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2/19/96 State Gov.
2/29/96 Do Pass
3/29/96 Referendum W. & M

SENATE FILE **2224**
BY IVERSON and JUDGE

Passed Senate, Date 3/20/96 (P.905)
Vote: Ayes 50 Nays 0
Approved _____
Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to veterans of the United States armed forces, by
2 changing eligibility for veteran benefits, preferences, and
3 tax exemptions, by providing for the administration of veteran
4 benefits, providing a penalty, and by providing for other
5 properly related matters.

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

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10 **SENATE FILE 2224**

11 **S-5415**

- 12 1 Amend Senate File 2224 as follows:
- 13 2 1. By striking page 2, line 31, through page 3,
- 14 3 line 18.
- 15 4 2. By striking page 10, line 32, through page 11,
- 16 5 line 15.

By RANDAL J. GIANNETTO

16 **S-5415 FILED MARCH 19, 1996**

17 *Adopted 3/20/96*
18 *(P.905)*

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REPLACED

1 Section 1. NEW SECTION. 35.1 DEFINITIONS.

2 As used in this chapter and chapters 35A through 35D:

3 1. "Commission" means the commission of veterans affairs
4 created in section 35A.2.

5 2. "Veteran" means a resident of this state and former
6 member of the armed forces of the United States who was
7 discharged under honorable conditions. "Veteran" includes the
8 following persons:

9 a. Former members of the reserve forces of the United
10 States who served at least six years in the reserve forces
11 after January 28, 1973, and who were discharged under
12 honorable conditions.

13 b. Former members of the Iowa national guard who served at
14 least six years in the Iowa national guard after January 28,
15 1973, and who were discharged under honorable conditions.

16 c. Former members of the merchant marines who served
17 during World War II at any time between December 7, 1941, and
18 December 31, 1946, both dates inclusive, who were discharged
19 under honorable conditions.

20 d. Former members of the women's air force service pilots
21 and other persons who have been conferred veterans status
22 based on their civilian duties during World War II in
23 accordance with federal Pub. L. No. 95-202, 38 U.S.C. § 106.

24 Sec. 2. Section 35.8, Code 1995, is amended to read as
25 follows:

26 35.8 MONEY COMPRISING FUND.

27 Any money hereafter appropriated for the purpose of aiding
28 in the education of children of honorably-discharged-persons
29 ~~who-served-in-the-military-or-naval-forces-of-the-United~~
30 ~~States-in-World-War-I-or-World-War-II~~ veterans, as provided by
31 this chapter, shall be known as the war orphans educational
32 aid fund.

33 Sec. 3. Section 35.9, unnumbered paragraph 1, Code 1995,
34 is amended to read as follows:

35 The commission of veterans affairs may expend not more than

1 six hundred dollars per year for any one child who has lived
2 in the state of Iowa for two years preceding application for
3 aid, and who is the child of a person veteran who died during
4 ~~World-War-I-between-the-dates-of-April-6,1917,-and-June-2,~~
5 ~~1921,-or-during-World-War-II-between-the-dates-of-September~~
6 ~~16,1940,-and-December-31,1946,-both-dates-inclusive,-or-the~~
7 ~~Korean-Conflict-between-June-25,1950,-and-January-31,1955,~~
8 ~~both-dates-inclusive,-or-the-Vietnam-Conflict-between-August~~
9 ~~5,1964,-and-May-7,1975,-both-dates-inclusive,-or-the-Persian~~
10 ~~Gulf-Conflict-at-any-time-between-August-2,1990,-and-the-date~~
11 ~~the-president-or-the-Congress-of-the-United-States-declares-a~~
12 ~~permanent-cessation-of-hostilities,-both-dates-inclusive,~~
13 while serving in the military-or-naval armed forces of the
14 United States, to include members of the reserve components
15 performing service or duties required or authorized under
16 chapter 39, United States Code and Title 32, United States
17 Code, sections U.S.C. § 502 through 505, and active state
18 service required or authorized under chapter 29A, or as a
19 result of such the service, to defray the expenses of tuition,
20 matriculation, laboratory and similar fees, books and
21 supplies, board, lodging, and any other reasonably necessary
22 expense for such child or children incident to attendance in
23 this state at an educational or training institution of
24 college grade, or in a business or vocational training school
25 with standards approved by the commission of veterans affairs.
26 ~~However,-if-Congress-enacts-a-date-different-from-August-2,~~
27 ~~1990,-as-the-beginning-of-the-Persian-Gulf-Conflict-for~~
28 ~~purposes-of-determining-whether-a-veteran-is-entitled-to~~
29 ~~receive-military-benefits-as-a-veteran-of-the-Persian-Gulf~~
30 ~~Conflict,-that-date-shall-be-substituted-for-August-2,1990.~~

31 Sec. 4. Section 35A.2, subsection 2, Code Supplement 1995,
32 is amended to read as follows:

33 2. Six commissioners shall be honorably-discharged-members
34 of-the-armed-forces-of-the-United-States veterans. The
35 American-legion-of-Iowa,-disabled-American-veterans-department

1 of-Iowa, veterans-of-foreign-wars-department-of-Iowa, American
2 veterans-of-World-War-II, Korea, and Vietnam, the Vietnam
3 veterans-of-America, and the military order of the purple
4 heart, through their department commanders, All
5 congressionally chartered veterans service organizations, as
6 recognized by the United States department of veterans
7 affairs, which have an established office in this state, shall
8 submit two names respectively from their organizations to the
9 governor. The governor shall appoint from ~~each-of-the~~
10 ~~organizations-one-representative~~ the names submitted six
11 persons to serve as ~~a-member~~ members of the commission, unless
12 the appointments would conflict with the bipartisan and gender
13 balance provisions of sections 69.16 and 69.16A. In addition,
14 the governor shall appoint one member ~~of-the-public,~~
15 ~~knowledgeable-in-the-general-field-of-veterans-affairs,~~ to
16 serve-on-the-commission nominated by the executive board of
17 the Iowa association of county commissioners of veteran
18 affairs.

19 Sec. 5. Section 35A.3, subsection 12, Code Supplement
20 1995, is amended to read as follows:

21 12. Provide training to county veteran affairs commission
22 members, executive directors ~~of-county-commissions-of-veteran~~
23 ~~affairs~~ and other staff pursuant to section 35B.6. The
24 commission ~~may~~ shall adopt rules in accordance with chapter
25 17A to provide for training of county veteran affairs
26 commission members, executive directors, and other staff.

27 Sec. 6. Section 35A.8, Code 1995, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 4. a. The executive director shall
30 provide for the administration of the bonus authorized in this
31 subsection. The executive director shall adopt rules,
32 pursuant to chapter 17A, as necessary to administer this
33 subsection including, but not limited to, application pro-
34 cedures, and investigation, approval or disapproval, and
35 payment of claims.

1 b. (1) Each person who served on active duty in the
2 merchant marine service of the United States, at any time
3 between September 16, 1940, and September 2, 1945, both dates
4 inclusive, and who served for a period of not less than one
5 hundred twenty days on or before December 31, 1946, and who at
6 the time of entering into the merchant marine service was a
7 legal resident of the state of Iowa, and who had maintained
8 the person's residence in this state for a period of at least
9 six months immediately before entering the merchant marine
10 service and was honorably discharged or separated from the
11 merchant marine service, is entitled to receive from moneys
12 appropriated for that purpose the sum of twenty-two dollars
13 and seventy-five cents for each month that the person was on
14 active duty in the merchant marine service, all before
15 December 31, 1946, not to exceed a total sum of five hundred
16 dollars. Compensation for a fraction of a month shall not be
17 considered unless the fraction is sixteen days or more, in
18 which case the fraction shall be computed as a full month.

19 (2) A person is not entitled to compensation pursuant to
20 this subsection if the person received a bonus or compensation
21 of a similar nature as provided in this subsection from
22 another state.

23 (3) A person is not entitled to compensation pursuant to
24 this subsection if the person was on active duty in the
25 merchant marine service after September 16, 1940, and the
26 person refused on conscientious, political, religious, or
27 other grounds, to be subject to military discipline.

28 (4) The surviving widow or widower, child or children,
29 mother, father, or person standing in loco parentis, in the
30 order named and none other, of any deceased person, shall be
31 paid the compensation that the deceased person would be
32 entitled to pursuant to this subsection, if living, but if any
33 person has died or shall die, or is disabled, from service-
34 connected causes incurred during the period and in the area
35 from which the person is entitled to receive compensation

1 pursuant to this subsection, the person or the first survivor
2 as designated by this subsection and in the order named, shall
3 be paid five hundred dollars, regardless of the length of
4 service.

5 c. A person who knowingly makes a false statement relating
6 to a material fact in supporting an application under this
7 subsection is guilty of a serious misdemeanor. A person
8 convicted pursuant to this subsection shall forfeit all
9 benefits to which the person may have been entitled under this
10 subsection.

11 d. All payments and allowances made under this subsection
12 shall be exempt from taxation and from levy and sale on
13 execution.

14 e. The bonus compensation authorized under this subsection
15 shall be paid from moneys appropriated for that purpose.

16 Sec. 7. Section 35B.3, Code 1995, is amended to read as
17 follows:

18 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

19 The county commission of veteran affairs shall consist of
20 either three or five persons, as determined by the board of
21 supervisors, all of whom shall be ~~honorably-discharged-persons~~
22 ~~who-served-in-the-military-or-naval-forces-of-the-United~~
23 ~~States-in-any-war, including World War I at any time between~~
24 ~~April 6, 1917, and November 11, 1918, both dates inclusive,~~
25 ~~World War II at any time between December 7, 1941, and~~
26 ~~December 31, 1946, both dates inclusive, the Korean Conflict~~
27 ~~at any time between June 25, 1950, and January 31, 1955, both~~
28 ~~dates inclusive, the Vietnam Conflict at any time between~~
29 ~~December 22, 1961, and May 7, 1975, both dates inclusive, and~~
30 ~~the Persian Gulf Conflict at any time between August 2, 1990,~~
31 ~~and the date the president or the Congress of the United~~
32 ~~States declares a permanent cessation of hostilities, both~~
33 ~~dates inclusive~~ veterans. However, if Congress enacts a date
34 ~~different from August 2, 1990, as the beginning of the Persian~~
35 ~~Gulf Conflict for purposes of determining whether a veteran is~~

1 ~~entitled to receive military benefits as a veteran of the~~
2 ~~Persian Gulf Conflict, that date shall be substituted for~~
3 ~~August 27, 1990.~~ If possible, each member of the commission
4 shall be a veteran of a different war, or conflict, so as to
5 ~~divide membership among the persons who served in World War I,~~
6 ~~World War II, the Korean Conflict, the Vietnam Conflict, and~~
7 ~~the Persian Gulf Conflict~~ or era; however, this qualification
8 does not preclude membership to a veteran who served in more
9 than one of the wars, or conflicts, or eras.

10 Sec. 8. Section 35B.6, subsection 1, Code 1995, is amended
11 to read as follows:

12 1. a. The members of the commission shall qualify by
13 taking the usual oath of office, and give bond in the sum of
14 five hundred dollars each, conditioned for the faithful
15 discharge of their duties with sureties to be approved by the
16 county auditor. The commission shall organize by the
17 selection of one of their members as chairperson, and one as
18 secretary. The commission, subject to the approval of the
19 board of supervisors, shall ~~have power to~~ employ an executive
20 director and other necessary administrative or clerical
21 assistants when needed, the compensation of ~~such~~ the employees
22 to be fixed by the board of supervisors, but no member of the
23 commission shall be so employed. If the duties of executive
24 director do not require full-time employment in a county, the
25 board of supervisors may assign additional duties to the
26 executive director including, but not limited to, zoning
27 director, relief director, public health director, emergency
28 management director, or other compatible employment. The
29 executive director ~~must possess the same qualifications as~~
30 ~~provided in section 35B.3 for commission members~~ need not be a
31 veteran, but a veteran shall be given preference if all other
32 conditions are met. However, this ~~qualification requirement~~
33 ~~shall preference does~~ not apply to a person employed as an
34 executive director prior to July 1, 1989.

35 b. Upon the employment of an executive director, the

1 executive director shall complete a course of initial training
2 provided by the commission of veterans affairs pursuant to
3 section 35A.3. ~~if-an-executive-director-is-not-appointed,-a~~
4 ~~commissioner-or-a-clerical-assistant-shall-complete-the-course~~
5 ~~of-training.~~ Each commissioner and clerical assistant
6 appointed by the county commission shall also complete a
7 course of training provided by the commission of veterans
8 affairs. The commission shall issue the executive director,
9 commissioner, or clerical assistant a certificate of training
10 after completion of the initial training course. To maintain
11 annual certification, the executive director, commissioner, or
12 clerical assistant shall attend one commission training course
13 each year. Failure to maintain certification ~~may~~ shall be
14 cause for removal from office. The expenses of training
15 including the actual and necessary expenses of the executive
16 directors, commissioners, and clerical assistants shall be
17 paid from ~~the-appropriation-authorized-in-section-35B.14~~ state
18 funds.

19 Sec. 9. Section 35B.6, subsection 1, Code 1995, is amended
20 by adding the following new paragraph:

21 NEW PARAGRAPH. c. The training program for county
22 commissioners, executive directors, and other staff shall
23 include, but is not limited to, the following topics as
24 appropriate for the specific office:

25 (1) Office management principles.

26 (2) Current programs available to veterans, including care
27 provided at the Iowa veterans home.

28 (3) Procedures for application for state and federal
29 veteran benefits.

30 (4) Waiver and appeal processes for veteran programs.

31 (5) Assistance in making referrals within the veterans
32 administration system.

33 (6) Competent knowledge of other federal assistance
34 programs such as social security administration programs,
35 Medicare, and medical assistance.

1 (7) Role of conservators and the power of attorney to
2 assist veterans.

3 (8) Legal obligations of commissioners and executive
4 directors.

5 Sec. 10. Section 35B.6, subsections 3 and 4, Code 1995,
6 are amended by striking the subsections.

7 Sec. 11. Section 35B.10, unnumbered paragraph 1, Code
8 1995, is amended to read as follows:

9 All claims certified by the commission shall be reviewed by
10 the board of supervisors and the county auditor shall issue
11 warrants in payment of the claims. All applications,
12 investigation reports, and case records are privileged
13 communications and shall be held confidential, subject to use
14 and inspection only by persons authorized by law in connection
15 with their official duties relating to financial audits and
16 the administration of this chapter. However, the county
17 commission of veteran affairs shall prepare and file in the
18 office of the county auditor on or before the thirtieth day of
19 each January, April, July, and October, a report showing the
20 ~~names-and-addresses~~ case numbers of all recipients receiving
21 assistance under this chapter, together with the amount paid
22 to each during the preceding quarter. Each report so filed)
23 shall be securely fixed in a record book to be used only for
24 such the reports made under this chapter.

25 Sec. 12. Section 35B.13, Code 1995, is amended to read as
26 follows:

27 35B.13 BURIAL -- EXPENSES.

28 The commission is responsible for the interment in a
29 suitable cemetery of the body of any honorably-discharged
30 ~~person-who-served-in-the-military-or-naval-forces-of-the~~
31 ~~United-States-during-any-war,-including-World-War-I-at-any~~
32 ~~time-between-April-6,-1917,-and-November-11,-1918,-both-dates~~
33 ~~inclusive,-World-War-II-at-any-time-between-December-7,-1941,~~
34 ~~and-December-31,-1946,-both-dates-inclusive,-the-Korean~~
35 ~~Conflict-at-any-time-between-June-25,-1950,-and-January-31~~

1 1955, both dates inclusive, the Vietnam Conflict at any time
2 between December 22, 1961, and May 7, 1975, both dates
3 inclusive, and the Persian Gulf Conflict at any time between
4 August 2, 1990, and the date the president or the Congress of
5 the United States declares a permanent cessation of
6 hostilities, both dates inclusive, veteran or the spouse,
7 surviving spouse, or child of the person veteran, if the
8 person veteran has died without leaving sufficient means to
9 defray the funeral expenses. However, if Congress enacts a
10 date different from August 2, 1990, as the beginning of the
11 Persian Gulf Conflict for purposes of determining whether a
12 veteran is entitled to receive military benefits as a veteran
13 of the Persian Gulf Conflict, that date shall be substituted
14 for August 2, 1990. The commission may pay the expenses in a
15 sum not exceeding an amount established by the board of
16 supervisors.

17 Sec. 13. Section 35B.14, unnumbered paragraph 1, Code
18 1995, is amended to read as follows:

19 The board of supervisors of each county may appropriate
20 moneys for the food, clothing, shelter, utilities, medical
21 benefits, and funeral expenses of honorably discharged,
22 indigent persons who served in the military or naval forces of
23 the United States in any war including World War I at any time
24 between April 6, 1917, and November 11, 1918, both dates
25 inclusive, World War II at any time between December 7, 1941,
26 and December 31, 1946, both dates inclusive, the Korean
27 Conflict at any time between June 25, 1950, and January 31,
28 1955, both dates inclusive, the Vietnam Conflict at any time
29 between December 22, 1961, and May 7, 1975, both dates
30 inclusive, and the Persian Gulf Conflict at any time between
31 August 2, 1990, and the date the president or the Congress of
32 the United States declares a permanent cessation of
33 hostilities, both dates inclusive, veterans and their indigent
34 spouses, surviving spouses, and minor children not over yet
35 eighteen years of age, having a legal residence in the county.

1 However, if Congress enacts a date different from August 2,
2 1990, as the beginning of the Persian Gulf Conflict for
3 purposes of determining whether a veteran is entitled to
4 receive military benefits as a veteran of the Persian Gulf
5 Conflict, that date shall be substituted for August 2, 1990.

6 Sec. 14. Section 35B.16, Code 1995, is amended to read as
7 follows:

8 35B.16 MARKERS FOR GRAVES.

9 The county commission of veteran affairs may furnish a
10 suitable and appropriate metal marker for the grave of each
11 honorably discharged person, who served in the military or
12 naval forces of the United States during any war, including
13 World War I at any time between April 6, 1917, and November
14 11, 1918, both dates inclusive; World War II at any time
15 between December 7, 1941, and December 31, 1946, both dates
16 inclusive; the Korean Conflict at any time between June 25,
17 1950, and January 31, 1955, both dates inclusive; the Vietnam
18 Conflict at any time between December 22, 1961, and May 7,
19 1975, both dates inclusive; and the Persian Gulf Conflict at
20 any time between August 2, 1990, and the date the president or
21 the Congress of the United States declares a permanent
22 cessation of hostilities, both dates inclusive; and veteran
23 who is buried within the limits of the county, to be placed at
24 the individual's grave to permanently mark and designate the
25 grave for memorial purposes. The expenses shall be paid from
26 any funds raised as provided in this chapter. If Congress
27 enacts a date different from August 2, 1990, as the beginning
28 of the Persian Gulf Conflict for purposes of determining
29 whether a veteran is entitled to receive military benefits as
30 a veteran of the Persian Gulf Conflict, that date shall be
31 substituted for August 2, 1990.

32 Sec. 15. Section 35B.19, Code 1995, is amended to read as
33 follows:

34 35B.19 BURIAL RECORDS.

35 The county commission of veteran affairs shall be charged

1 with securing the information requested by the commission of
2 veterans affairs of every ~~person-having-a-military-service~~
3 ~~record-and~~ veteran buried in that county. Such The county
4 commission shall obtain the information shall-be-secured from
5 the undertaker funeral director in charge of the burial and
6 ~~shall-be-transmitted-by-the-undertaker-to-the-commission-of~~
7 ~~veteran-affairs-of-the-county-where-burial-is-made~~ within ten
8 working days of the burial. This information shall be
9 recorded alphabetically and by description of location in the
10 cemetery where the veteran is buried. This recording shall
11 conform to the directives of the state commission of veterans
12 affairs and shall be kept in a book by the county commission.
13 The county commission shall send a copy of each recording to
14 the state commission of veterans affairs within ten working
15 days after its recording in the county.

16 Sec. 16. Section 35C.1, subsection 1, Code 1995, is
17 amended to read as follows:

18 1. In every public department and upon all public works in
19 the state, and of the counties, cities, and school
20 corporations of the state, ~~honorably-discharged-persons-from~~
21 ~~the-military-or-naval-forces-of-the-United-States-in-any-war~~
22 ~~in-which-the-United-States-has-been-engaged,~~-including-the
23 ~~Korean-Conflict-at-any-time-between-June-25,-1950-and-January~~
24 ~~31,-1955,-both-dates-inclusive,-the-Vietnam-Conflict-beginning~~
25 ~~August-5,-1964,-and-ending-on-May-7,-1975,-both-dates~~
26 ~~inclusive,-and-the-Persian-Gulf-Conflict-beginning-August-2-~~
27 ~~1990,-and-ending-on-the-date-specified-by-the-president-or-the~~
28 ~~Congress-of-the-United-States-as-the-date-of-permanent~~
29 ~~cessation-of-hostilities,-both-dates-inclusive,~~ veterans who
30 are citizens and residents of this state are entitled to
31 preference in appointment and employment over other applicants
32 of no greater qualifications. However,-if-the-Congress-of-the
33 ~~United-States-enacts-a-date-different-from-August-2,-1990,-as~~
34 ~~the-beginning-of-the-Persian-Gulf-Conflict-to-determine-the~~
35 ~~eligibility-of-a-veteran-for-military-benefits-as-a-veteran-of~~

~~1 the-Persian-Gulf-Conflict,--the-date-enacted-by-the-Congress-of
2 the-United-States-shall-be-substituted-for-August-27-1990:
3 The preference in appointment and employment for employees of
4 cities under a municipal civil service is the same as provided
5 in section 400.10. For-the-purposes-of-this-section-service
6 in-World-War-II-means-service-in-the-armed-forces-of-the
7 United-States-between-December-7,--1941,--and-December-31,--1946,
8 both-dates-inclusive.~~

9 Sec. 17. Section 35C.3, Code 1995, is amended to read as
10 follows:

11 35C.3 DUTY TO INVESTIGATE AND APPOINT.

12 When any preferred person shall apply for appointment or
13 employment under this chapter, the officer, board, or person
14 whose duty it is or may be to appoint or employ some person to
15 fill such the position or place shall, before appointing or
16 employing anyone to fill such the position or place, make an
17 investigation as to the qualifications of said the applicant
18 for such the place or position, and if the applicant is of
19 good moral character and can perform the duties of said the
20 position so applied for, as hereinbefore provided, said the
21 officer, board, or person shall appoint said the applicant to
22 such position, place, or employment. Said The appointing
23 officer, board or person shall set forth in writing and file
24 for public inspection, the specific grounds upon which it is
25 held that the person appointed is entitled to said the
26 appointment, or in the case such the appointment is refused,
27 the specific grounds for the refusal thereof. Unsuccessful
28 applicants shall be notified in writing of the specific
29 grounds for the refusal within ten working days.

30 Sec. 18. Section 35C.5, Code 1995, is amended to read as
31 follows:

32 35C.5 APPEALS.

33 In addition to the remedy provided in section 35C.4, an
34 appeal may be taken by any person belonging to any of the
35 classes of persons to whom a preference is hereby granted,

1 from any refusal to allow said the preference, as provided in
2 this chapter, to the district court of the county in which
3 such the refusal occurs. The appeal shall be made by serving
4 upon the appointing board within twenty sixty days after the
5 date of the refusal of said the appointing officer, board, or
6 persons to allow said the preference, a written notice of such
7 the appeal stating the grounds of the appeal, a demand in
8 writing for a certified transcript of the record, and all
9 papers on file in the office affecting or relating to said the
10 appointment. Thereupon Upon receipt of the notice and demand,
11 said the appointing officer, board, or person shall, within
12 ten days, make, certify, and deliver to appellant such-a the
13 transcript; and the appellant shall, within five days
14 thereafter, file the same transcript and a copy of the notice
15 of appeal with the clerk of said the court, and said the
16 notice of appeal shall stand as appellant's complaint and
17 thereupon-said the cause shall be accorded such the preference
18 in its assignment for trial as to assure its prompt
19 disposition. The court shall receive and consider any
20 pertinent evidence, whether oral or documentary, concerning
21 said the appointment from which the appeal is taken, and if
22 the court shall find that the said applicant is qualified as
23 defined in section 35C.1, to hold the position for which the
24 applicant has applied, said the court shall, by its mandate,
25 specifically direct the said appointing officer, board or
26 persons as to their further action in the matter. An appeal
27 may be taken from judgment of the said district court on any
28 such appeal on the same terms as an appeal is taken in civil
29 actions. At their election parties entitled to appeal under
30 this section may, in the alternative, maintain an action for
31 judicial review in accordance with ~~the terms of the Iowa~~
32 ~~administrative-procedure-Act~~ chapter 17A if that is otherwise
33 applicable to their case.

34 Sec. 19. NEW SECTION. 35C.5A ARBITRATION.

35 In addition to the remedies provided in sections 35C.4 and

1 35C.5, a person belonging to a class of persons to whom a
2 preference is granted may submit any refusal to allow the
3 preference to arbitration within sixty days after written
4 notification of the refusal. If submitted, an arbitrator
5 shall be selected by a committee which includes one member
6 selected by the person who is refused preference in
7 appointment or employment, one member selected by the
8 appointing officer, board, or persons, and a disinterested
9 party selected by the other two members of the committee. A
10 list of qualified arbitrators may be obtained from the
11 American arbitration association or other recognized
12 arbitration organization. The decision of the arbitrator is
13 final.

14 Sec. 20. Section 35D.13, subsection 2, Code 1995, is
15 amended to read as follows:

16 2. The commandant must be a resident of the state of Iowa,
17 ~~an-honorably-discharged a veteran who-served-in-the-armed~~
18 ~~forces-of-the-United-States-during-a-conflict-or-war,~~ and a
19 licensed nursing home administrator. ~~As-used-in-this-section,~~
20 ~~the-dates-of-service-in-a-conflict-or-war-shall-coincide-with~~
21 ~~the-dates-of-service-established-by-the-Congress-of-the-United~~
22 ~~States.~~

23 Sec. 21. Section 37.10, unnumbered paragraph 1, Code 1995,
24 is amended to read as follows:

25 Each commissioner shall be ~~an-honorably-discharged-soldier,~~
26 ~~sailor,-marine,-airman,-or-coast-guard-member~~ a veteran, as
27 defined in section 35.1, and be a resident of the city county
28 in which the memorial hall or monument is located ~~or-live~~
29 ~~within-the-county-if-the-memorial-hall-or-monument-is-located~~
30 ~~outside-of-a-city-or-is-a-joint-memorial-as-provided-in-this~~
31 ~~chapter.~~

32 Sec. 22. Section 282.6, unnumbered paragraph 1, Code 1995,
33 is amended to read as follows:

34 Every school shall be free of tuition to all actual
35 residents between the ages of five and twenty-one years and to

1 resident ~~honorably-discharged-soldiers, sailors, and marines~~
2 veterans as defined in section 35.1, as many months after
3 becoming twenty-one years of age as they have spent in the
4 ~~military or naval service~~ armed forces of the United States
5 before they became twenty-one, provided, however, fees may be
6 charged covering instructional costs for a summer school or
7 drivers education program. The board of education may, in a
8 hardship case, exempt a student from payment of the above
9 fees. Every person, however, who shall attend any school
10 after graduation from a four-year course in an approved high
11 school or its equivalent shall be charged a sufficient tuition
12 fee to cover the cost of the instruction received by such the
13 person.

14 Sec. 23. Section 321.189, subsection 2, paragraph a, Code
15 Supplement 1995, is amended to read as follows:

16 a. Appearing on the driver's license shall be a
17 distinguishing number assigned to the licensee; the licensee's
18 full name, date of birth, sex, and residence address; a
19 colored photograph; a physical description of the licensee;
20 the name of the state; the dates of issuance and expiration;
21 and the usual signature of the licensee. The license shall
22 identify the class of vehicle the licensee may operate and the
23 applicable endorsements and restrictions which the department
24 shall require by rule. At the request of the licensee, the
25 license shall include a military veteran identifier.

26 Sec. 24. Section 331.608, subsection 8, Code 1995, is
27 amended to read as follows:

28 8. As used in this section, "veteran" means a ~~man or woman~~
29 veteran as defined in section 35.1 who enlisted or was
30 inducted from the county, resided at any time in the county,
31 or is buried in the county ~~and who served as a member of a~~
32 ~~branch of the armed forces of the United States of America, as~~
33 ~~a member of the merchant marine during the time of war, during~~
34 ~~the Korean Conflict beginning June 25, 1950, and ending~~
35 ~~January 31, 1955, both dates inclusive, or during the Vietnam~~

1 Conflict-beginning-August-5, 1964, and ending June 30, 1973,
2 both dates inclusive, or as a member of the armed forces of a
3 country allied with the United States of America or the armed
4 forces of Iowa or another state or territory.

5 Sec. 25. Section 400.10, Code 1995, is amended to read as
6 follows:

7 400.10 PREFERENCES.

8 In all examinations and appointments under this chapter,
9 other than promotions and appointments of chief of the police
10 department and chief of the fire department, honorably
11 discharged veterans from the military or naval forces of the
12 United States in any war in which the United States has been
13 engaged, including the Korean Conflict at any time between
14 June 25, 1950, and January 31, 1955, both dates inclusive, the
15 Vietnam Conflict beginning August 5, 1964, and ending May 7,
16 1975, both dates inclusive, and the Persian Gulf Conflict
17 beginning August 2, 1990, and ending on the date specified by
18 the president or the Congress of the United States as the date
19 of permanent cessation of hostilities, both dates inclusive,
20 and, as defined in section 35.1, who are citizens and
21 residents of this state, shall have five points added to the
22 veteran's grade or score attained in qualifying examinations
23 for appointment to positions and five additional points added
24 to the grade or score if the veteran has a service-connected
25 disability or is receiving compensation, disability benefits
26 or pension under laws administered by the veterans
27 administration. However, if the Congress of the United States
28 enacts a date different from August 2, 1990, as the beginning
29 of the Persian Gulf Conflict to determine the eligibility of a
30 veteran for military benefits as a veteran of the Persian Gulf
31 Conflict, the date enacted by the Congress of the United
32 States shall be substituted for August 2, 1990. -- An honorably
33 discharged A veteran who has been awarded the Purple Heart
34 for disabilities incurred in action shall be considered to
35 have a service-connected disability. However, the points

1 shall be given only upon passing the exam and shall not be the
2 determining factor in passing.

3 ~~For the purposes of this section World War II shall be from~~
4 ~~December 7, 1941, to December 31, 1946, both dates inclusive.~~

5 Sec. 26. Section 427.3, subsections 1 and 2, Code 1995,
6 are amended to read as follows:

7 1. The property, not to exceed two thousand seven hundred
8 seventy-eight dollars in taxable value of any honorably
9 ~~discharged soldier, sailor, marine, or nurse~~ veteran, as
10 defined in section 35.1 of the first World War.

11 2. The property, not to exceed one thousand eight hundred
12 fifty-two dollars in taxable value of an honorably separated,
13 retired, furloughed to a reserve, placed on inactive status,
14 or discharged ~~soldier, sailor, marine, or nurse of the second~~
15 ~~World War from December 7, 1941, to December 31, 1946, army of~~
16 ~~occupation in Germany from November 12, 1918, to July 11,~~
17 ~~1923, American expeditionary forces in Siberia from November~~
18 ~~12, 1918, to April 30, 1920, second Nicaraguan campaign with~~
19 ~~the navy or marines in Nicaragua or on combatant ships 1926-~~
20 ~~1933, second Haitian suppression of insurrections 1919-1920,~~
21 ~~navy and marine operations in China 1937-1939 and Yangtze~~
22 ~~service with navy and marines in Shanghai or in the Yangtze~~
23 ~~Valley 1926-1927 and 1930-1932 or of the Korean Conflict at~~
24 ~~any time between June 25, 1950, and January 31, 1955, both~~
25 ~~dates inclusive, or those who served on active duty during the~~
26 ~~Vietnam Conflict beginning December 22, 1961, and ending May~~
27 ~~7, 1975, both dates inclusive, or those who served on active~~
28 ~~duty during the Persian Gulf Conflict at any time between~~
29 ~~August 2, 1990, and the date the president or the Congress of~~
30 ~~the United States declares a permanent cessation of~~
31 ~~hostilities, both dates inclusive~~ veteran, as defined in
32 section 35.1. However, if Congress enacts a date different
33 from August 2, 1990, as the beginning of the Persian Gulf
34 Conflict for purposes of determining whether a veteran is
35 entitled to receive military benefits as a veteran of the

1 ~~Persian-Gulf-Conflict, that date shall be substituted for~~
 2 ~~August 27, 1990. For the purposes of this section, "active~~
 3 ~~duty" means full-time duty in the armed forces of the United~~
 4 ~~States, excluding active duty for training purposes only and~~
 5 ~~excluding any period a person was assigned by the armed forces~~
 6 ~~to a civilian institution for a course of education or~~
 7 ~~training which was substantially the same as established~~
 8 ~~courses offered to civilians, or as a cadet or midshipman,~~
 9 ~~however enrolled, at one of the service academies.~~

10 Sec. 27. Section 427.3, subsection 3, Code 1995, is
 11 amended by striking the subsection and inserting in lieu
 12 thereof the following:

13 3. The military service tax credit payable to political
 14 subdivisions of this state pursuant to chapter 426A shall be
 15 paid in full.

16 Sec. 28. Section 427.4, Code 1995, is amended to read as
 17 follows:

18 427.4 EXEMPTIONS TO RELATIVES.

19 In case any person in the foregoing classifications does
 20 not claim ~~any such~~ the exemption from taxation, it shall be
 21 allowed in the name of ~~such the~~ the person to the same extent on
 22 the property of any one of the following persons in the order
 23 named:

24 1. The spouse, or surviving spouse remaining unmarried, of
 25 ~~any such soldier, sailor, marine, or nurse~~ a veteran, as
 26 defined in section 35.1, where they are living together or
 27 were living together at the time of the death of ~~such person~~
 28 the veteran.

29 2. The parent whose spouse is deceased and who remains
 30 unmarried, of ~~any such soldier, sailor, marine, or nurse~~ a
 31 veteran, as defined in section 35.1, whether living or
 32 deceased, where ~~such the~~ the parent is, or was at the time of
 33 death of the ~~soldier, sailor, marine, or nurse~~ veteran,
 34 dependent on ~~such person~~ the veteran for support.

35 3. The minor child, or children owning property as tenants

1 in common, of any-such a deceased soldier, sailor, marine, or
2 nurse veteran, as defined in section 35.1.

3 No more than one tax exemption shall be allowed under this
4 section or section 427.3 in the name of any-honorably
5 discharged-soldier, sailor, marine, or nurse a veteran, as
6 defined in section 35.1.

7 Sec. 29. Section 483A.24, subsection 16, Code 1995, is
8 amended to read as follows:

9 16. Upon payment of the fee of thirty dollars for a
10 lifetime hunting and fishing combined license, the department
11 shall issue a hunting and fishing combined license to a
12 veteran who was disabled during the period of a veteran's
13 service listed in this subsection or who was a prisoner of war
14 during that veteran's military service. The department shall
15 prepare an application to be used by a person requesting a
16 hunting and fishing combined license under this subsection.
17 The commission of veterans affairs shall assist the department
18 in verifying the status or claims of applicants under this
19 subsection. As used in this subsection, "veteran" means a
20 ~~person who is a resident of Iowa and who served in the armed~~
21 ~~forces of the United States of America at any time during~~
22 ~~World War I between the dates of April 6, 1917, and July 2,~~
23 ~~1921, World War II between the dates of December 7, 1941, and~~
24 ~~December 31, 1946, the Korean conflict between the dates of~~
25 ~~June 27, 1950, and January 31, 1955, the Vietnam conflict~~
26 ~~between August 5, 1964, and May 7, 1975, or the Persian Gulf~~
27 ~~conflict between August 2, 1990, and the date the president or~~
28 ~~the Congress of the United States declares a permanent~~
29 ~~cessation of hostilities, all dates inclusive~~ veteran as
30 defined in section 35.1, and "disabled" means entitled to
31 compensation under ~~the United States Code, Title 38, chapter~~
32 U.S.C. ch. 11.

33 Sec. 30. Section 26 of this Act, being deemed of immediate
34 importance, is effective upon enactment.

35

EXPLANATION

1 This bill redefines "veteran" to include persons who served
2 in the armed forces of the United States during peacetime or
3 in civilian occupations which have been given military status
4 when performed during actual conflict or in war zones.

5 In addition to the persons who served during wars or
6 military conflicts, the term "veteran" is redefined to include
7 former members of the armed forces who served on active duty
8 during peacetime or the "Cold War" and were discharged under
9 honorable conditions, former members of the national guard or
10 military reserve who served six or more years and were
11 discharged under honorable conditions, former members of the
12 merchant marines who served during World War II and were
13 discharged under honorable conditions, and former members of
14 the women's air force service pilots and other persons who
15 have been conferred veterans status based on their civilian
16 duties during World War II pursuant to federal law. The
17 definition change makes these persons and their families
18 eligible for veteran benefits, such as military service
19 property tax exemptions and credits, education benefits for
20 veterans' children, burial benefits, employment preferences,
21 bonus compensation for merchant marines during World War II,
22 and benefits for indigent veterans and their families.

23 The bill also provides for the training and certification
24 of county veteran affairs commissioners and executive
25 directors in the counties as a qualification to remain in
26 office. Each county is to employ an executive director and
27 provide additional compatible duties if the executive
28 director's job is not full-time. The bill also strikes a
29 provision that provides a deputy county auditor as an
30 administrative assistant to the county veteran affairs
31 commission and a requirement for a minimum four-hour work day.
32 A provision that names and addresses of veterans receiving
33 financial assistance be included in quarterly reports to the
34 board of supervisors is changed to use of case numbers.

35 The bill provides that the seventh member of the state

1 commission of veterans affairs is to be selected from nominees
2 of the executive board of the Iowa association of county
3 commissioners of veteran affairs.

4 The bill establishes a bonus compensation for merchant
5 marines serving during World War II and discharged under
6 honorable conditions. The bonus is to be administered by the
7 executive director of the state commission of veterans
8 affairs. The bonus amounts to \$22.75 for each month served on
9 active duty, not to exceed a total of \$500.

10 Concerning employment preferences, the bill also provides
11 that a veteran who is denied a preference may appeal the
12 denial within 60 days of notice rather than 20 days.

13 Unsuccessful preferred applicants shall be given written
14 grounds for the refusal within 10 working days. A veteran is
15 provided another option to appeal a denial of an employment
16 preference by submitting the denial to arbitration.

17 Veterans may also request a veteran identifier on their
18 driver's license.

19 The bill includes a number of corresponding amendments to
20 replace current language listing the dates of military service
21 during which persons must have served in order to qualify as a
22 veteran with the new definition of veteran. The bill amends
23 the military service property tax exemption provisions to
24 correspond to the new definition of veteran and provides for
25 the full payment of the military service tax credit to local
26 government.

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**SENATE FILE 2224
FISCAL NOTE**

The estimate for Senate File 2224 is hereby submitted as a fiscal note pursuant to Joint Rule 17, Code of Iowa. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2224 redefines the definition of veteran, provides for training and certification of county veteran affairs commissioners and executive directors, provides a bonus compensation for merchant marines, provides for an identifier on the veteran's drivers license, and amends the military service property tax exemptions based upon the new definition of veteran.

ASSUMPTIONS

1. Training of county veteran affairs commissioners and executive directors:
 - A. One person to Des Moines twice a year to attend school.
 - B. Reimbursement for meals, mileage, and lodging at current state rate.
2. Bonus compensation for merchant marines:
 - A. There are approximately 300 eligible merchant marines/widows/children.
 - B. The maximum bonus is \$500 per eligible merchant marine or survivor.
3. Identifier on the veteran's drivers license:
 - A. The drivers license form would change.
 - B. The Department of Transportation will provide the Commission on Veterans Affairs with a list of veterans.
4. The military service property tax exemptions based upon the new definition of veteran:
 - A. The redefinition of a veteran would increase the number of veterans from approximately 295,600 in FY 1994 to 349,900 or 54,300 veterans.
 - B. For FY 1995, the FY 1994 number of veterans received approximately \$2.85 million in property tax exemptions or \$9.64/veteran.
5. Staff at the Commission on Veterans Affairs - An additional clerical position for increased work load.

-2-

FISCAL IMPACT

The estimated fiscal impact of SF 2224 is as follows:

Veterans Benefits as per SF 2224
(dollars in thousands)

	<u>FY 1997</u>	<u>FY 1998</u>
<u>EXPENDITURES</u>		
Training	\$ 50	\$ 50
Merchant Marines	150	0
Drivers License	35	0
Military PT Exemption	523	523
Salary	20	26
Support	6	1
Total	\$ <u>784</u>	\$ <u>600</u>

Note: Senate File 2224 also allows the 54,300 newly defined veterans to receive a \$30 lifetime hunting/fishing license. This action would potentially produce an indeterminate loss to the Department of Natural Resources.

SOURCES

Commission on Veterans Affairs
..... END REPORT

(LSB 3804ss, RRS)

FILED MARCH 5, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

**SENATE FILE 2224
REVISED
FISCAL NOTE**

A fiscal note for Senate File 2224 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 2224 redefines the definition of veteran, provides for training and certification of county veteran affairs commissioners and executive directors, provides a bonus compensation for merchant marines, provides for an identifier on the veteran's drivers license, and amends the military service property tax exemptions based upon the new definition of veteran.

ASSUMPTIONS

1. Training of county veteran affairs commissioners and executive directors:
 - A. One person to Des Moines twice a year to attend school.
 - B. Reimbursement for meals, mileage, and lodging at current state rate.
2. Bonus compensation for merchant marines:
 - A. There are approximately 300 eligible merchant marines/widows/children.
 - B. The maximum bonus is \$500 per eligible merchant marine or survivor.
3. Identifier on the veteran's drivers license:
 - A. The drivers license form would change.
 - B. The Department of Transportation will provide the Commission on Veterans Affairs with a list of veterans.
4. The military service property tax exemptions based upon the new definition of veteran:
 - A. The redefinition of a veteran would increase the number of veterans from approximately 295,600 in FY 1994 to 349,900 or 54,300 veterans.
 - B. For FY 1995, the FY 1994 number of veterans received approximately \$2.85 million in property tax exemptions or \$9.64/veteran.
5. Staff at the Commission on Veterans Affairs - An additional clerical position for increased work load.

FISCAL IMPACT

The estimated fiscal impact of SF 2224 is as follows:

Veterans Benefits as per SF 2224
(dollars in thousands)

	<u>FY 1997</u>	<u>FY 1998</u>
<u>EXPENDITURES</u>		
Training	\$ 50	\$ 50
Merchant Marines	150	0
Drivers License	35	0
Military PT Exemption	523	523
Salary	20	26
Support	6	1
Total	\$ <u>784</u>	\$ <u>600</u>

Senate File 2224 also allows newly defined veterans who are disabled to receive a \$30 lifetime hunting/fishing license. Sufficient information is not available to accurately determine the impact of this provision to the Department Natural Resources.

SOURCES

Commission on Veterans Affairs

(LSB 3804SS.2, RRS)

FILED MARCH 11, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

H. 3/21/96 State Gov.
H. 4/16/96 Amend/Do Pass
W/5974

SENATE FILE 2224
BY IVERSON and JUDGE

(AS AMENDED AND PASSED BY THE SENATE MARCH 20, 1996)

* - Language Stricken by the Senate

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

A BILL FOR

1 An Act relating to veterans of the United States armed forces, by
2 changing eligibility for veteran benefits, preferences, and
3 tax exemptions, by providing for the administration of veteran
4 benefits, providing a penalty, and by providing for other
5 properly related matters.

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

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S.F. 2224

1 Section 1. NEW SECTION. 35.1 DEFINITIONS.

2 As used in this chapter and chapters 35A through 35D:

3 1. "Commission" means the commission of veterans affairs
4 created in section 35A.2.

5 2. "Veteran" means a resident of this state and former
6 member of the armed forces of the United States who was
7 discharged under honorable conditions. "Veteran" includes the
8 following persons:

9 a. Former members of the reserve forces of the United
10 States who served at least six years in the reserve forces
11 after January 28, 1973, and who were discharged under
12 honorable conditions.

13 b. Former members of the Iowa national guard who served at
14 least six years in the Iowa national guard after January 28,
15 1973, and who were discharged under honorable conditions.

16 c. Former members of the merchant marines who served
17 during World War II at any time between December 7, 1941, and
18 December 31, 1946, both dates inclusive, who were discharged
19 under honorable conditions.

20 d. Former members of the women's air force service pilots
21 and other persons who have been conferred veterans status
22 based on their civilian duties during World War II in
23 accordance with federal Pub. L. No. 95-202, 38 U.S.C. § 106.

24 Sec. 2. Section 35.8, Code 1995, is amended to read as
25 follows:

26 35.8 MONEY COMPRISING FUND.

27 Any money hereafter appropriated for the purpose of aiding
28 in the education of children of ~~honorably-discharged-persons~~
29 ~~who-served-in-the-military-or-naval-forces-of-the-United~~
30 ~~States-in-World-War-I-or-World-War-II~~ veterans, as provided by
31 this chapter, shall be known as the war orphans educational
32 aid fund.

33 Sec. 3. Section 35.9, unnumbered paragraph 1, Code 1995,
34 is amended to read as follows:

35 The commission of veterans affairs may expend not more than

1 six hundred dollars per year for any one child who has lived
2 in the state of Iowa for two years preceding application for
3 aid, and who is the child of a person veteran who died during
4 ~~World-War-I-between-the-dates-of-April-6-1917-and-June-2-~~
5 ~~1921-or-during-World-War-II-between-the-dates-of-September~~
6 ~~16-1940-and-December-31-1946-both-dates-inclusive-or-the~~
7 ~~Korean-Conflict-between-June-25-1950-and-January-31-1955-~~
8 ~~both-dates-inclusive-or-the-Vietnam-Conflict-between-August~~
9 ~~5-1964-and-May-7-1975-both-dates-inclusive-or-the-Persian~~
10 ~~Gulf-Conflict-at-any-time-between-August-2-1990-and-the-date~~
11 ~~the-president-or-the-Congress-of-the-United-States-declares-a~~
12 ~~permanent-cessation-of-hostilities-both-dates-inclusive-~~
13 while serving in the military-or-naval armed forces of the
14 United States, to include members of the reserve components
15 performing service or duties required or authorized under
16 chapter 39, United States Code and ~~Title~~ 32, ~~United-States~~
17 ~~Code-sections~~ U.S.C. § 502 through 505, and active state
18 service required or authorized under chapter 29A, or as a
19 result of such the service, to defray the expenses of tuition,
20 matriculation, laboratory and similar fees, books and
21 supplies, board, lodging, and any other reasonably necessary
22 expense for such child or children incident to attendance in
23 this state at an educational or training institution of
24 college grade, or in a business or vocational training school
25 with standards approved by the commission of veterans affairs.
26 ~~However-if-Congress-enacts-a-date-different-from-August-2-~~
27 ~~1990-as-the-beginning-of-the-Persian-Gulf-Conflict-for~~
28 ~~purposes-of-determining-whether-a-veteran-is-entitled-to~~
29 ~~receive-military-benefits-as-a-veteran-of-the-Persian-Gulf~~
30 ~~Conflict-that-date-shall-be-substituted-for-August-2-1990-~~

*31 Sec. 4. Section 35A.3, subsection 12, Code Supplement
32 1995, is amended to read as follows:

33 12. Provide training to county veteran affairs commission
34 members, executive directors ~~of-county-commissions-of-veteran~~
35 affairs and other staff pursuant to section 35B.6. The

1 commission may shall adopt rules in accordance with chapter
2 17A to provide for training of county veteran affairs
3 commission members, executive directors, and other staff.

4 Sec. 5. Section 35A.8, Code 1995, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 4. a. The executive director shall
7 provide for the administration of the bonus authorized in this
8 subsection. The executive director shall adopt rules,
9 pursuant to chapter 17A, as necessary to administer this
10 subsection including, but not limited to, application pro-
11 cedures, and investigation, approval or disapproval, and
12 payment of claims.

13 b. (1) Each person who served on active duty in the
14 merchant marine service of the United States, at any time
15 between September 16, 1940, and September 2, 1945, both dates
16 inclusive, and who served for a period of not less than one
17 hundred twenty days on or before December 31, 1946, and who at
18 the time of entering into the merchant marine service was a
19 legal resident of the state of Iowa, and who had maintained
20 the person's residence in this state for a period of at least
21 six months immediately before entering the merchant marine
22 service and was honorably discharged or separated from the
23 merchant marine service, is entitled to receive from moneys
24 appropriated for that purpose the sum of twenty-two dollars
25 and seventy-five cents for each month that the person was on
26 active duty in the merchant marine service, all before
27 December 31, 1946, not to exceed a total sum of five hundred
28 dollars. Compensation for a fraction of a month shall not be
29 considered unless the fraction is sixteen days or more, in
30 which case the fraction shall be computed as a full month.

31 (2) A person is not entitled to compensation pursuant to
32 this subsection if the person received a bonus or compensation
33 of a similar nature as provided in this subsection from
34 another state.

35 (3) A person is not entitled to compensation pursuant to

1 this subsection if the person was on active duty in the
2 merchant marine service after September 16, 1940, and the
3 person refused on conscientious, political, religious, or
4 other grounds, to be subject to military discipline.

5 (4) The surviving widow or widower, child or children,
6 mother, father, or person standing in loco parentis, in the
7 order named and none other, of any deceased person, shall be
8 paid the compensation that the deceased person would be
9 entitled to pursuant to this subsection, if living, but if any
10 person has died or shall die, or is disabled, from service-
11 connected causes incurred during the period and in the area
12 from which the person is entitled to receive compensation
13 pursuant to this subsection, the person or the first survivor
14 as designated by this subsection and in the order named, shall
15 be paid five hundred dollars, regardless of the length of
16 service.

17 c. A person who knowingly makes a false statement relating
18 to a material fact in supporting an application under this
19 subsection is guilty of a serious misdemeanor. A person
20 convicted pursuant to this subsection shall forfeit all
21 benefits to which the person may have been entitled under this
22 subsection.

23 d. All payments and allowances made under this subsection
24 shall be exempt from taxation and from levy and sale on
25 execution.

26 e. The bonus compensation authorized under this subsection
27 shall be paid from moneys appropriated for that purpose.

28 Sec. 6. Section 35B.3, Code 1995, is amended to read as
29 follows:

30 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

31 The county commission of veteran affairs shall consist of
32 either three or five persons, as determined by the board of
33 supervisors, all of whom shall be ~~honorably-discharged-persons~~
34 ~~who-served-in-the-military-or-naval-forces-of-the-United~~
35 ~~States-in-any-war,-including-World-War-I-at-any-time-between~~

1 April-6, 1917, and November-11, 1918, both dates inclusive;
2 World War II at any time between December-7, 1941, and
3 December-31, 1946, both dates inclusive; the Korean Conflict
4 at any time between June-25, 1950, and January-31, 1955, both
5 dates inclusive; the Vietnam Conflict at any time between
6 December-22, 1961, and May-7, 1975, both dates inclusive; and
7 the Persian Gulf Conflict at any time between August-2, 1990,
8 and the date the president or the Congress of the United
9 States declares a permanent cessation of hostilities, both
10 dates inclusive veterans. However, if Congress enacts a date
11 different from August-2, 1990, as the beginning of the Persian
12 Gulf Conflict for purposes of determining whether a veteran is
13 entitled to receive military benefits as a veteran of the
14 Persian Gulf Conflict, that date shall be substituted for
15 August-2, 1990. If possible, each member of the commission
16 shall be a veteran of a different war, or conflict, so as to
17 divide membership among the persons who served in World War I,
18 World War II, the Korean Conflict, the Vietnam Conflict, and
19 the Persian Gulf Conflict or era; however, this qualification
20 does not preclude membership to a veteran who served in more
21 than one of the wars, or conflicts, or eras.

22 Sec. 7. Section 35B.6, subsection 1, Code 1995, is amended
23 to read as follows:

24 1. a. The members of the commission shall qualify by
25 taking the usual oath of office, and give bond in the sum of
26 five hundred dollars each, conditioned for the faithful
27 discharge of their duties with sureties to be approved by the
28 county auditor. The commission shall organize by the
29 selection of one of their members as chairperson, and one as
30 secretary. The commission, subject to the approval of the
31 board of supervisors, shall ~~have power to~~ employ an executive
32 director and other necessary administrative or clerical
33 assistants when needed, the compensation of ~~such~~ the employees
34 to be fixed by the board of supervisors, but no member of the
35 commission shall be so employed. If the duties of executive

1 director do not require full-time employment in a county, the
2 board of supervisors may assign additional duties to the
3 executive director including, but not limited to, zoning
4 director, relief director, public health director, emergency
5 management director, or other compatible employment. The
6 executive director ~~must possess the same qualifications as~~
7 ~~provided in section 35B.3 for commission members~~ need not be a
8 veteran, but a veteran shall be given preference if all other
9 conditions are met. However, this ~~qualification requirement~~
10 ~~shall~~ preference does not apply to a person employed as an
11 executive director prior to July 1, 1989.

12 b. Upon the employment of an executive director, the
13 executive director shall complete a course of initial training
14 provided by the commission of veterans affairs pursuant to
15 section 35A.3. ~~If an executive director is not appointed, a~~
16 ~~commissioner or a clerical assistant shall complete the course~~
17 ~~of training.~~ Each commissioner and clerical assistant
18 appointed by the county commission shall also complete a
19 course of training provided by the commission of veterans
20 affairs. The commission shall issue the executive director,
21 commissioner, or clerical assistant a certificate of training
22 after completion of the initial training course. To maintain
23 annual certification, the executive director, commissioner, or
24 clerical assistant shall attend one commission training course
25 each year. Failure to maintain certification ~~may~~ shall be
26 cause for removal from office. The expenses of training
27 including the actual and necessary expenses of the executive
28 directors, commissioners, and clerical assistants shall be
29 paid from ~~the appropriation authorized in section 35B.14~~ state
30 funds.

31 Sec. 8. Section 35B.6, subsection 1, Code 1995, is amended
32 by adding the following new paragraph:

33 NEW PARAGRAPH. c. The training program for county
34 commissioners, executive directors, and other staff shall
35 include, but is not limited to, the following topics as

1 appropriate for the specific office:

2 (1) Office management principles.

3 (2) Current programs available to veterans, including care
4 provided at the Iowa veterans home.

5 (3) Procedures for application for state and federal
6 veteran benefits.

7 (4) Waiver and appeal processes for veteran programs.

8 (5) Assistance in making referrals within the veterans
9 administration system.

10 (6) Competent knowledge of other federal assistance
11 programs such as social security administration programs,
12 Medicare, and medical assistance.

13 (7) Role of conservators and the power of attorney to
14 assist veterans.

15 (8) Legal obligations of commissioners and executive
16 directors.

17 Sec. 9. Section 35B.6, subsections 3 and 4, Code 1995, are
18 amended by striking the subsections.

19 Sec. 10. Section 35B.10, unnumbered paragraph 1, Code
20 1995, is amended to read as follows:

21 All claims certified by the commission shall be reviewed by
22 the board of supervisors and the county auditor shall issue
23 warrants in payment of the claims. All applications,
24 investigation reports, and case records are privileged
25 communications and shall be held confidential, subject to use
26 and inspection only by persons authorized by law in connection
27 with their official duties relating to financial audits and
28 the administration of this chapter. However, the county
29 commission of veteran affairs shall prepare and file in the
30 office of the county auditor on or before the thirtieth day of
31 each January, April, July, and October, a report showing the
32 ~~names-and-addresses~~ case numbers of all recipients receiving
33 assistance under this chapter, together with the amount paid
34 to each during the preceding quarter. Each report so filed
35 shall be securely fixed in a record book to be used only for

1 such the reports made under this chapter.

2 Sec. 11. Section 35B.13, Code 1995, is amended to read as
3 follows:

4 35B.13 BURIAL -- EXPENSES.

5 The commission is responsible for the interment in a
6 suitable cemetery of the body of any honorably-discharged
7 ~~person who served in the military or naval forces of the~~
8 ~~United States during any war, including World War I at any~~
9 ~~time between April 6, 1917, and November 11, 1918, both dates~~
10 ~~inclusive; World War II at any time between December 7, 1941,~~
11 ~~and December 31, 1946, both dates inclusive; the Korean~~
12 ~~Conflict at any time between June 25, 1950, and January 31,~~
13 ~~1955, both dates inclusive; the Vietnam Conflict at any time~~
14 ~~between December 22, 1961, and May 7, 1975, both dates~~
15 ~~inclusive; and the Persian Gulf Conflict at any time between~~
16 ~~August 2, 1990, and the date the president or the Congress of~~
17 ~~the United States declares a permanent cessation of~~
18 ~~hostilities, both dates inclusive; veteran or the spouse,~~
19 ~~surviving spouse, or child of the person veteran, if the~~
20 ~~person veteran has died without leaving sufficient means to~~
21 ~~defray the funeral expenses. However, if Congress enacts a~~
22 ~~date different from August 2, 1990, as the beginning of the~~
23 ~~Persian Gulf Conflict for purposes of determining whether a~~
24 ~~veteran is entitled to receive military benefits as a veteran~~
25 ~~of the Persian Gulf Conflict, that date shall be substituted~~
26 ~~for August 2, 1990.~~ The commission may pay the expenses in a
27 sum not exceeding an amount established by the board of
28 supervisors.

29 Sec. 12. Section 35B.14, unnumbered paragraph 1, Code
30 1995, is amended to read as follows:

31 The board of supervisors of each county may appropriate
32 moneys for the food, clothing, shelter, utilities, medical
33 benefits, and funeral expenses of honorably-discharged,
34 indigent ~~persons who served in the military or naval forces of~~
35 ~~the United States in any war including World War I at any time~~

1 between-April-6, 1917, and-November-11, 1918, both-dates
2 inclusive, World-War-II-at-any-time-between-December-7, 1941,
3 and-December-31, 1946, both-dates-inclusive, the-Korean
4 Conflict-at-any-time-between-June-25, 1950, and-January-31,
5 1955, both-dates-inclusive, the-Vietnam-Conflict-at-any-time
6 between-December-22, 1961, and-May-7, 1975, both-dates
7 inclusive, and-the-Persian-Gulf-Conflict-at-any-time-between
8 August-2, 1990, and-the-date-the-president-or-the-Congress-of
9 the-United-States-declares-a-permanent-cessation-of
10 hostilities, both-dates-inclusive, veterans and their indigent
11 spouses, surviving spouses, and minor children not over yet
12 eighteen years of age, having a legal residence in the county.
13 However, if-Congress-enacts-a-date-different-from-August-2,
14 1990, as-the-beginning-of-the-Persian-Gulf-Conflict-for
15 purposes-of-determining-whether-a-veteran-is-entitled-to
16 receive-military-benefits-as-a-veteran-of-the-Persian-Gulf
17 Conflict, that-date-shall-be-substituted-for-August-2, 1990.

18 Sec. 13. Section 35B.16, Code 1995, is amended to read as
19 follows:

20 35B.16 MARKERS FOR GRAVES.

21 The county commission of veteran affairs may furnish a
22 suitable and appropriate metal marker for the grave of each
23 honorably-discharged-person, who-served-in-the-military-or
24 naval-forces-of-the-United-States-during-any-war, including
25 World-War-I-at-any-time-between-April-6, 1917, and-November
26 11, 1918, both-dates-inclusive, World-War-II-at-any-time
27 between-December-7, 1941, and-December-31, 1946, both-dates
28 inclusive, the-Korean-Conflict-at-any-time-between-June-25,
29 1950, and-January-31, 1955, both-dates-inclusive, the-Vietnam
30 Conflict-at-any-time-between-December-22, 1961, and-May-7,
31 1975, both-dates-inclusive, and-the-Persian-Gulf-Conflict-at
32 any-time-between-August-2, 1990, and-the-date-the-president-or
33 the-Congress-of-the-United-States-declares-a-permanent
34 cessation-of-hostilities, both-dates-inclusive, and veteran
35 who is buried within the limits of the county, to be placed at

1 the individual's grave to permanently mark and designate the
2 grave for memorial purposes. The expenses shall be paid from
3 any funds raised as provided in this chapter. ~~If Congress~~
4 ~~enacts a date different from August 27, 1990, as the beginning~~
5 ~~of the Persian Gulf Conflict for purposes of determining~~
6 ~~whether a veteran is entitled to receive military benefits as~~
7 ~~a veteran of the Persian Gulf Conflict, that date shall be~~
8 ~~substituted for August 27, 1990.~~

* 9 Sec. 14. Section 35C.1, subsection 1, Code 1995, is
10 amended to read as follows:

11 1. In every public department and upon all public works in
12 the state, and of the counties, cities, and school
13 corporations of the state, ~~honorably discharged persons from~~
14 ~~the military or naval forces of the United States in any war~~
15 ~~in which the United States has been engaged, including the~~
16 ~~Korean Conflict at any time between June 25, 1950 and January~~
17 ~~31, 1955, both dates inclusive, the Vietnam Conflict beginning~~
18 ~~August 5, 1964, and ending on May 7, 1975, both dates~~
19 ~~inclusive, and the Persian Gulf Conflict beginning August 27,~~
20 ~~1990, and ending on the date specified by the president or the~~
21 ~~Congress of the United States as the date of permanent~~
22 ~~cessation of hostilities, both dates inclusive, veterans who~~
23 are citizens and residents of this state are entitled to
24 preference in appointment and employment over other applicants
25 of no greater qualifications. ~~However, if the Congress of the~~
26 ~~United States enacts a date different from August 27, 1990, as~~
27 ~~the beginning of the Persian Gulf Conflict to determine the~~
28 ~~eligibility of a veteran for military benefits as a veteran of~~
29 ~~the Persian Gulf Conflict, the date enacted by the Congress of~~
30 ~~the United States shall be substituted for August 27, 1990.~~
31 The preference in appointment and employment for employees of
32 cities under a municipal civil service is the same as provided
33 in section 400.10. ~~For the purposes of this section service~~
34 ~~in World War II means service in the armed forces of the~~
35 ~~United States between December 7, 1941, and December 31, 1946,~~

1 ~~both-dates-inclusive.~~

2 Sec. 15. Section 35C.3, Code 1995, is amended to read as
3 follows:

4 35C.3 DUTY TO INVESTIGATE AND APPOINT.

5 When any preferred person shall apply for appointment or
6 employment under this chapter, the officer, board, or person
7 whose duty it is or may be to appoint or employ some person to
8 fill ~~such the~~ position or place shall, before appointing or
9 employing anyone to fill ~~such the~~ position or place, make an
10 investigation as to the qualifications of ~~said the~~ applicant
11 for ~~such the~~ place or position, and if the applicant is of
12 good moral character and can perform the duties of ~~said the~~
13 position so applied for, as hereinbefore provided, ~~said the~~
14 officer, board, or person shall appoint ~~said the~~ applicant to
15 such position, place, or employment. ~~Said The~~ appointing
16 officer, board or person shall set forth in writing and file
17 for public inspection, the specific grounds upon which it is
18 held that the person appointed is entitled to ~~said the~~
19 appointment, or in the case ~~such the~~ appointment is refused,
20 the specific grounds for the refusal ~~thereof~~. Unsuccessful
21 applicants shall be notified in writing of the specific
22 grounds for the refusal within ten working days.

23 Sec. 16. Section 35C.5, Code 1995, is amended to read as
24 follows:

25 35C.5 APPEALS.

26 In addition to the remedy provided in section 35C.4, an
27 appeal may be taken by any person belonging to any of the
28 classes of persons to whom a preference is ~~hereby~~ granted,
29 from any refusal to allow ~~said the~~ preference, as provided in
30 this chapter, to the district court of the county in which
31 ~~such the~~ refusal occurs. The appeal shall be made by serving
32 upon the appointing board within twenty sixty days after the
33 date of the refusal of ~~said the~~ appointing officer, board, or
34 persons to allow ~~said the~~ preference, a written notice of ~~such~~
35 the appeal stating the grounds of the appeal, a demand in

1 writing for a certified transcript of the record, and all
2 papers on file in the office affecting or relating to said the
3 appointment. Thereupon Upon receipt of the notice and demand,
4 said the appointing officer, board, or person shall, within
5 ten days, make, certify, and deliver to appellant ~~such-a~~ the
6 transcript; and the appellant shall, within five days
7 thereafter, file the same transcript and a copy of the notice
8 of appeal with the clerk of said the court, and said the
9 notice of appeal shall stand as appellant's complaint and
10 ~~thereupon-said the~~ cause shall be accorded such the preference
11 in its assignment for trial as to assure its prompt
12 disposition. The court shall receive and consider any
13 pertinent evidence, whether oral or documentary, concerning
14 said the appointment from which the appeal is taken, and if
15 the court shall find that the said applicant is qualified as
16 defined in section 35C.1, to hold the position for which the
17 applicant has applied, said the court shall, by its mandate,
18 specifically direct the said appointing officer, board or
19 persons as to their further action in the matter. An appeal
20 may be taken from judgment of the said district court on any
21 such appeal on the same terms as an appeal is taken in civil
22 actions. At their election parties entitled to appeal under
23 this section may, in the alternative, maintain an action for
24 judicial review in accordance with ~~the-terms-of-the-Iowa~~
25 ~~administrative-procedure-Act~~ chapter 17A if that is otherwise
26 applicable to their case.

27 Sec. 17. NEW SECTION. 35C.5A ARBITRATION.

28 In addition to the remedies provided in sections 35C.4 and
29 35C.5, a person belonging to a class of persons to whom a
30 preference is granted may submit any refusal to allow the
31 preference to arbitration within sixty days after written
32 notification of the refusal. If submitted, an arbitrator
33 shall be selected by a committee which includes one member
34 selected by the person who is refused preference in
35 appointment or employment, one member selected by the

1 appointing officer, board, or persons, and a disinterested
2 party selected by the other two members of the committee. A
3 list of qualified arbitrators may be obtained from the
4 American arbitration association or other recognized
5 arbitration organization. The decision of the arbitrator is
6 final.

7 Sec. 18. Section 35D.13, subsection 2, Code 1995, is
8 amended to read as follows:

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

16 Sec. 19. Section 37.10, unnumbered paragraph 1, Code 1995,
17 is amended to read as follows:

18 Each commissioner shall be ~~an-honorably-discharged-soldier,~~
19 ~~sailor,~~ ~~marine,~~ ~~airman,~~ ~~or-coast-guard-member~~ a veteran, as
20 defined in section 35.1, and be a resident of the city county
21 in which the memorial hall or monument is located ~~or-five~~
22 ~~within-the-county-if-the-memorial-hall-or-monument-is-located~~
23 ~~outside-of-a-city-or-is-a-joint-memorial-as-provided-in-this~~
24 ~~chapter.~~

25 Sec. 20. Section 282.6, unnumbered paragraph 1, Code 1995,
26 is amended to read as follows:

27 Every school shall be free of tuition to all actual
28 residents between the ages of five and twenty-one years and to
29 resident ~~honorably-discharged-soldiers,~~ ~~sailors,~~ ~~and-marines~~
30 veterans as defined in section 35.1, as many months after
31 becoming twenty-one years of age as they have spent in the
32 ~~military-or-naval-service~~ armed forces of the United States
33 before they became twenty-one, provided, however, fees may be
34 charged covering instructional costs for a summer school or
35 drivers education program. The board of education may, in a

1 hardship case, exempt a student from payment of the above
2 fees. Every person, however, who shall attend any school
3 after graduation from a four-year course in an approved high
4 school or its equivalent shall be charged a sufficient tuition
5 fee to cover the cost of the instruction received by such the
6 person.

7 Sec. 21. Section 321.189, subsection 2, paragraph a, Code
8 Supplement 1995, is amended to read as follows:

9 a. Appearing on the driver's license shall be a
10 distinguishing number assigned to the licensee; the licensee's
11 full name, date of birth, sex, and residence address; a
12 colored photograph; a physical description of the licensee;
13 the name of the state; the dates of issuance and expiration;
14 and the usual signature of the licensee. The license shall
15 identify the class of vehicle the licensee may operate and the
16 applicable endorsements and restrictions which the department
17 shall require by rule. At the request of the licensee, the
18 license shall include a military veteran identifier.

19 Sec. 22. Section 331.608, subsection 8, Code 1995, is
20 amended to read as follows:

21 8. As used in this section, "veteran" means a man-or-woman
22 veteran as defined in section 35.1 who enlisted or was
23 inducted from the county, resided at any time in the county,
24 or is buried in the county ~~and-who-served-as-a-member-of-a~~
25 ~~branch-of-the-armed-forces-of-the-United-States-of-America-as~~
26 ~~a-member-of-the-merchant-marine-during-the-time-of-war-as-during~~
27 ~~the-Korean-Conflict-beginning-June-25-1950-and-ending~~
28 ~~January-31-1955-both-dates-inclusive-or-during-the-Vietnam~~
29 ~~Conflict-beginning-August-5-1964-and-ending-June-30-1973~~
30 ~~both-dates-inclusive-or-as-a-member-of-the-armed-forces-of-a~~
31 ~~country-allied-with-the-United-States-of-America-or-the-armed~~
32 ~~forces-of-Iowa-or-another-state-or-territory.~~

33 Sec. 23. Section 400.10, Code 1995, is amended to read as
34 follows:

35 400.10 PREFERENCES.

1 In all examinations and appointments under this chapter,
2 other than promotions and appointments of chief of the police
3 department and chief of the fire department, honorably
4 discharged veterans from-the-military-or-naval-forces-of-the
5 United-States-in-any-war-in-which-the-United-States-has-been
6 engaged, including-the-Korean-Conflict-at-any-time-between
7 June-25, 1950, and-January-31, 1955, both-dates-inclusive, the
8 Vietnam-Conflict-beginning-August-5, 1964, and-ending-May-7,
9 1975, both-dates-inclusive, and-the-Persian-Gulf-Conflict
10 beginning-August-2, 1990, and-ending-on-the-date-specified-by
11 the-president-or-the-Congress-of-the-United-States-as-the-date
12 of-permanent-cessation-of-hostilities, both-dates-inclusive,
13 and, as defined in section 35.1, who are citizens and
14 residents of this state, shall have five points added to the
15 veteran's grade or score attained in qualifying examinations
16 for appointment to positions and five additional points added
17 to the grade or score if the veteran has a service-connected
18 disability or is receiving compensation, disability benefits
19 or pension under laws administered by the veterans
20 administration. However, if-the-Congress-of-the-United-States
21 enacts-a-date-different-from-August-2, 1990, as-the-beginning
22 of-the-Persian-Gulf-Conflict-to-determine-the-eligibility-of-a
23 veteran-for-military-benefits-as-a-veteran-of-the-Persian-Gulf
24 Conflict, the-date-enacted-by-the-Congress-of-the-United
25 States-shall-be-substituted-for-August-2, 1990.--An honorably
26 discharged A veteran who has been awarded the Purple Heart
27 for disabilities incurred in action shall be considered to
28 have a service-connected disability. However, the points
29 shall be given only upon passing the exam and shall not be the
30 determining factor in passing.

31 For-the-purposes-of-this-section-World-War-II-shall-be-from
32 December-7, 1941, to-December-31, 1946, both-dates-inclusive.

33 Sec. 24. Section 427.3, subsections 1 and 2, Code 1995,
34 are amended to read as follows:

35 1. The property, not to exceed two thousand seven hundred

1 seventy-eight dollars in taxable value of any honorably
2 ~~discharged-soldier,-sailor,-marine,-or-nurse~~ veteran, as
3 defined in section 35.1 of the first World War.

4 2. The property, not to exceed one thousand eight hundred
5 fifty-two dollars in taxable value of an honorably separated,
6 retired, furloughed to a reserve, placed on inactive status,
7 or discharged ~~soldier,-sailor,-marine,-or-nurse-of-the-second~~
8 ~~World-War-from-December-7,-1941,-to-December-31,-1946,-army-of~~
9 ~~occupation-in-Germany-from-November-12,-1918,-to-July-11,~~
10 ~~1923,-American-expeditionary-forces-in-Siberia-from-November~~
11 ~~12,-1918,-to-April-30,-1920,-second-Nicaraguan-campaign-with~~
12 ~~the-navy-or-marines-in-Nicaragua-or-on-combatant-ships-1926-~~
13 ~~1933,-second-Haitian-suppression-of-insurrections-1919-1920,~~
14 ~~navy-and-marine-operations-in-China-1937-1939-and-Yangtze~~
15 ~~service-with-navy-and-marines-in-Shanghai-or-in-the-Yangtze~~
16 ~~Valley-1926-1927-and-1930-1932-or-of-the-Korean-Conflict-at~~
17 ~~any-time-between-June-25,-1950,-and-January-31,-1955,-both~~
18 ~~dates-inclusive,-or-those-who-served-on-active-duty-during-the~~
19 ~~Vietnam-Conflict-beginning-December-22,-1961,-and-ending-May~~
20 ~~7,-1975,-both-dates-inclusive,-or-those-who-served-on-active~~
21 ~~duty-during-the-Persian-Gulf-Conflict-at-any-time-between~~
22 ~~August-2,-1990,-and-the-date-the-president-or-the-Congress-of~~
23 ~~the-United-States-declares-a-permanent-cessation-of~~
24 ~~hostilities,-both-dates-inclusive~~ veteran, as defined in
25 section 35.1. However, if Congress enacts a date different
26 from August 2, 1990, as the beginning of the Persian Gulf
27 Conflict for purposes of determining whether a veteran is
28 entitled to receive military benefits as a veteran of the
29 Persian Gulf Conflict, that date shall be substituted for
30 August 2, 1990. -- For the purposes of this section, "active
31 duty" means full-time duty in the armed forces of the United
32 States, excluding active duty for training purposes only and
33 excluding any period a person was assigned by the armed forces
34 to a civilian institution for a course of education or
35 training which was substantially the same as established

1 ~~courses-offered-to-civilians, or as a cadet or midshipman,~~
2 ~~however-enrolled, at one of the service academies.~~

3 Sec. 25. Section 427.3, subsection 3, Code 1995, is
4 amended by striking the subsection and inserting in lieu
5 thereof the following:

6 3. The military service tax credit payable to political
7 subdivisions of this state pursuant to chapter 426A shall be
8 paid in full.

9 Sec. 26. Section 427.4, Code 1995, is amended to read as
10 follows:

11 427.4 EXEMPTIONS TO RELATIVES.

12 In case any person in the foregoing classifications does
13 not claim ~~any-such~~ the exemption from taxation, it shall be
14 allowed in the name of ~~such~~ the person to the same extent on
15 the property of any one of the following persons in the order
16 named:

17 1. The spouse, or surviving spouse remaining unmarried, of
18 ~~any-such-soldier, sailor, marine, or nurse~~ a veteran, as
19 defined in section 35.1, where they are living together or
20 were living together at the time of the death of ~~such-person~~
21 the veteran.

22 2. The parent whose spouse is deceased and who remains
23 unmarried, of ~~any-such-soldier, sailor, marine, or nurse~~ a
24 veteran, as defined in section 35.1, whether living or
25 deceased, where ~~such~~ the parent is, or was at the time of
26 death of the ~~soldier, sailor, marine, or nurse~~ veteran,
27 dependent on ~~such-person~~ the veteran for support.

28 3. The minor child, or children owning property as tenants
29 in common, of ~~any-such~~ a deceased ~~soldier, sailor, marine, or~~
30 ~~nurse~~ veteran, as defined in section 35.1.

31 No more than one tax exemption shall be allowed under this
32 section or section 427.3 in the name of ~~any-honorably~~
33 ~~discharged-soldier, sailor, marine, or nurse~~ a veteran, as
34 defined in section 35.1.

35 Sec. 27. Section 483A.24, subsection 16, Code 1995, is

SENATE FILE 2224

H-5974

- 1 Amend Senate File 2224, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 11, by striking the words "after
4 January 28, 1973,".
5 2. Page 1, lines 14 and 15, by striking the words
6 "after January 28, 1973,".
7 3. By striking page 12, line 27, through page 13,
8 line 6.
9 4. Page 13, by striking lines 7 through 15.
10 5. Page 14, by striking lines 7 through 18.
11 6. By striking page 15, line 33, through page 17,
12 line 34.
13 7. By striking page 17, line 35, through page 18,
14 line 25.
15 8. Page 18, by striking lines 26 and 27.

By COMMITTEE ON WAYS AND MEANS
HALVORSON of Clayton, Chairperso

H-5974 FILED APRIL 16, 1996

SENATE FILE 2224

H-6050

- 1 Amend Senate File 2224, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 3, line 4, through page 4,
4 line 27.

By BRAUNS of Muscatine
BRADLEY of Clinton

H-6050 FILED APRIL 24, 1996

**SENATE FILE 2224
FISCAL NOTE**

A fiscal note for Senate File 2224 as amended by H-5974 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 2224 as amended by H-5974 redefines the definition of veteran, provides for training and certification of county veteran affairs commissioners and executive directors, and provides a bonus compensation for merchant marines.

ASSUMPTIONS

1. Training of county veteran affairs commissioners and executive directors:
 - A. One person to Des Moines twice a year to attend school.
 - B. Reimbursement for meals, mileage, and lodging at current state rate.
2. Bonus compensation for merchant marines:
 - A. There are approximately 300 eligible merchant marines/widows/children.
 - B. The maximum bonus is \$500 per eligible merchant marine or survivor.
3. Staff at the Commission on Veterans Affairs - An additional clerical position for increased work load.

FISCAL IMPACT

The estimated fiscal impact of SF 2224 as amended by H-5974 is as follows:

Veterans Benefits (dollars in thousands)

	<u>FY 1997</u>	<u>FY 1998</u>
<u>EXPENDITURES</u>		
Training	\$ 50	\$ 50
Merchant Marines	150	0
Salary	20	26
Support	6	1
Total	\$ <u>226</u>	\$ <u>77</u>

SOURCES

Commission on Veterans Affairs

(LSB 3804ss.3, RRS)

FILED APRIL 17, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

1 amended to read as follows:

2 16. Upon payment of the fee of thirty dollars for a
3 lifetime hunting and fishing combined license, the department
4 shall issue a hunting and fishing combined license to a
5 veteran who was disabled during the period of a veteran's
6 service listed in this subsection or who was a prisoner of war
7 during that veteran's military service. The department shall
8 prepare an application to be used by a person requesting a
9 hunting and fishing combined license under this subsection.
10 The commission of veterans affairs shall assist the department
11 in verifying the status or claims of applicants under this
12 subsection. As used in this subsection, "veteran" means a
13 ~~person who is a resident of Iowa and who served in the armed~~
14 ~~forces of the United States of America at any time during~~
15 ~~World War I between the dates of April 6, 1917, and July 27,~~
16 ~~1921, World War II between the dates of December 7, 1941, and~~
17 ~~December 31, 1946, the Korean conflict between the dates of~~
18 ~~June 27, 1950, and January 31, 1955, the Vietnam conflict~~
19 ~~between August 5, 1964, and May 7, 1975, or the Persian Gulf~~
20 ~~conflict between August 2, 1990, and the date the president or~~
21 ~~the Congress of the United States declares a permanent~~
22 ~~cessation of hostilities, all dates inclusive~~ veteran as
23 defined in section 35.1, and "disabled" means entitled to
24 compensation under ~~the United States Code, Title 38, chapter~~
25 U.S.C. ch. 11.

26 Sec. 28. Section 24 of this Act, being deemed of immediate
27 importance, is effective upon enactment.

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SF 2224