

House Amendment 1437

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1 1 Amend House File 374, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. Section 7E.5, subsection 1, paragraph
1 6 v, Code 2005, is amended to read as follows:
1 7 v. The department of veterans affairs. However,
1 8 ~~the commission of veterans affairs, which has created~~
1 9 ~~in section 35A.2 shall have~~ primary responsibility for
1 10 state veterans affairs.
1 11 Sec. 2. Section 35.1, subsection 1, Code 2005, is
1 12 amended to read as follows:
1 13 1. "~~Commission~~" "Department" means the ~~commission~~
1 14 Iowa department of veterans affairs created in section
1 15 ~~35A.2~~ 35A.4.
1 16 Sec. 3. Section 35.1, subsection 2, paragraph b,
1 17 subparagraphs (1) and (2), Code 2005, are amended to
1 18 read as follows:
1 19 (1) Former members of the reserve forces of the
1 20 United States who served at least twenty years in the
1 21 reserve forces ~~after January 28, 1973,~~ and who were
1 22 discharged under honorable conditions. However, a
1 23 member of the reserve forces of the United States who
1 24 completed a minimum aggregate of ninety days of active
1 25 federal service, other than training, and was
1 26 discharged under honorable conditions, or was retired
1 27 under Title X of the United States Code shall be
1 28 included as a veteran.
1 29 (2) Former members of the Iowa national guard who
1 30 served at least twenty years in the Iowa national
1 31 guard ~~after January 28, 1973,~~ and who were discharged
1 32 under honorable conditions. However, a member of the
1 33 Iowa national guard who was activated for federal
1 34 duty, other than training, for a minimum aggregate of
1 35 ninety days, and was discharged under honorable
1 36 conditions or was retired under Title X of the United
1 37 States Code shall be included as a veteran.
1 38 Sec. 4. Section 35.1, subsection 2, paragraph b,
1 39 Code 2005, is amended by adding the following new
1 40 subparagraphs:
1 41 NEW SUBPARAGRAPH. (6) Members of the reserve
1 42 forces of the United States who have served at least
1 43 twenty years in the reserve forces and who continue to
1 44 serve in the reserve forces.
1 45 NEW SUBPARAGRAPH. (7) Members of the Iowa
1 46 national guard who have served at least twenty years
1 47 in the Iowa national guard and who continue to serve
1 48 in the Iowa national guard.
1 49 Sec. 5. NEW SECTION. 35.2 PROOF OF VETERAN
1 50 STATUS FOR CERTAIN VETERANS.
2 1 In order to fulfill any eligibility requirements
2 2 under Iowa law pertaining to veteran status, a veteran
2 3 described in section 35.1, subsection 2, paragraph
2 4 "b", subparagraph (6) or (7), shall submit the
2 5 veteran's retirement points accounting statement
2 6 issued by the armed forces of the United States, the
2 7 state adjutant general, or the adjutant general of any
2 8 other state, to confirm that the person has completed
2 9 twenty years of service with the reserve forces or the
2 10 national guard.
2 11 Sec. 6. Section 35.8, Code 2005, is amended to
2 12 read as follows:
2 13 35.8 WAR ORPHANS EDUCATIONAL AID FUND.
2 14 A war orphans educational aid fund is created as a
2 15 separate fund in the state treasury under the control
2 16 of the ~~commission department~~ of veterans affairs. Any
2 17 money appropriated for the purpose of aiding in the
2 18 education of orphaned children of veterans, as defined
2 19 in section 35.1, shall be deposited in the war orphans
2 20 educational aid fund.
2 21 Sec. 7. Section 35.9, unnumbered paragraph 1, Code
2 22 2005, is amended to read as follows:
2 23 The ~~commission department~~ of veterans affairs may
2 24 expend not more than six hundred dollars per year for

2 25 any one child who has lived in the state of Iowa for
2 26 two years preceding application for aid, and who is
2 27 the child of a person who died during active federal
2 28 military service while serving in the armed forces or
2 29 during active federal military service in the Iowa
2 30 national guard or other military component of the
2 31 United States, to defray the expenses of tuition,
2 32 matriculation, laboratory and similar fees, books and
2 33 supplies, board, lodging, and any other reasonably
2 34 necessary expense for the child or children incident
2 35 to attendance in this state at an educational or
2 36 training institution of college grade, or in a
2 37 business or vocational training school with standards
2 38 approved by the ~~commission~~ department of veterans
2 39 affairs.

2 40 Sec. 8. Section 35.10, Code 2005, is amended to
2 41 read as follows:

2 42 35.10 ELIGIBILITY AND PAYMENT OF AID.
2 43 Eligibility for aid shall be determined upon
2 44 application to the ~~commission~~ department of veterans
2 45 affairs, whose decision is final. The eligibility of
2 46 eligible applicants shall be certified by the
2 47 ~~commission~~ department of veterans affairs to the
2 48 director of the department of administrative services,
2 49 and all amounts that are or become due to an
2 50 individual or a training institution under this
3 1 chapter shall be paid to the individual or institution
3 2 by the director of the department of administrative
3 3 services upon receipt by the director of certification
3 4 by the president or governing board of the educational
3 5 or training institution as to accuracy of charges
3 6 made, and as to the attendance of the individual at
3 7 the educational or training institution. The
3 8 ~~commission~~ department of veterans affairs may pay over
3 9 the annual sum of four hundred dollars to the
3 10 educational or training institution in a lump sum, or
3 11 in installments as the circumstances warrant, upon
3 12 receiving from the institution such written
3 13 undertaking as the ~~commission~~ department may require
3 14 to assure the use of funds for the child for the
3 15 authorized purposes and for no other purpose. A
3 16 person is not eligible for the benefits of this
3 17 chapter until the person has graduated from a high
3 18 school or educational institution offering a course of
3 19 training equivalent to high school training.

3 20 Sec. 9. Section 35A.1, Code 2005, is amended by
3 21 adding the following new subsection:

3 22 NEW SUBSECTION. 3A. "Department" means the Iowa
3 23 department of veterans affairs established in section
3 24 35A.4.

3 25 Sec. 10. Section 35A.3, subsections 2 and 3, Code
3 26 2005, are amended to read as follows:

3 27 2. Adopt rules pursuant to chapter 17A and
3 28 establish policy for the management and operation of
3 29 the ~~department and the~~ commission.

3 30 3. ~~Prescribe the duties of an executive director
3 31 and other employees as the commission shall deem
3 32 necessary to carry out the duties of the commission.~~

3 33 Sec. 11. Section 35A.3, subsections 5, 6, 7, 8, 9,
3 34 10, 11, 12, and 14, Code 2005, are amended by striking
3 35 the subsections.

3 36 Sec. 12. NEW SECTION. 35A.4 DEPARTMENT
3 37 ESTABLISHED.

3 38 There is established an Iowa department of veterans
3 39 affairs which shall consist of a commission, an
3 40 executive director, and any additional personnel as
3 41 employed by the executive director.

3 42 Sec. 13. NEW SECTION. 35A.5 DUTIES OF THE
3 43 DEPARTMENT.

3 44 The department shall do all of the following:

3 45 1. Maintain information and data concerning the
3 46 military service records of Iowa veterans.

3 47 2. Assist county veteran affairs commissions
3 48 established pursuant to chapter 35B. The department
3 49 shall provide to county commissions suggested uniform
3 50 benefits and administrative procedures for carrying
4 1 out the functions and duties of the county
4 2 commissions.

4 3 3. Permanently maintain the records including
4 4 certified records of bonus applications for awards
4 5 paid from the war orphans educational fund under

4 6 chapter 35.
4 7 4. Collect and maintain information concerning
4 8 veterans affairs.
4 9 5. Conduct two service schools each year for the
4 10 Iowa association of county commissioners and executive
4 11 directors.
4 12 6. Assist the United States veterans
4 13 administration, the Iowa veterans home, funeral
4 14 directors, and federally chartered veterans service
4 15 organizations in providing information concerning
4 16 veterans service records and veterans affairs data.
4 17 7. Maintain alphabetically a permanent registry of
4 18 the graves of all persons who served in the military
4 19 or naval forces of the United States in time of war
4 20 and whose mortal remains rest in Iowa.
4 21 8. Provide training to executive directors of
4 22 county commissions of veteran affairs pursuant to
4 23 section 35B.6. The commission may adopt rules in
4 24 accordance with chapter 17A to provide for training of
4 25 county veteran affairs executive directors.
4 26 9. Establish and operate a state veterans cemetery
4 27 and make application to the government of the United
4 28 States or any subdivision, agency, or instrumentality
4 29 thereof, for funds for the purpose of establishing
4 30 such a cemetery. The state may enter into agreements
4 31 with any subdivision of the state for assistance in
4 32 operating the cemetery. The state shall own the land
4 33 on which the cemetery is located. The department
4 34 shall have the authority to accept federal grant
4 35 funds, funding from state subdivisions, donations from
4 36 private sources, and federal "plot allowance"
4 37 payments. All such funds shall be deposited into an
4 38 account dedicated to the establishment, operation, and
4 39 maintenance of a veterans cemetery and these funds
4 40 shall be expended only for those purposes. The
4 41 department through the director shall have the
4 42 authority to accept suitable cemetery land, in
4 43 accordance with federal veterans cemetery grant
4 44 guidelines, from the federal government, state
4 45 government, state subdivisions, private sources, and
4 46 any other source wishing to transfer land for use as a
4 47 veterans cemetery. Notwithstanding section 8.33, any
4 48 moneys in the account for a state veterans cemetery
4 49 shall not revert and, notwithstanding section 12C.7,
4 50 subsection 2, interest or earnings on moneys deposited
5 1 in the fund shall be credited to the account.
5 2 10. Carry out the policies of the department.
5 3 Sec. 14. Section 35A.8, subsections 1 and 3, Code
5 4 2005, are amended to read as follows:
5 5 1. The governor shall appoint an executive
5 6 director, subject to confirmation by the senate, who
5 7 shall serve at the pleasure of the governor. The
5 8 executive director is responsible for administering
5 9 the duties of the department and the commission other
5 10 than those related to the Iowa veterans home.
5 11 3. Except for the employment duties and
5 12 responsibilities assigned to the commandant for the
5 13 Iowa veterans home, the executive director shall
5 14 employ such personnel as are necessary for the
5 15 performance of the duties and responsibilities
5 16 assigned to the department and the commission. All
5 17 employees shall be selected on a basis of fitness for
5 18 the work to be performed with due regard to training
5 19 and experience and shall be subject to the provisions
5 20 of chapter 8A, subchapter IV.
5 21 Sec. 15. Section 35A.9, subsections 1 and 2, Code
5 22 2005, are amended to read as follows:
5 23 1. The executive director, commandant, and
5 24 employees of the commission department and the Iowa
5 25 veterans home are entitled to receive, in addition to
5 26 salary, reimbursement for actual expenses incurred
5 27 while engaged in the performance of official duties.
5 28 2. All out-of-state travel by commissioners, the
5 29 executive director, the commandant, or employees of
5 30 the commission department or the Iowa veterans home
5 31 shall be approved by the chairperson of the
5 32 commission.
5 33 Sec. 16. Section 35B.5, Code 2005, is amended to
5 34 read as follows:
5 35 35B.5 COMPENSATION.
5 36 A member of the commission shall receive twenty=

5 37 five dollars or a greater amount as established by the
5 38 board of supervisors for each month during which the
5 39 member attends one or more commission meetings and
5 40 shall be reimbursed for mileage the same as a member
5 41 of the board of supervisors. Compensation and mileage
5 42 shall be paid out of the appropriation authorized in
5 43 section 35B.14.

5 44 Sec. 17. Section 35B.6, subsection 1, paragraph b,
5 45 Code 2005, is amended to read as follows:

5 46 b. Upon the employment of an executive director,
5 47 the executive director shall complete a course of
5 48 initial training provided by the commission department
5 49 of veterans affairs pursuant to section ~~35A.3~~ 35A.5.

5 50 If an executive director is not appointed, a
6 1 commissioner or a clerical assistant shall complete
6 2 the course of training. The commission department
6 3 shall issue the executive director, commissioner, or
6 4 clerical assistant a certificate of training after
6 5 completion of the initial training course. To
6 6 maintain annual certification, the executive director,
6 7 commissioner, or clerical assistant shall attend one
6 8 commission department training course each year.
6 9 Failure to maintain certification may be cause for
6 10 removal from office. The expenses of training shall
6 11 be paid from the appropriation authorized in section
6 12 35B.14.

6 13 Sec. 18. Section 35B.11, Code 2005, is amended to
6 14 read as follows:

6 15 35B.11 DATA FURNISHED ~~STATE COMMISSION~~ IOWA
6 16 DEPARTMENT OF VETERANS AFFAIRS.

6 17 The commission of veteran affairs of each county
6 18 shall provide information to the ~~state commission~~
6 19 department of veterans affairs as the ~~state commission~~
6 20 department may request.

6 21 Sec. 19. Section 35B.19, Code 2005, is amended to
6 22 read as follows:

6 23 35B.19 BURIAL RECORDS.

6 24 The county commission of veteran affairs shall be
6 25 charged with securing the information requested by the
6 26 ~~commission department~~ of veterans affairs of every
6 27 person having a military service record and buried in
6 28 that county. Such information shall be secured from
6 29 the undertaker in charge of the burial and shall be
6 30 transmitted by the undertaker to the commission of
6 31 veteran affairs of the county where burial is made.
6 32 This information shall be recorded alphabetically and
6 33 by description of location in the cemetery where the
6 34 veteran is buried. This recording shall conform to
6 35 the directives of the ~~state commission department~~ of
6 36 veterans affairs and shall be kept in a book by the
6 37 county commission.

6 38 Sec. 20. Section 36.1, subsection 3, Code 2005, is
6 39 amended to read as follows:

6 40 3. "Commission" means the commission of veterans
6 41 affairs established in section 35A.2.

6 42 Sec. 21. Section 36.1, Code 2005, is amended by
6 43 adding the following new subsection:

6 44 NEW SUBSECTION. 3A. "Department" means the
6 45 department of veterans affairs established in section
6 46 35A.4.

6 47 Sec. 22. Section 36.2, Code 2005, is amended to
6 48 read as follows:

6 49 36.2 CHEMICAL EXPOSURE REPORT TO ~~COMMISSION~~
6 50 DEPARTMENT.

7 1 A licensed physician, as defined in section 135.1,
7 2 subsection 4, who treats a veteran the physician
7 3 believes may have been exposed to chemicals while
7 4 serving in the armed forces of the United States shall
7 5 submit a report indicating that information to the
7 6 commission department at the request of the veteran
7 7 pursuant to section 36.3.

7 8 Sec. 23. Section 36.3, Code 2005, is amended to
7 9 read as follows:

7 10 36.3 DUTIES OF THE ~~COMMISSION~~ DEPARTMENT.

7 11 The commission department shall:

7 12 1. Provide the forms for the reports required in
7 13 section 36.2. The report form shall require the
7 14 doctor to provide all of the following:

7 15 a. Symptoms of the veteran which may be related to
7 16 exposure to chemicals.

7 17 b. Diagnosis of the veteran.

7 18 c. Methods of treatment prescribed.
7 19 2. Annually compile and evaluate the information
7 20 submitted in the reports pursuant to subsection 1, in
7 21 consultation and cooperation with a certified medical
7 22 toxicologist selected by the ~~commission~~ department.
7 23 The ~~commission~~ department shall submit the report to
7 24 the governor, the general assembly, and the United
7 25 States veterans' administration. The report shall
7 26 include current research data on the effects of
7 27 exposure to chemicals, statistical information
7 28 received from individual physicians' reports, and
7 29 statistical information from the epidemiological
7 30 investigations pursuant to subsection 3.

7 31 3. Conduct epidemiological investigations of
7 32 veterans who have cancer or other medical problems or
7 33 who have children born with birth defects associated
7 34 with exposure to chemicals, in consultation and
7 35 cooperation with a certified medical toxicologist
7 36 selected by the ~~commission~~ department. The ~~commission~~
7 37 department shall obtain consent from a veteran before
7 38 conducting the investigations.

7 39 The ~~commission~~ department shall cooperate with
7 40 local and state agencies during the course of an
7 41 investigation.

7 42 Sec. 24. Section 36.4, unnumbered paragraph 1,
7 43 Code 2005, is amended to read as follows:

7 44 The ~~commission~~ department shall not identify a
7 45 veteran consenting to the epidemiological
7 46 investigations pursuant to section 36.3, subsection 3,
7 47 unless the veteran consents to the release of
7 48 identity. The statistical information compiled by the
7 49 ~~commission~~ department pursuant to section 36.3 is a
7 50 public record.

8 1 Sec. 25. Section 36.6, unnumbered paragraph 1,
8 2 Code 2005, is amended to read as follows:

8 3 The ~~commission~~ department and appropriate medical
8 4 facilities at the state university of Iowa under the
8 5 control of the state board of regents shall institute
8 6 a cooperative program to:

8 7 Sec. 26. Section 36.7, Code 2005, is amended to
8 8 read as follows:

8 9 36.7 FEDERAL PROGRAM.

8 10 If the ~~commission~~ department or the general
8 11 assembly determines that an agency of the federal
8 12 government or the state of Iowa is providing the
8 13 referral and genetic services pursuant to section
8 14 36.6, the ~~commission~~ department or the general
8 15 assembly by specific action may discontinue all or
8 16 part of the services and requirements in this chapter.

8 17 Sec. 27. NEW SECTION. 135.20 HEPATITIS C
8 18 AWARENESS PROGRAM == VETERANS == VACCINATIONS.

8 19 1. The department shall establish and administer a
8 20 hepatitis C awareness program. The goal of the
8 21 program shall be to distribute information to veterans
8 22 regarding the higher incidence of hepatitis C exposure
8 23 and infection among veterans, the dangers presented by
8 24 the disease, and contacts for additional information
8 25 and referrals. For purposes of this section,
8 26 "veteran" means an individual meeting the definition
8 27 contained in section 35.1.

8 28 2. The information to be distributed shall be
8 29 determined by the department by rule, in consultation
8 30 with the commission of veterans affairs. The
8 31 information shall, at a minimum, contain statements
8 32 indicating that:

8 33 a. The federal department of veterans affairs
8 34 estimates a hepatitis C infection rate in veterans
8 35 more than three times higher than for the general
8 36 population.

8 37 b. The infection rate for Vietnam veterans is
8 38 estimated to be even higher than for other veterans
8 39 groups.

8 40 c. The disease is caused by a bloodborne virus
8 41 readily transmitted during combat and combat-related
8 42 emergency medical treatment.

8 43 d. Many veterans currently carrying the virus were
8 44 infected prior to the development of medical screening
8 45 tests.

8 46 e. The hepatitis C virus often resolves into a
8 47 chronic infection without symptoms for ten to thirty
8 48 years before signs of resultant liver disease appear.

8 49 f. This unusually long latency period makes it
8 50 difficult to connect current symptoms with an
9 1 infection that may have actually been contracted
9 2 during military service decades ago.
9 3 The information shall also present treatment
9 4 options and shall specify a procedure to be followed
9 5 for veterans desiring a medical consultation for
9 6 screening and treatment purposes. The department
9 7 shall cooperate with the state commission of veterans
9 8 affairs regarding distribution of the information to
9 9 the veterans home, the county commissions of veteran
9 10 affairs, veterans hospitals, and other appropriate
9 11 points of distribution.
9 12 Sec. 28. Section 135C.31A, Code 2005, is amended
9 13 to read as follows:
9 14 135C.31A ASSESSMENT OF RESIDENTS == PROGRAM
9 15 ELIGIBILITY.
9 16 Beginning July 1, 2003, a health care facility
9 17 receiving reimbursement through the medical assistance
9 18 program under chapter 249A shall assist the Iowa
9 19 ~~commission department~~ of veterans affairs in
9 20 identifying, upon admission of a resident, the
9 21 resident's eligibility for benefits through the
9 22 federal department of veterans affairs. The health
9 23 care facility shall also assist the Iowa ~~commission~~
9 24 ~~department~~ of veterans affairs in determining such
9 25 eligibility for residents residing in the facility on
9 26 July 1, 2003. The department of inspections and
9 27 appeals, in cooperation with the department of human
9 28 services, shall adopt rules to administer this
9 29 section, including a provision that ensures that if a
9 30 resident is eligible for benefits through the federal
9 31 department of veterans affairs or other third-party
9 32 payor, the payor of last resort for reimbursement to
9 33 the health care facility is the medical assistance
9 34 program. This section shall not apply to the
9 35 admission of an individual to a state mental health
9 36 institute for acute psychiatric care or to the
9 37 admission of an individual to the Iowa veterans home.
9 38 Sec. 29. Section 256.9, subsection 48, Code 2005,
9 39 is amended to read as follows:
9 40 48. Develop and administer, with the cooperation
9 41 of the ~~commission department~~ of veterans affairs, a
9 42 program which shall be known as operation recognition.
9 43 The purpose of the program is to award high school
9 44 diplomas to veterans of World War I, World War II, and
9 45 the Korean and Vietnam conflicts who left high school
9 46 prior to graduation to enter United States military
9 47 service. The department of education and the
9 48 ~~commission department of veterans affairs~~ shall
9 49 jointly develop an application procedure, distribute
9 50 applications, and publicize the program to school
10 1 districts, accredited nonpublic schools, county
10 2 commissions of veteran affairs, veterans
10 3 organizations, and state, regional, and local media.
10 4 All honorably discharged veterans who are residents or
10 5 former residents of the state; who served at any time
10 6 between April 6, 1917, and November 11, 1918, at any
10 7 time between September 16, 1940, and December 31,
10 8 1946, at any time between June 25, 1950, and January
10 9 31, 1955, or at any time between February 28, 1961,
10 10 and May 5, 1975, all dates inclusive; and who did not
10 11 return to school and complete their education after
10 12 the war or conflict shall be eligible to receive a
10 13 diploma. Diplomas may be issued posthumously. Upon
10 14 approval of an application, the department shall issue
10 15 an honorary high school diploma for an eligible
10 16 veteran. The diploma shall indicate the veteran's
10 17 school of attendance. The department of education and
10 18 the ~~commission department of veterans affairs~~ shall
10 19 work together to provide school districts, schools,
10 20 communities, and county commissions of veteran affairs
10 21 with information about hosting a diploma ceremony on
10 22 or around Veterans Day. The diploma shall be mailed
10 23 to the veteran or, if the veteran is deceased, to the
10 24 veteran's family.
10 25 Sec. 30. Section 303.2, subsection 2, paragraph k,
10 26 Code 2005, is amended to read as follows:
10 27 k. Administer, preserve, and interpret the battle
10 28 flag collection assembled by the state in consultation
10 29 and coordination with the ~~commission department~~ of

10 30 veterans affairs and the department of administrative
10 31 services. A portion of the battle flag collection
10 32 shall be on display at the state capitol and the state
10 33 historical building at all times, unless on loan
10 34 approved by the department of cultural affairs.

10 35 Sec. 31. Section 331.608, subsection 6, paragraph
10 36 e, Code 2005, is amended to read as follows:

10 37 e. When otherwise required by a department or
10 38 agency of the federal or state government or a
10 39 political subdivision. The recorder shall make these
10 40 records available to the ~~commission department of~~
10 41 veterans affairs. The ~~commission department of~~
10 42 veterans affairs and its employees shall be subject to
10 43 the same state and federal confidentiality
10 44 restrictions and requirements that are imposed on the
10 45 recorder.

10 46 Sec. 32. Section 426A.13, unnumbered paragraphs 1
10 47 through 3, Code 2005, are amended to read as follows:

10 48 A person named in section 426A.11, who is a
10 49 resident of and domiciled in the state of Iowa, shall
10 50 receive a reduction equal to the exemption, to be made
11 1 from any property owned by the person or owned by a
11 2 family farm corporation of which the person is a
11 3 shareholder and who occupies the property and so
11 4 designated by proceeding as provided in the section.
11 5 To be eligible to receive the exemption the person
11 6 claiming it shall have recorded in the office of the
11 7 county recorder of the county in which is located the
11 8 property designated for the exemption, evidence of
11 9 property ownership by that person or the family farm
11 10 corporation of which the person is a shareholder and
11 11 the military certificate of satisfactory service,
11 12 order transferring to inactive status, reserve,
11 13 retirement, order of separation from service,
11 14 honorable discharge or a copy of any of these
11 15 documents of the person claiming or through whom is
11 16 claimed the exemption. In the case of a person
11 17 claiming the exemption as a veteran described in

11 18 section 35.1, subsection 2, paragraph "b",
11 19 subparagraph (6) or (7), the person shall file the
11 20 statement required by section 35.2.

11 21 The person shall file with the appropriate assessor
11 22 on forms obtained from the assessor the claim for
11 23 exemption for the year for which the person is first
11 24 claiming the exemption. The claim shall be filed not
11 25 later than July 1 of the year for which the person is
11 26 claiming the exemption. The claim shall set out the
11 27 fact that the person is a resident of and domiciled in
11 28 the state of Iowa, and a person within the terms of
11 29 section 426A.11, and shall give the volume and page on
11 30 which the certificate of satisfactory service, order
11 31 of separation, retirement, furlough to reserve,
11 32 inactive status, or honorable discharge or certified
11 33 copy thereof is recorded in the office of the county
11 34 recorder, and may include the designation of the
11 35 property from which the exemption is to be made, and
11 36 shall further state that the claimant is the equitable
11 37 or legal owner of the property designated or if the
11 38 property is owned by a family farm corporation, that
11 39 the person is a shareholder of that corporation and
11 40 that the person occupies the property. In the case of
11 41 a person claiming the exemption as a veteran described

11 42 in section 35.1, subsection 2, paragraph "b",
11 43 subparagraph (6) or (7), the person shall file the
11 44 statement required by section 35.2.

11 45 Upon the filing and allowance of the claim, the
11 46 claim shall be allowed to that person for successive
11 47 years without further filing. However, in the case of
11 48 a person claiming the exemption as a veteran described
11 49 in section 35.1, subsection 2, paragraph "b",

11 50 subparagraph (6) or (7), such person shall file each
12 1 year to be eligible to obtain the exemption.

12 2 Provided, that notwithstanding the filing or having on
12 3 file a claim for exemption, the person or person's
12 4 spouse is the legal or equitable owner of the property
12 5 on July 1 of the year for which the claim is allowed.
12 6 When the property is sold or transferred or the person
12 7 wishes to designate different property for the
12 8 exemption, a person who wishes to receive the
12 9 exemption shall refile for the exemption. A person
12 10 who sells or transfers property which is designated

12 11 for the exemption or the personal representative of a
12 12 deceased person who owned such property shall provide
12 13 written notice to the assessor that the property is no
12 14 longer legally or equitably owned by the former
12 15 claimant.

12 16 Sec. 33. Section 483A.24, subsection 13, Code
12 17 2005, is amended to read as follows:

12 18 13. Upon payment of the fee of thirty dollars for
12 19 a lifetime hunting and fishing combined license, the
12 20 department shall issue a hunting and fishing combined
12 21 license to a resident of Iowa who ~~is a veteran, as~~
~~12 22 defined in section 35.1, served in the armed forces of~~
~~12 23 the United States for a minimum aggregate of ninety~~
~~12 24 days of active federal service and~~ who was disabled or
12 25 was a prisoner of war during that veteran's military
12 26 service. The department shall prepare an application
12 27 to be used by a person requesting a hunting and
12 28 fishing combined license under this subsection. The
12 29 ~~commission department~~ of veterans affairs shall assist
12 30 the department in verifying the status or claims of
12 31 applicants under this subsection. As used in this
12 32 subsection, "disabled" means entitled to compensation
12 33 under the United States Code, Title 38, ch. 11.

12 34 Sec. 34. Section 669.2, subsection 4, unnumbered
12 35 paragraph 1, Code 2005, is amended to read as follows:

12 36 "Employee of the state" includes any one or more
12 37 officers, agents, or employees of the state or any
12 38 state agency, including members of the general
12 39 assembly, and persons acting on behalf of the state or
12 40 any state agency in any official capacity, temporarily
12 41 or permanently in the service of the state of Iowa,
12 42 whether with or without compensation, but does not
12 43 include a contractor doing business with the state.
12 44 Professional personnel, including physicians,
12 45 osteopathic physicians and surgeons, osteopathic
12 46 physicians, optometrists, dentists, nurses, physician
12 47 assistants, and other medical personnel, who render
12 48 services to patients or inmates of state institutions
12 49 under the jurisdiction of the department of human
12 50 services or the Iowa department of corrections, and
13 1 employees of the ~~commission department~~ of veterans
13 2 affairs, are to be considered employees of the state,
13 3 whether the personnel are employed on a full-time
13 4 basis or render services on a part-time basis on a fee
13 5 schedule or other arrangement. Criminal defendants
13 6 while performing unpaid community service ordered by
13 7 the district court, board of parole, or judicial
13 8 district department of correctional services, or an
13 9 inmate providing services pursuant to a chapter 28E
13 10 agreement entered into pursuant to section 904.703,
13 11 and persons supervising those inmates under and
13 12 according to the terms of the chapter 28E agreement,
13 13 are to be considered employees of the state.

13 14 Sec. 35. 2003 Iowa Acts, chapter 179, section 21,
13 15 subsections 2 and 5, as enacted by 2005 Iowa Acts,
13 16 Senate File 75, section 1, are amended to read as
13 17 follows:

13 18 2. Of the funds appropriated in this section,
13 19 \$10,000 is transferred to the ~~Iowa~~ department of
13 20 ~~public health~~ human services for allocation to
13 21 community mental health centers to provide counseling
13 22 services to persons, whether or not employed by the
13 23 state, who are members of the national guard or
13 24 reservists and who are assigned to active duty service
13 25 in the armed forces of the United States and to the
13 26 persons' family members. The sessions shall be
13 27 provided on a first come, first served basis and shall
13 28 be limited to three visits per family.

13 29 5. The remainder of the funds appropriated in this
13 30 section are transferred to the Iowa finance authority
13 31 to be used for a home ownership assistance program for
13 32 persons who are eligible members of the armed forces
13 33 of the United States. In the event an eligible member
13 34 is deceased, the surviving spouse of the eligible
13 35 member shall be eligible for a loan under the program,
13 36 subject to the surviving spouse meeting the program's
13 37 eligibility requirements other than the military
13 38 service requirement. For the purposes of this
13 39 subsection, "eligible member of the armed forces of
13 40 the United States" means a resident of this state who
13 41 is or was a member of the national guard, reserve, or

13 42 regular component of the armed forces of the United
13 43 States who has served at least ninety days of active
13 44 duty service during the period beginning September 11,
13 45 2001, and ending June 30, 2006.

13 46 Sec. 36. VETERANS HEPATITIS C AWARENESS PROGRAM
13 47 REPORT. The Iowa department of public health shall
13 48 submit a report to the members of the general assembly
13 49 by January 1, 2007, regarding the development and
13 50 distribution of the information required by the
14 1 section of this Act enacting section 135.20 and any
14 2 resulting impact.

14 3 Sec. 37. STATE FUNDING. The military service tax
14 4 credits and exemptions provided pursuant to this Act
14 5 shall be funded pursuant to chapter 426A and section
14 6 25B.7, subsection 2.

14 7 Sec. 38. EFFECTIVE DATE. This Act, being deemed
14 8 of immediate importance, takes effect upon enactment.

14 9 Sec. 39. RETROACTIVE APPLICABILITY. The section
14 10 of this Act amending 2003 Iowa Acts, chapter 179, is
14 11 retroactively applicable to May 17, 2004.>

14 12 #2. Title page, line 1, by inserting after the
14 13 words <veterans by> the following: <providing for the
14 14 establishment of a department of veterans affairs,
14 15 extending certain veterans' benefits and the military
14 16 service tax credit and exemption to certain members of
14 17 the reserve forces of the United States and the Iowa
14 18 national guard,>.

14 19 #3. Title page, line 6, by inserting after the
14 20 word <cemetery,> the following: <concerning military
14 21 pay differential,>.

14 22 #4. Title page, line 6, by inserting after the
14 23 word <date> the following: <and a retroactive
14 24 applicability date>.

14 25 HF 374.S
14 26 ec/cc/26