

See Book

FILED MAR 10 1991

437

SENATE FILE
BY HUSAK and SOORHOLTZ

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

A BILL FOR

1 An Act relating to veterans affairs, providing for the
2 establishment of a department of veterans affairs,
3 transferring control of the Iowa veterans home to the
4 department of veterans affairs, and providing properly related
5 matters.

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

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SF 437

1 Section 1. Section 7E.5, subsection 1, paragraph q, Code
2 1991, is amended to read as follows:

3 q. The department of public defense, created in section
4 29.1, which has primary responsibility for state military
5 forces, ~~and disaster services, and veterans affairs.~~

6 Sec. 2. Section 7E.5, subsection 1, Code 1991, is amended
7 by adding the following new lettered paragraph:

8 NEW LETTERED PARAGRAPH. w. The department of veterans
9 affairs, which has primary responsibility for state veterans
10 affairs.

11 Sec. 3. Section 29.1, Code 1991, is amended to read as
12 follows:

13 29.1 DEPARTMENT OF PUBLIC DEFENSE.

14 The department of public defense is composed of the
15 military division, ~~and the disaster services division, and the~~
16 ~~veterans-affairs-division.~~ The adjutant general is the
17 director of the department of public defense and the budget
18 and personnel of all of the divisions are subject to the
19 approval of the adjutant general. The Iowa emergency response
20 commission established by section 30.2 is attached to the
21 department of public defense for organizational purposes.

22 Sec. 4. Section 35.7, Code 1991, is amended to read as
23 follows:

24 35.7 ORPHANS EDUCATIONAL FUND.

25 The ~~commission~~ department of the veterans affairs division
26 ~~of the department of public defense is hereby authorized and~~
27 ~~empowered to~~ shall administer the war orphans educational aid
28 fund ~~as hereinafter provided.~~

29 Sec. 5. Section 35.9, Code 1991, is amended to read as
30 follows:

31 35.9 EXPENDITURE BY COMMISSION DEPARTMENT.

32 ~~Said commission~~ The department of the veterans affairs
33 ~~division is authorized to~~ may expend not to exceed four
34 hundred dollars per year for any one child who ~~shall have~~ has
35 lived in the state of Iowa for two years preceding application

1 for aid hereunder, and who is the child of a person who died
2 during World War I between the dates of April 6, 1917, and
3 June 2, 1921, or during World War II between the dates of
4 September 16, 1940, and December 31, 1946, both dates
5 inclusive, or the Korean Conflict ~~at-any-time~~ between June 25,
6 1950, and January 31, 1955, both dates inclusive, or the
7 Vietnam Conflict ~~at-any-time~~ between August 5, 1964, and May
8 7, 1975, both dates inclusive, while serving in the military
9 or naval forces of the United States, to include members of
10 the reserve components performing service or duties required
11 or authorized under chapter 39, United States Code and Title
12 32, United States Code, sections 502 through 505, and active
13 state service required or authorized under chapter 29A, or as
14 a result of such service, to defray the expenses of tuition,
15 matriculation, laboratory and similar fees, books and
16 supplies, board, lodging, and any other reasonably necessary
17 expense for such child or children incident to attendance at
18 any an educational or training institution of college grade,
19 or in any a business or vocational training school of with
20 standards approved by ~~said-commission~~ the department of the
21 veterans affairs ~~division~~, ~~said~~ the educational institutions
22 to be located within the state of Iowa.

23 A child eligible to receive funds under ~~the-provisions-of~~
24 this section shall not receive more than two thousand dollars
25 under this section during the child's lifetime.

26 Sec. 6. Section 35.10, Code 1991, is amended to read as
27 follows:

28 35.10 ELIGIBILITY AND PAYMENT OF AID.

29 Eligibility for aid hereunder shall be determined upon
30 application to the ~~commission~~ department of the veterans
31 affairs ~~division~~, whose decision ~~shall-be~~ is final. The
32 eligibility of eligible applicants shall be certified by the
33 ~~administrator~~ director of the department of veterans affairs
34 ~~division~~ to the director of revenue and finance, and all
35 amounts that ~~may-be~~ are or may become due to any an individual

1 or any a training institution under this chapter shall be paid
 2 to the individual or institution by said the director of
 3 revenue and finance upon receipt by the director of
 4 certification by the president or governing board of such the
 5 educational or training institution as to accuracy of charges
 6 made, and as to the attendance of the individual at such the
 7 educational or training institution. ~~It shall be proper for~~
 8 ~~the commission~~ The department of the veterans affairs division
 9 ~~to may~~ pay over said the annual sum of four hundred dollars to
 10 ~~such the~~ educational or training institution in a lump sum, or
 11 in ~~such~~ installments as the circumstances may warrant, upon
 12 receiving from ~~such the~~ institution such written undertaking
 13 as the ~~commission~~ department of the veterans affairs division
 14 may require to assure the use of said funds for ~~such the~~ child
 15 for the authorized purposes and for no other purpose. A
 16 person ~~shall~~ is not be eligible for the benefits of this
 17 chapter until the person ~~shall have~~ has graduated from a high
 18 school or educational institution offering a course of
 19 training equivalent to high school training.

20 Sec. 7. Section 35A.1, Code 1991, is amended to read as
 21 follows:

22 35A.1 DEFINITIONS.

23 As used in this chapter, unless the context otherwise
 24 requires:

- 25 1. "Administrator Director" means the administrator
 26 director of the department of veterans affairs division
 27 appointed pursuant to section 35A.8.
- 28 2. "Commission" means the commission of the veterans
 29 affairs division established in section 35A.3.
- 30 3. "Commissioner" means a member of the commission of the
 31 veterans affairs division.
- 32 4. "Division Department" means the department of veterans
 33 affairs division established in section 35A.2.

34 Sec. 8. Section 35A.2, unnumbered paragraphs 1 and 2, Code
 35 1991, are amended to read as follows:

1 A department of veterans affairs division is established
2 ~~within the department of public defense.~~ The division which
3 consists of a commission of veterans affairs commission, an
4 administrator a director, and additional employees as required
5 to implement this chapter and chapter 219.

6 The division department shall:

7 Sec. 9. Section 35A.2, Code 1991, is amended by adding the
8 following new unnumbered paragraph following unnumbered
9 paragraph i:

10 NEW UNNUMBERED PARAGRAPH. The offices of the department of
11 veterans affairs shall be located at the Iowa veterans home.
12 All records of the department shall be maintained at its
13 offices.

14 Sec. 10. Section 35A.2, subsection 2, Code 1991, is
15 amended to read as follows:

16 2. Assist county veterans affairs commissions established
17 pursuant to chapter 250. The division department shall draft
18 and provide to county commissions suggested uniform benefits
19 and administrative procedures for carrying out the functions
20 and duties of the county commissions.

21 Sec. 11. Section 35A.3, Code 1991, is amended to read as
22 follows:

23 35A.3 COMMISSION.

24 A commission of veteran affairs is established within the
25 ~~veterans-affairs-division~~ department. This commission
26 consists of five persons who shall be appointed by the
27 governor to staggered four-year terms. Each commissioner
28 shall be an honorably discharged member of the armed forces of
29 the United States.

30 Sec. 12. Section 35A.6, subsection 2, Code 1991, is
31 amended to read as follows:

32 2. Consult with and advise the administrator director on
33 policy for the operation and conduct of the division
34 department.

35 Sec. 13. Section 35A.8, Code 1991, is amended by striking

1 the section and inserting in lieu thereof the following:

2 35A.8 DIRECTOR -- TERM -- DUTIES.

3 1. The director of the department of veterans affairs
4 shall be appointed by the commission and shall serve at the
5 pleasure of the commission. The director is responsible to
6 the commission for administering this chapter.

7 2. The director shall be a resident of the state of Iowa,
8 an honorably discharged veteran who served in the armed forces
9 of the United States during a conflict or war, and a licensed
10 nursing home administrator. As used in this section, the
11 dates of service in a conflict or war shall coincide with the
12 dates of service established by the Congress of the United
13 States.

14 3. The director shall do all of the following:

- 15 a. Prepare a budget for the department.
- 16 b. Annually make a written report to the commission and
17 the general assembly.
- 18 c. Establish policy for the operation and conduct of the
19 department.
- 20 d. Adopt rules pursuant to chapter 17A for the management
21 and operation of the department.
- 22 e. Carry out the administrative duties of the department.
- 23 f. Serve as the chief executive of the Iowa veterans home.

24 Sec. 14. Section 35A.9, Code 1991, is amended to read as
25 follows:

26 35A.9 EXPENSES AND COMPENSATION.

27 The ~~administrator~~ director and employees of the ~~division~~
28 department are entitled to receive, in addition to salary,
29 reimbursement for actual expenses incurred while engaged in
30 the performance of official duties. The commissioners are
31 entitled to receive reimbursement for actual expenses incurred
32 while engaged in the performance of official duties. Each
33 member of the commission may also be eligible to receive
34 compensation as provided in section 7E.6.

35 Sec. 15. Section 139A.1, subsection 3, Code 1991, is

1 amended to read as follows:

2 3. "Division Department" means the department of veterans
3 affairs division-within-the-department-of-public-defense.

4 Sec. 16. Section 139A.2, Code 1991, is amended to read as
5 follows:

6 139A.2 CHEMICAL REPORT TO DIVISION DEPARTMENT.

7 A licensed physician ~~pursuant to~~, as defined in section
8 135.1, subsection 5, who treats a veteran the physician
9 believes may have been exposed to chemicals while serving in
10 the armed forces of the United States shall submit a report
11 indicating that information to the division department at the
12 request of the veteran pursuant to section 139A.3.

13 Sec. 17. Section 139A.3, Code 1991, is amended to read as
14 follows:

15 139A.3 DUTIES OF THE DIVISION DEPARTMENT.

16 The division department shall:

17 1. Provide the forms for the reports required in section
18 139A.2. The report form shall require the doctor to provide
19 all of the following:

20 a. Symptoms of the veteran which may be related to
21 exposure to chemicals.

22 b. Diagnosis of the veteran.

23 c. Methods of treatment prescribed.

24 2. Annually compile and evaluate the information submitted
25 in the reports pursuant to subsection 1, in consultation and
26 cooperation with a certified medical toxicologist selected by
27 the division department. The division department shall submit
28 the report to the governor, the general assembly, and the
29 United States veterans' administration. The report shall
30 include current research data on the effects of exposure to
31 chemicals, statistical information received from individual
32 physicians' reports, and statistical information from the
33 epidemiological investigations pursuant to subsection 3.

34 3. Conduct epidemiological investigations of veterans who
35 have cancer or other medical problems or who have children

1 born with birth defects associated with exposure to chemicals,
2 in consultation and cooperation with a certified medical
3 toxicologist selected by the division department. The
4 division department shall obtain consent from a veteran before
5 conducting the investigations.

6 The division department shall cooperate with local and
7 state agencies during the course of an investigation.

8 Sec. 18. Section 139A.4, Code 1991, is amended to read as
9 follows:

10 139A.4 CONFIDENTIALITY AND LIABILITY.

11 The division department shall not identify a veteran
12 consenting to the epidemiological investigations pursuant to
13 section 139A.3, subsection 3, unless the veteran consents to
14 the release of identity. The statistical information compiled
15 by the division department pursuant to section 139A.3 is a
16 public record.

17 A licensed physician complying with this chapter is not
18 civilly or criminally liable for release of the required
19 information.

20 Sec. 19. Section 139A.6, unnumbered paragraph 1, Code
21 1991, is amended to read as follows:

22 The division department and appropriate medical facilities
23 at the state university of Iowa under the control of the state
24 board of regents shall institute a cooperative program to:

25 Sec. 20. Section 139A.7, Code 1991, is amended to read as
26 follows:

27 139A.7 FEDERAL PROGRAM.

28 If the administrator director of the division department or
29 the general assembly determines that an agency of the federal
30 government or the state of Iowa is providing the referral and
31 genetic services pursuant to section 139A.6, the administrator
32 director or the general assembly by specific action may
33 discontinue all or part of the services and requirements in
34 this chapter.

35 Sec. 21. Section 139A.8, Code 1991, is amended to read as

1 follows:

2 139A.8 RULES.

3 The division department shall adopt rules pursuant to
4 chapter 17A to implement this chapter.

5 Sec. 22. Section 139A.9, Code 1991, is amended to read as
6 follows:

7 139A.9 APPROPRIATIONS.

8 This chapter shall be implemented by the division
9 department each fiscal year that appropriations are made to
10 the division department for the implementation.

11 Sec. 23. Section 218.2, subsection 1, Code 1991, is
12 amended by striking the subsection.

13 Sec. 24. Section 219.1, subsection 2, Code 1991, is
14 amended to read as follows:

15 2. As used in this chapter:

16 a. "Director" means the director of the department of
17 human-services veterans affairs appointed pursuant to section
18 35A.8.

19 b. "Member" means a patient or resident of the home.

20 c. "Commission" means the commission of veterans affairs
21 established in section 35A.3.

22 Sec. 25. Section 219.2, subsection 1, Code 1991, is
23 amended to read as follows:

24 1. Persons described in section 219.1 who do not have
25 sufficient means for their own support, or are disabled by
26 disease, wounds, old age, or otherwise, and are unable to earn
27 a livelihood, and who are residents of the state of Iowa on
28 the date of the application and immediately preceding the date
29 the application is accepted, may be admitted to the home as
30 members under rules adopted by the director commission.

31 Eligibility determinations are subject to approval by the
32 director commission.

33 Sec. 26. Section 219.3, Code 1991, is amended to read as
34 follows:

35 219.3 RULES -- GENERAL MANAGEMENT.

1 The director commission shall adopt all the necessary rules
2 for the preservation of order and enforcement of discipline,
3 the promotion of health and well-being of all the members and
4 the management and control of the home and its grounds.

5 Sec. 27. Section 219.4, subsection 2, Code 1991, is
6 amended to read as follows:

7 2. The cottages may be made available to persons on the
8 staff of the home at a rental rate determined by the director
9 commission.

10 Sec. 28. Section 219.5, Code 1991, is amended to read as
11 follows:

12 219.5 SURVIVING SPOUSES OF VETERANS.

13 If a deceased veteran, who would be entitled to admission
14 to the home if ~~the-deceased-veteran-were~~ living, has left a
15 surviving spouse, the spouse is entitled to admission to the
16 home with the same rights, privileges, and benefits as if the
17 veteran ~~were~~ would be entitled to if living and a member of
18 the home, if the spouse was married to the veteran for at
19 least one year immediately prior to the veteran's death, is
20 found by the ~~commandant~~ director to be disabled, does not have
21 sufficient means for support and maintenance, and is a
22 resident of the state of Iowa on the date of the application
23 and immediately preceding the date the application is
24 accepted.

25 Sec. 29. Section 219.6, Code 1991, is amended to read as
26 follows:

27 219.6 CERTIFICATE OF ELIGIBILITY.

28 Before admission, each an applicant shall file with the
29 ~~commandant~~ director an affidavit signed by two members of the
30 commission of veterans affairs of the county in which the
31 person resides, stating that the person to the best of their
32 knowledge and belief is a resident of that county and that the
33 person is unable to earn a livelihood and the person's income,
34 exclusive of pension, compensation, war risk insurance
35 payments, or pensions or annuities under the social security

1 Act and the railroad retirement Acts, is less than is
2 sufficient to provide the type of health care necessary for
3 the person's welfare. The affidavit is conclusive evidence of
4 the residence of the person but is prima facie only in all
5 other matters affecting the eligibility of the applicant and
6 the liability of the county with respect to the expense of the
7 person for which the county may be liable. All records of
8 admission shall show the residence of the applicant.

9 Sec. 30. Section 219.7, Code 1991, is amended to read as
10 follows:

11 219.7 CONTRIBUTING TO OWN SUPPORT.

12 1. Except as otherwise provided in chapter 249A and other
13 provisions of this chapter, a member of the home who receives
14 a pension, compensation, or gratuity from the United States
15 government, or income from any source of more than twenty-five
16 dollars per month, shall contribute to the member's own
17 maintenance or support while a member of the home. The amount
18 of the contribution and the method of collection shall be
19 determined by the director, but the amount shall in no case
20 exceed the actual cost of keeping and maintaining the person
21 in the home.

22 2. Sums paid to and received by the ~~commandant~~ director
23 for the support of members of the home shall be paid monthly
24 by the ~~commandant~~ director to the treasurer of state and
25 credited to the general fund of the state.

26 3. The director may require any member of the home to
27 render assistance in the care of the home and its grounds as
28 the member's psycho-social and physical condition will permit,
29 as a phase of that member's rehabilitation program. The
30 director shall compensate each member who furnishes assistance
31 at rates established by the director.

32 Sec. 31. Section 219.8, Code 1991, is amended to read as
33 follows:

34 219.8 CONDITIONAL ADMITTANCE.

35 The ~~director~~ commission may, if there is room for all

1 dependent members and applicants, admit and allow to remain in
2 the home persons who have sufficient means for their own
3 support but are otherwise eligible to become members of the
4 home, on payment of the cost of their support. The cost and
5 method of collection shall be determined by the director
6 commission.

7 Sec. 32. Section 219.10, Code 1991, is amended to read as
8 follows:

9 219.10 PAYMENT TO DEPENDENTS.

10 Except as otherwise provided in chapter 249A and other
11 ~~provisions of~~ this chapter, a member of the home who receives
12 a pension or compensation and who has a child, as defined in
13 section 234.1, or a spouse who is dependent upon employment or
14 others for support shall deposit with the commandant director
15 on receipt of the member's pension or compensation check one-
16 half of its amount, which shall be sent at once to the spouse
17 or, if there is no spouse, to the guardian of the child. The
18 commandant director, if satisfied that the spouse has deserted
19 the member of the home, may pay the money deposited to the
20 guardian of the child.

21 Sec. 33. Section 219.11, Code 1991, is amended to read as
22 follows:

23 219.11 HANDLING OF PENSION MONEY AND OTHER FUNDS.

24 1. Pension money deposited with the commandant director is
25 not assignable for any purpose except as provided in sections
26 219.10 and 219.19, or in accordance with subsection 2 of this
27 section.

28 2. The commandant director, if authorized by a member of
29 the home, and pursuant to policies adopted by the director,
30 may act on behalf of that member in receiving, disbursing, and
31 accounting for personal funds of the member received from any
32 source. The authorization may be given by the member at any
33 time and shall not be a condition of admission to the home.

34 Sec. 34. Section 219.12, Code 1991, is amended to read as
35 follows:

1 219.12 BANK ACCOUNT FOR MEMBERS' DEPOSITS.

2 1. The Iowa veterans home, for the convenience of its
3 members, may maintain a commercial account with a federally
4 insured bank for the individual personal deposits of its
5 members. The account shall be known as the Iowa veterans home
6 membership account. The commandant director shall record each
7 member's personal deposits individually and shall deposit the
8 funds in the membership account, where the members' deposits
9 shall be held in the aggregate.

10 2. The commandant director, if authorized by a member of
11 the home, and pursuant to policies adopted by the director,
12 may make withdrawals against that member's personal account to
13 pay regular bills and other expenses incurred by the member.
14 The authorization may be given by the member at any time and
15 shall not be a condition of admission to the home.

16 Sec. 35. Section 219.13, Code 1991, is amended to read as
17 follows:

18 219.13 COMMANDANT DIRECTOR.

19 1. ~~The director shall appoint a commandant who shall be~~
20 ~~the person responsible for handling veterans affairs for the~~
21 ~~department of human services,~~ shall serve as the chief
22 executive of the home and shall have the immediate custody and
23 control, ~~subject to the orders of the director or the~~
24 ~~director's designee,~~ of all property used in connection with
25 the home.

26 2. ~~The commandant must be a resident of the state of Iowa~~
27 ~~and an honorably discharged veteran who served in the armed~~
28 ~~forces of the United States during a conflict or war. As used~~
29 ~~in this section, the dates of service in a conflict or war~~
30 ~~shall coincide with the dates of service established by the~~
31 ~~Congress of the United States.~~

32 3 2. The ~~commandant shall receive an annual salary as the~~
33 ~~director may determine. In addition to salary, the director~~
34 commission shall furnish the commandant director with a
35 dwelling house or with appropriate quarters and additional

1 allowances, as provided in section 218.14 for executive heads
2 of state institutions.

3 Sec. 36. Section 219.18, Code 1991, is amended to read as
4 follows:

5 219.18 RULES ENFORCED -- POWER TO SUSPEND AND EXPEL
6 MEMBERS.

7 The ~~commandant~~ director shall administer and enforce all
8 rules adopted by the ~~director~~ commission, including rules of
9 discipline and, subject to these rules, may immediately
10 suspend the membership of and expel any person from the home
11 for infraction of the rules when the ~~commandant~~ director
12 determines that the health, safety, or welfare of the
13 residents of the home is in immediate danger and other
14 reasonable alternatives have been exhausted. The suspension
15 and expulsion are temporary pending action by the director.
16 Judicial review of the action of the director may be sought in
17 accordance with chapter 17A.

18 Sec. 37. Section 219.19, Code 1991, is amended by striking
19 the section and inserting in lieu thereof the following:

20 219.19 DISPOSITIONS OF ACTIVE DUTY MEMBERS CHARGED WITH
21 OFFENSE.

22 A person on active duty in the state military forces
23 subject to the provisions of chapter 29B, or on active duty in
24 the federal military forces subject to 10 U.S.C. chapter 47,
25 charged with an offense under either code, may be summarily
26 delivered to the appropriate state or federal branch of the
27 military for disciplinary action or trial.

28 Sec. 38. All rules, regulations, forms, orders, and
29 directives in effect for the Iowa veterans home on the
30 effective date of this Act shall continue in full force and
31 effect as rules, regulations, forms, orders, and directives of
32 the commission of veterans affairs and the director of the
33 department of veterans affairs until amended, repealed, or
34 supplemented by affirmative action of the director or the
35 commission.

1 Sec. 39. Rules, regulations, forms, orders, and directives
2 of the division of veterans affairs of the department of
3 public defense in effect on the effective date of this Act
4 shall continue in full force and effect until amended,
5 repealed, or supplemented by affirmative action of the
6 department of veterans affairs.

7 Sec. 40. TRANSITION. The members of the commission of the
8 veterans affairs division of the department of public defense
9 abolished by this Act serving unexpired terms on the effective
10 date of this Act may serve as members of the commission of
11 veterans affairs established under section 35A.3 until the
12 expiration of the terms to which they were appointed as
13 members of the commission of the veterans affairs division of
14 the department of public defense. Their successors shall be
15 appointed as provided in section 35A.3. A commission member
16 is eligible for reappointment.

17 Sec. 41. TRANSFER. On the effective date of this Act, the
18 director of revenue and finance shall allocate to the
19 department of veterans affairs any funds appropriated to the
20 department of public defense for the veterans affairs division
21 abolished by this Act and the department of public defense
22 shall take all actions necessary to transfer administration
23 and control of the home to the department of veterans affairs,
24 including but not limited to, the assignments of contracts and
25 transfer of records and supplies as applicable.

26 Sec. 42. TRANSFER. On the effective date of this Act, the
27 director of revenue and finance shall allocate to the
28 department of veterans affairs any funds appropriated to the
29 department of human services for the Iowa veterans home and
30 the department of human services shall take all actions
31 necessary to transfer administration and control of the home
32 to the department of veterans affairs, including but not
33 limited to, the assignment of contracts and transfer of
34 records and supplies as applicable.

35 Sec. 43. Sections 29.4, 35A.5, and 35A.7, Code 1991, are

1 repealed.

2

EXPLANATION

3 The bill establishes a department of veterans affairs and
4 abolishes the division of veterans affairs of the department
5 of public defense.

6 The bill requires that the director be appointed by the
7 commission, serve at the pleasure of the commission, and be
8 responsible to the commission for administering the chapter.
9 The director would be required to be a resident of Iowa, a
10 licensed nursing home administrator, and an honorably
11 discharged veteran who served in the armed forces of the
12 United States during a conflict or war.

13 The department of veterans affairs would take over the
14 operation, management, budget, and other pertinent concerns
15 for the Iowa veterans home from the department of human
16 services. The bill contains a provision allocating to the
17 department of veterans affairs any funds appropriated to the
18 department of human services for the Iowa veterans home.

19 The position of the Iowa veterans home commandant would be
20 abolished, and the duties and benefits would transfer to the
21 director of the department of veterans affairs. The bill also
22 provides that a member of the Iowa veterans home who is on
23 active duty with state or federal military forces who commits
24 an offense, may be delivered to the appropriate branch of the
25 state or federal military forces for disciplinary action or
26 trial.

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**SENATE FILE 437
FISCAL NOTE**

A fiscal note for Senate File 437 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 437 establishes a Department of Veterans Affairs and abolishes the Division of Veterans affairs of the Department of Public Defense.

The bill requires that the Director be appointed by the Commission, serve at the pleasure of the Commission, and be responsible to the Commission administering this Chapter. The Director would be required to be a resident of Iowa, a licensed nursing home administrator, and an honorably discharged veteran who served in the armed forces of the United States during a conflict of war.

The position of the Iowa Veteran's Home Commandant would be abolished, and the duties and benefits would transfer to the Director of the new department. The Department would take over the operation, management, budget and other pertinent concerns for the Iowa Veterans Home from the Department of Human Services. Any funds appropriated to the Department of Human Services for the Veterans Home would be allocated to the new Department.

The bill also provides that a member of the Iowa Veterans Home who is on active duty with State or federal military forces who commits an offense, may be delivered to the appropriate branch of the State or federal military forces for disciplinary action or trial.

ASSUMPTIONS

- A. Four positions would need to be added.
- B. Administrator would be upgraded to Director.
- C. 700 square feet would have to be added to the building at Camp Dodge to house additional Staff.
- D. Four work stations must be purchased.
- E. Travel between Camp Dodge and Marshalltown would increase.

FISCAL EFFECT

The costs of this transition would be a total of \$166,269 in FY 1992 and \$117,289 in FY 1993.

(SOURCE: Department of Public Defense)

(LSB 2491ss, DPW)

FILED APRIL 1, 1991

BY DENNIS PROUTY, FISCAL DIRECTOR