

24 219.24 COMMISSION DEFINED. As used in this chapter, un-
 25 less the context otherwise requires, "commission" means the
 26 commission of the Iowa department of veterans affairs.

27 Sec. 20. The state comptroller shall allocate to the Iowa
 28 department of veterans affairs, any funds appropriated by
 29 the Sixty-eight General Assembly to the department of social
 30 services for the Iowa veterans home.

31 EXPLANATION

32 This bill transfers authority to control, manage, and
 33 operate the Iowa veterans home, from the state department
 34 of social services to the Iowa department of veterans affairs.

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