

801—7.1(35A,35B) County commissions of veteran affairs fund.

7.1(1) Purpose. 2008 Iowa Acts, chapter 1130, section 2, created the county commissions of veteran affairs fund. The purpose and legislative intent of this fund are to assist county commissions of veteran affairs in complying with legislative requirements for employing a county veteran service officer who is nationally accredited through the National Association of County Veterans Service Officers (NACVSO); who is occupied in veterans affairs service pursuant to Iowa Code section 35B.6 as amended by 2008 Iowa Acts, chapter 1130, for a minimum number of hours; and who maintains an office in a location owned or leased by the county. Funding is allocated annually to counties pursuant to a standing appropriation by the general assembly to the Iowa department of veterans affairs.

7.1(2) Allocation amount. The department shall annually allocate \$10,000 to each county from the county commissions of veteran affairs fund. In order to qualify for the allocation, a county must agree to expend the allocation pursuant to Iowa Code section 35B.6 as amended by 2008 Iowa Acts, chapter 1130, for the administration and maintenance of the county commission of veteran affairs office and staff and must also agree to maintain its current level of spending from the previous fiscal year. Moneys remaining in the county commissions of veteran affairs fund after the allocations have been distributed to the counties shall be used by the department to provide for a county commission of veteran affairs training program as outlined in rule 801—7.2(35A,35B). During fiscal year 2010, the department shall use account funds to arrange for an accreditation course by NACVSO to be held in this state. Following fiscal year 2010, the department shall arrange for an accreditation course by NACVSO to be held in this state when necessary.

7.1(3) Allocation report. Counties shall submit a written report to the department 30 days following the end of the fiscal year in which the allocation was received. The report shall provide an assessment of county veteran affairs services, including verification of an office and hours of employment, and documentation that the county veteran service officer is performing required duties pursuant to Iowa Code section 35B.6 as amended by 2008 Iowa Acts, chapter 1130. The allocation report shall also contain a final report on county veteran affairs expenditures for the fiscal year in which the allocation was received and the expenditure report from the previous fiscal year. Information provided in this report shall be used by the department to comply with rule 801—7.3(35A,35B).

7.1(4) Recovery of funds. The department shall be the entity charged with the recovery of county commissions of veteran affairs fund allocations from counties under the following circumstances:

a. Unauthorized use. Counties expending a portion of the allocation on items that do not provide services to veterans pursuant to Iowa Code section 35B.6 as amended by 2008 Iowa Acts, chapter 1130, will be required to return the unauthorized funds to the state of Iowa.

b. Maintenance of effort. Counties not maintaining their previous fiscal year's spending levels will be considered to have supplanted county funding with state allocation funds. Counties not complying with their maintenance of effort will be required to return the supplanted portion to the state of Iowa pursuant to Iowa Code section 35A.16(3) as enacted by 2008 Iowa Acts, chapter 1130, and amended by 2009 Iowa Acts, House File 283.

c. Noncompliance. Counties that are not in compliance with the requirements of Iowa Code section 35B.6 as amended by 2008 Iowa Acts, chapter 1130, and 2009 Iowa Acts, House File 283, and Iowa Code section 35B.12 on June 30 of each fiscal year will be required to return all moneys received during that fiscal year to the county commissions of veteran affairs fund pursuant to Iowa Code section 35A.16(3) as enacted by 2008 Iowa Acts, chapter 1130, and amended by 2009 Iowa Acts, House File 283. Counties that are deemed noncompliant due to the termination or resignation of an employee shall not be required to return the state allocation if an employee is hired within two months of the previous employee's separation.

7.1(5) Appeals. Applicants that are dissatisfied with the decision of the Iowa department of veterans affairs may file an appeal with the Iowa commission of veterans affairs. The written appeal must be received within 15 working days of the date of the notice of decision; must be based on a contention that the process was conducted outside of statutory authority, violated state or federal law, policy or rules, did not provide adequate public notice, was altered without adequate public notice, or involved conflicts of interest by staff; and must include a request that the commission review the decision and the reasons for the appeal. The Iowa commission of veterans affairs shall review the appeal at its next regularly scheduled meeting and shall issue a final decision.

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