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SENATE FILE

BY HUSAK, BOSWELL, DRAKE, DIELEMAN
RUNNING, HORN, WELSH, HUTCHINS,
FRAISE, DOYLE, FUHRMAN, HEDGE,
RENSINK, SLIFE, LIND, HAGERLA,
TAYLOR, McLAREN, KIBBIE,
PRIEBE, TIEDEN, MILLER,
GETTINGS, SZYMONIAK, RIFE,
JENSEN, NYSTROM, PETERSON, and
CONNOLLY

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

A BILL FOR

1 An Act creating a service compensation fund for persons serving
2 on active duty in the Persian Gulf Conflict and providing a
3 tax exemption.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. SERVICE COMPENSATION FUND CREATED --

2 ADMINISTRATION. A service compensation fund is created within
3 the office of the treasurer of state for persons who served on
4 active duty in the Persian Gulf Conflict between August 2,
5 1990, and ending on such date as the president of the United
6 States or the congress of the United States declares an end to
7 the hostilities, both dates inclusive. The service
8 compensation fund consists of moneys appropriated to the fund
9 by the general assembly. The fund shall be administered by
10 the commission of the veterans affairs division established in
11 chapter 35A. The commission shall adopt rules regarding
12 application for compensation and approval of applications.
13 Decisions of the commission are subject to judicial review.

14 Sec. 2. PERSONS ENTITLED TO RECEIVE COMPENSATION. A
15 person who served not less than thirty days on active duty, in
16 the armed forces of the United States, in the Persian Gulf
17 Conflict at any time between August 2, 1990, and ending on
18 such date as the president of the United States or the
19 congress of the United States declares an end to the
20 hostilities, both dates inclusive, and who at the time of
21 entering into service was a legal resident of the state of
22 Iowa, and who had maintained such residence for a period of at
23 least six months immediately prior to entering into service,
24 and was honorably separated or discharged from such service,
25 or is still in active service in an honorable status, or has
26 been retired, or has been furloughed to a reserve, or has been
27 placed on inactive status, shall be entitled to receive fifty
28 dollars from the service compensation fund if the person
29 earned either a service medal or an armed forces expeditionary
30 medal, or can otherwise establish service in the Persian Gulf
31 during that period, for each month that such person was in the
32 Persian Gulf area, between the above dates, both dates
33 inclusive, not to exceed a total sum of five hundred dollars.

34 Compensation under this Act shall not be paid for service
35 for a fraction of a month unless the service was sixteen days

1 or more in which case the compensation shall be paid for a
2 full month.

3 A person shall not be entitled to such compensation who
4 received a bonus or compensation of like nature, as provided
5 in this Act, from another state. A person shall not be
6 entitled to such compensation who being in the service of the
7 armed forces of the United States, subsequent to August 2,
8 1990, refused on conscientious, political, religious, or other
9 grounds to be subject to military discipline. Service in the
10 merchant marine shall not be considered for the purposes of
11 this Act. Service for six months or less for the sole purpose
12 of training shall not be considered for the purposes of this
13 Act. The surviving spouse, child or children, parent or
14 parents, or person or persons standing in loco parentis, in
15 the order named and none other, of any deceased person, shall
16 be paid the compensation that such deceased person would be
17 entitled to under this Act, if living. However, if such a
18 person has died or dies, or is disabled, from service-
19 connected causes incurred during such period of service in the
20 Persian Gulf area for which the person is able to receive
21 compensation under this Act, and who has not received
22 compensation under this Act, the person or the first of the
23 survivors as designated by this Act and in the order named,
24 shall be paid five hundred dollars. If an eligible survivor
25 is a minor at the time compensation is payable, the
26 compensation may be paid to a custodian duly recognized by the
27 United States veterans administration.

28 Sec. 3. DEFINITION OF ACTIVE DUTY. "Active duty" in the
29 armed forces of the United States means full-time duty in the
30 armed forces of the United States, excluding active duty for
31 training purposes only and excluding any period a person was
32 assigned by the armed forces to a civilian institution for a
33 course of education or training which was substantially the
34 same as established courses offered to civilians, or as a
35 cadet or midshipman, however enrolled, at one of the service

