

APR 13 1973

Appropriation
Calendar

HOUSE FILE 656

By COMMITTEE ON APPROPRIATIONS

House File 656
Appropriations—
Human Resources

Passed House, Date 4-25-73 (1008) Passed Senate, Date _____
Vote: Ayes 96 Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act creating a veterans' service compensation fund,
2 appropriating moneys from the general fund of the state
3 for deposit in the service compensation fund, providing
4 administrative procedures, and providing a penalty.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6
7

H—344

1 Amend House File 656 as follows:
2 1. Page 2, by striking lines 18 through 32, inclu-
3 sive, and inserting in lieu thereof the words "compen-
4 sation fund three hundred fifty dollars for the time
5 such person was in active service, however a person
6 who was a prisoner of war shall be paid five hundred
7 dollars. No person shall".
8 2. Page 3, by striking lines 18 and 19 and insert-
9 ing in lieu thereof the words "paid five hundred
10 dollars."
11 3. Page 3, line 20, by striking the word "service."

H—344 Filed - Lost 46-46 4/25
April 19, 1973

By RINAS of Linn

H—702

1 Amend Senate Amendment to House File 656 as
2 follows:
3 1. Line 37, by inserting after the word "state"
4 the words ", or to the department of social services
5 to be used for maintenance or capital improvements
6 at the Soldiers Home at Marshalltown, Iowa".
7 2. Line 44, by inserting after the word "state"
8 the words "or to the Soldiers Home".

H—702 Filed - Lost 6/12
June 6, 1973

By HARGRAVE of Johnson

1 Section 1. There is appropriated from the general fund
2 of the state the sum of twenty-eight million (28,000,000)
3 dollars, or so much thereof as is necessary, for deposit in
4 a service compensation fund, hereby created, to be used in
5 the manner provided in this Act.

6 Sec. 2. NEW SECTION. PERSONS ENTITLED TO RECEIVE COMPEN-
7 SATION. Every person who served not less than one hundred
8 twenty days on active duty, in the armed forces of the United
9 States, at any time between August 4, 1964 and ending on June
10 30, 1973, both dates inclusive, and who at the time of entering
11 into service was a legal resident of the state of Iowa, and
12 who had maintained such residence for a period of at least
13 six months immediately prior thereto, and was honorably
14 separated or discharged from such service, or is still in
15 active service in an honorable status, or has been retired,
16 or has been furloughed to a reserve, or has been placed on
17 inactive status, shall be entitled to receive from the service
18 compensation fund ten dollars for each month that such person
19 was in active domestic service, and twelve and one-half dollars
20 for each month that such person was in active foreign service
21 all prior to June 30, 1973, not to exceed a total sum of five
22 hundred dollars; however, a person who was a prisoner of war
23 shall not be subject to the five hundred dollar limitation
24 and shall be paid the amount otherwise entitled to under the
25 provisions of this section. As used in this Act "foreign
26 service" means service outside the continental limits of the
27 North American continent, except service in the states of
28 Alaska and Hawaii shall not be deemed foreign service, and
29 foreign service includes service in all territories of the
30 United States. Compensation for a fraction of a month shall
31 not be considered unless it be sixteen days or more in which
32 event it shall be computed as a full month. No person shall
33 be entitled to such compensation who received a bonus or
34 compensation of like nature, as provided in this Act, from
35 another state. A person shall not be entitled to such

1 compensation who being in the service of the armed forces
2 of the United States, subsequent to August 4, 1964 refused
3 on conscientious, political, religious, or other grounds to
4 subject himself to military discipline. Service in the
5 merchant marine shall not be considered for the purposes of
6 this Act. Service for six months or less for the sole purpose
7 of training shall not be considered for the purposes of this
8 Act. The surviving unmarried widow or widower, child or
9 children, mother, father, or person standing in loco parentis,
10 in the order named and none other, of any deceased person,
11 shall be paid the compensation that such deceased person would
12 be entitled to under this Act, if living; but, if any person
13 has heretofore died or shall hereafter die, or is disabled,
14 from service-connected causes incurred between August 4, 1964
15 and June 30, 1973, both dates inclusive, and who has not
16 received the benefits of this Act, he or the first of survivors
17 as designated by this Act and in the order named, shall be
18 paid five hundred dollars, or the amount entitled to because
19 he was a prisoner of war, regardless of the length of such
20 service. If an eligible beneficiary is a minor at the time
21 compensation is payable, the same may be paid to a custodian
22 duly recognized by the United States veterans administration.

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

32 Sec. 4. NEW SECTION. SERVICE COMPENSATION BOARD. There
33 is created a board to be known as the "service compensation
34 board" to consist of the persons who serve on the bonus board
35 created by chapter thirty-five (35) of the Code.

1 Sec. 5. NEW SECTION. APPLICATIONS FOR COMPENSATION--
2 APPROVAL. It is the duty of the service compensation board
3 to administer the provisions of this Act, to examine all
4 applications and approve or disapprove the same and make any
5 investigation necessary to establish facts. In the event
6 an application is disapproved by the board, the claimant may
7 appeal to the district court of the state of Iowa in and for
8 the county of his legal residence within a period of thirty
9 days from date of mailing by registered mail of notice of
10 such disapproval. The appeal shall be perfected by filing
11 in the office of the board, a written notice of appeal setting
12 forth the order or finding appealed from and the grounds of
13 the appeal. Within thirty days after the filing of such
14 notice of appeal the board shall make, certify, and file in
15 the office of the clerk of the district court to which the
16 appeal is taken, a full and complete transcript of all
17 documents in the proceeding, including any depositions, a
18 transcript or certification of the evidence, if reported,
19 including the notice of appeal. The clerk shall immediately
20 docket such appeal. The appeal shall be heard in such district
21 court as in equity de novo. Appeal may be taken to the supreme
22 court from any final order or judgment or decree of the
23 district court. A claimant who successfully appeals the
24 disapproval of an application shall be paid such amount as
25 he is entitled to as determined by the court from the service
26 compensation fund and, in addition, he shall be paid the
27 actual amount of legal fees incurred which legal fees shall
28 be paid in the same manner as administrative costs. When
29 any application has been approved by the board, payment shall
30 be made to the applicant in accordance with the provisions
31 of this Act. It is the duty of the board to prepare vouchers
32 and transmit the same to the state comptroller in payment
33 of the compensation claims provided for in this Act and other
34 necessary administrative expenses. The state comptroller
35 shall issue a warrant for the amount stated therein and the

1 treasurer of state shall pay such warrants out of said service
2 compensation fund. The board may employ such assistants and
3 incur such other expenses as may be necessary for such
4 administration and the carrying out of the provisions of this
5 Act, and the funds necessary for such administration and
6 carrying out the provisions of this Act shall be expended
7 from the service compensation fund. Such assistants as the
8 board may determine shall be exempt from the provisions of
9 chapter nineteen A (19A) of the Code and shall give bond in
10 an amount as may be fixed by the board, and shall, whenever
11 practicable, be persons within the classes as defined in
12 section two (2) of this Act. The board may make, adopt and
13 promulgate rules and regulations for the carrying out of the
14 provisions of this Act as it deems necessary and expedient
15 and which are not inconsistent with any provisions of this
16 Act.

17 Sec. 6. NEW SECTION. TIME FOR MAKING APPLICATIONS.

18 Before receiving any compensation under the provisions of
19 this Act, the claimant, or his successor in interest, shall
20 file with the service compensation board, application on forms
21 provided by the board. The application shall be filed within
22 four years subsequent to June 30, 1973.

23 Sec. 7. NEW SECTION. FALSE STATEMENT--PENALTY. Whoever
24 knowingly makes a false statement, oral or written, relating
25 to a material fact in supporting a claim under the provisions
26 of this Act, shall be punished by a fine of not more than
27 one thousand dollars or be imprisoned for not more than one
28 year, or punished by both such fine and imprisonment, and
29 shall forfeit all benefits he or she might have been entitled
30 to under this Act.

31 Sec. 8. NEW SECTION. TAX EXEMPTION. All payments and
32 allowances made under this Act shall be exempt from taxation
33 and from levy and sale on execution.

34 EXPLANATION

35 The purpose of this bill is to appropriate 28 million

1 dollars from the general fund of the state and deposit it
2 in a service compensation fund. Funds will be paid from this
3 fund in an amount specified in the Act to persons who served
4 on active duty, as defined in the Act, in the United States
5 armed forces, at any time between August 4, 1964 and June
6 30, 1973, and who were residents in Iowa at least six months
7 immediately prior to service and who were honorably discharged
8 or separated from service.

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Date prepared April 25, 1973

Requested by Representative Fitzgerald, et al.

Prepared in regard to Fitzgerald et al. amendment to
H.F. 656 - An Act creating a veterans' service compensation
fund, etc. Following is the fiscal effect in dollars of the
legislative proposal as required by House Rule 48.

Fitzgerald et al. amendment to House File 656

Based on information furnished by the Veterans Administra-
tion in Des Moines, the total cost of this amendment would be
as follows:

Calculated number of Iowans who served in the Armed Forces of the United States in the Viet Nam Area	30,000
Maximum bonus to each	\$500
Total	\$15,000,000
Total other Iowans who served within the dates outlined in the bill	50,000
Maximum bonus to each	\$200
Total	\$10,000,000
Total estimate of bonus under this amendment	\$25,000,000

Filed
April 25, 1973

GERRY D. RANKIN
Legislative Fiscal Director

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34
35

LSB 1650
sg/cc/1

Date prepared April 24, 1973

Requested by Representative Harvey.

Prepared in regard to Harvey Amendment to House File 656 - An Act creating a veterans' service compensation fund, etc. Following is the fiscal effect in dollars of the legislative proposal as required by House Rule 48.

Accurate figures are not available to establish the number of Iowa veterans who would qualify for the bonus under the Harvey amendment. We have contacted the director of the Veterans Administration in Des Moines, however, who has furnished us with some statistics from which an estimate can be computed.

Total number of persons who served in the Armed forces within the dates specified in House File 656 - 6,238,000

Portion of those persons who served in South East Asia - 2,300,000

Percentage of persons who served in South East Asia - 36%

Total number of Iowans who served - 80-85,000

Calculated number who served in South East Asia - 30,000

Maximum bonus to each person - \$500

Total bonus \$15,000,000

Filed
April 24, 1973

GERRY D. RANKIN
Legislative Fiscal Director

H-312

- 1 Amend House File 656 as follows:
- 2 1. Page 2, line 9, by striking the following:
- 3 "August 4" and inserting in lieu thereof the following:
- 4 "August 5".
- 5 2. Page 3, line 2, by striking the following:
- 6 "August 4" and inserting in lieu thereof the follow-
- 7 ing: "August 5".
- 8 3. Page 3, line 14, by striking the following:
- 9 "August 4" and inserting in lieu thereof the follow-
- 10 ing: "August 5".
- 11 4. Page 6, line 5, by striking the following:
- 12 "August 4" and inserting in lieu thereof the follow-
- 13 ing: "August 5".

H-312 Filed - *Adopted 4/24 (988)*
April 16, 1973

By WYCKOFF of Benton

H-314

- 1 Amend House File 656 as follows:
- 2 1. Page 2, line 9, by striking the figure "4" and
- 3 inserting in lieu thereof the figure "5".
- 4 2. Page 2, line 21, by striking "June 30" and
- 5 inserting in lieu thereof "July 1,".
- 6 3. Page 3, line 14, by striking the figure "4" and
- 7 inserting in lieu thereof the figure "5".

H-314 Filed - *1 and 3 withdrawn,* By GRASSLEY of Butler
April 16, 1973 *& adopted 4/25*

H-338

- 1 Amend House File 656 as follows:
- 2 1. Page 2, line 9, by striking the figure "4" and
- 3 inserting in lieu thereof the figure "5".
- 4 2. Page 2, by striking lines 18 through 32, inclu-
- 5 sive, and inserting in lieu thereof the following:
- 6 "compensation fund fifty dollars for each month or
- 7 fraction thereof that such person was in active service
- 8 in the Vietnam era combat zone, all prior to July 1,
- 9 1973. As used in this Act "service in the Vietnam
- 10 era combat zone" means service in a geographical area
- 11 for which the various armed forces service departments
- 12 allow the payment of combat pay. No person shall".
- 13 3. Page 3, by striking lines 12 through 20, inclu-
- 14 sive, and inserting in lieu thereof the following:
- 15 "be entitled to under this Act, if living. If an
- 16 eligible beneficiary is a minor at the time".
- 17 4. Page 3, line 24, by striking the word "duty"
- 18 and inserting in lieu thereof the word "service".

H-338 Filed - *Amended by 359 and 364* By HARVEY of Scott
April 18, 1973 *lost 4/24 (992)*

H-325

- 1 Amend House File 656, page 3, line 13 by striking
- 2 the following: "or is disabled,".

H-325 Filed - *Withdrawn 4/25* By WYCKOFF of Benton
April 18, 1973 NORPEL of Jackson

H-341

- 1 Amend House File 656, page 2, line 22 by inserting
- 2 after the word "war" the following:
- 3 "or who was permanently maimed or otherwise dis-
- 4 abled while in the armed forces, or who is yet conva-
- 5 lescing from physical or mental wounds received while
- 6 in the armed forces,".

H-341 Filed - *Adopted 4/25* By CUSACK of Scott
April 19, 1973

H-365

- 1 Amend House File 656 as follows:
2 1. Page 2, lines 9 and 10, by striking the words
3 "June 30, 1973, both dates inclusive," and inserting
4 in lieu thereof the words "a date established by the
5 general assembly".
6 2. Page 2, line 21, by striking the words "June
7 30, 1973" and inserting in lieu thereof the words "a
8 date established by the general assembly".
9 3. Page 3, line 15, by striking the words "June
10 30, 1973, both dates inclusive," and inserting in
11 lieu thereof the words "a date established by the
12 general assembly".
13 4. Page 5, line 22, by striking the words "June
14 30, 1973" and inserting in lieu thereof the words
15 "a date established by the general assembly".

H-365 Filed - *Withdrawn 4/25*
April 24, 1973

By HARGRAVE of Johnson

H-360

- 1 Amend House File 656, page 3, line 8, by striking
2 the word "unmarried widow or widower" and inserting
3 in lieu thereof the word "spouse".

H-360 Filed - *Withdrawn 4/25*
April 24, 1973

By WYCKOFF of Benton

H-359

- 1 Amend the Harvey amendment H-338 to House File
2 656, by striking from Line 9 the period and inserting
3 ", not to exceed a total sum of five hundred dollars;
4 however, a person who was a prisoner of war shall not
5 be subject to the five hundred dollar limitation but
6 shall be subject to a one thousand dollar limitation."

H-359 Filed, offered,
deferred, lost, reconsidered and
adopted
April 24, 1973

By KNOKE of Pottawattamie
STANLEY of Muscatine

H-371

- 1 Amend House File 656, page 3, line 8 by striking
2 the word "unmarried".

H-371 Filed and adopted
April 25, 1973

By O'HALLORAN of Black Hawk
HARGRAVE of Johnson

H-362

1 Amend the Harvey amendment, H-338, to House File
2 656, as follows:
3 Line 12, following the period, by inserting the
4 following:
5 "Every person, otherwise qualified under this
6 section except that he did not serve in a Vietnam
7 combat era zone, shall be entitled to receive from
8 the service compensation fund eight dollars for each
9 month that such person was in active service during
10 the time periods specified in this section, such
11 amount not to exceed five hundred dollars."

H-362 Filed and lost
April 24, 1973

By BRANSTAD of Winnebago
WEST of Marshall

H-363

1 Amend House File 656 as follows:
2 1. Page 3, line 8, by striking the words "unmar-
3 ried widow or widower" and inserting in lieu thereof
4 the word "spouse".
5 2. Page 5, by adding after line 33 the following
6 new section:
7 "Sec. ____ . NEW SECTION. In lieu of the military
8 service tax exemption under section four hundred
9 twenty-seven point three (427.3) of the Code, a person
10 entitled to receive compensation pursuant to the pro-
11 visions of this Act, may elect to have deducted each
12 year from his adjusted gross income as properly com-
13 puted for federal income tax purposes under the Inter-
14 nal Revenue Code of 1954, for state income tax pur-
15 poses, the sum of five hundred dollars. The director
16 of revenue in cooperation with the service compensa-
17 tion board shall promulgate rules to carry out the
18 provisions of this section."
19 3. Page 1, line 4, after the comma insert the
20 words "providing a state income tax deduction in lieu
21 of the property tax deduction,".

H-363 Filed - *withdrawn 4/25*
April 24, 1973

By HARGRAVE of Johnson

H-364

1 Amend the Harvey amendment H-338 to House File 656
2 by inserting in line 9 before the word "As" the follow-
3 ing: "Those persons who were permanently maimed or
4 otherwise disabled while in the armed forces, or who
5 are yet convalescing from physical or mental wounds
6 constituting a permanent disability received while in
7 the armed forces, shall not be subject to the five
8 hundred dollar limitation but shall be subject to a
9 one thousand dollar limitation."

H-364 Filed and adopted
April 24, 1973

By CUSAK of Scott
RINAS of Linn
HARVEY of Scott

H-373

1 Amend House File 656 as follows:

2 Page 2, by striking lines 18 through 32 inclusive
3 and inserting in lieu thereof the following:
4 "compensation fund forty dollars for each month or
5 fraction thereof that such person was in active service
6 in the Vietnam area combat zone, all prior to July 1,
7 1973, not to exceed a total sum of five hundred dollars;
8 however, a person who was a prisoner of war shall not
9 be subject to the five hundred dollar limitation but
10 shall be subject to a one thousand dollar limitation.

11 Those persons who were permanently maimed or
12 otherwise disabled while in the armed forces shall not
13 be subject to the five hundred dollar limitation but
14 shall be subject to a one thousand dollar limitation.

15 As used in this Act 'service in the Vietnam area
16 combat zone' means service in a geographical area for
17 which the various armed forces service departments
18 allowed the payment of combat pay at the time of such
19 service. Every person, otherwise qualified under this
20 section except that he did not serve in a Vietnam area
21 combat zone, shall be entitled to receive from the
22 service compensation fund ten dollars for each month
23 that such
24 person was in active service during the time periods specified
25 in this section, not to exceed a total sum of two hundred
dollars.

26 No person shall".

H-373 Filed and withdrawn
April 25, 1973

By FITZGERALD of Webster
BROCKETT of Marshall
RINAS of Linn
MENNENGA of Clinton
HARVEY of Scott
HARGRAVE of Johnson
STANLEY of Muscatine

H-370

1 Amend House File 656 as follows:

2 1. Page 2, by striking line 19 and inserting in
3 lieu thereof the following: "was in active service,
4 and an additional two and one-half dollars".
5 2. Page 2, line 20, by adding the following:
6 "in a geographical area for which the various armed
7 forces service departments allow the payment of
8 combat pay" after the word "service".
9 3. Page 2, by striking lines 25 through 30 and
10 inserting in lieu thereof the following: "provisions
11 of this section. Compensation for a fraction of a
12 month shall".

H-370 Filed and adopted
April 25, 1973

By BRUNOW of Appanoose

April 30, 1973

HOUSE FILE 656

Gen. Appropriations 5/1, Pass 5/31

By COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE HOUSE)

Passed House, Date Passed Senate, Date 6-14-73 (1538)

Vote: Ayes..... Nays..... Vote: Ayes 42 Nays 1

Approved 7-3-73

A BILL FOR

- 1 An Act creating a veterans' service compensation fund,
- 2 appropriating moneys from the general fund of the state
- 3 for deposit in the service compensation fund, providing
- 4 administrative procedures, and providing a penalty.
- 5 *Be It Enacted by the General Assembly of the State of Iowa:*

Conference Committee Appointed

House 6/15 (1981)

Senate 6/14 (1973)

*Fischer, Bartell,
Harper, Harvey, W. Y. Hoff*

*Griffin, Rabedeaux,
Hullmon, Kirby, Rodgers*

Per 1st Conference Committee Report

Passed House 6/22 (2264)

Senate failed to adopt

80-15

Second Conference Committee Appointed 6/22

*Representatives Stromer,
Bennett, Dunton, Hargrove,
Junker*

*Senators Glibos, Nystrom, Am.,
Hansen, Potter, Robinson*

Passed House 6/23 (2322)

Passed Senate 6/23 (2652)

94-3

45-0

1 Section 1. There is appropriated from the general fund
2 of the state the sum of twenty-eight million (28,000,000)
3 dollars, or so much thereof as is necessary, for deposit in
4 a service compensation fund, hereby created, to be used in
5 the manner provided in this Act.

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7 *SATION. Every person who served not less than one hundred*
8 *twenty days on active duty, in the armed forces of the United*
9 *States, at any time between August 5, 1964, and ending on June*
10 *30, 1973, both dates inclusive, and who at the time of entering*
11 *into service was a legal resident of the state of Iowa, and*
12 *who had maintained such residence for a period of at least*
13 *six months immediately prior thereto, and was honorably*
14 *separated or discharged from such service, or is still in*
15 *active service in an honorable status, or has been retired,*
16 *or has been furloughed to a reserve, or has been placed on*
17 *inactive status, shall be entitled to receive from the service*
18 *compensation fund ten dollars for each month that such person*
19 *was in active service, and an additional two and one-half*
20 *dollars*
21 *for each month that such person was in active foreign service*
22 *in a geographical area for which the various armed*
23 *forces service departments allow the payment of*
24 *combat pay*
25 *all prior to July 1, 1973, not to exceed a total sum of five*
26 *hundred dollars; however, a person who was a prisoner of war*
27 *or who was permanently maimed or otherwise disabled*
28 *while in the armed forces, or who is yet convalescing*
29 *from physical or mental wounds received while in the*
30 *armed forces,*
31 *shall not be subject to the five hundred dollar limitation*
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34 *of a month shall*
35 *not be considered unless it be sixteen days or more in which*

36 event it shall be computed as a full month. No person shall
37 be entitled to such compensation who received a bonus or
38 compensation of like nature, as provided in this Act, from
39 another state. A person shall not be entitled to such

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3 on conscientious, political, religious, or other grounds to
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5 merchant marine shall not be considered for the purposes of
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7 of training shall not be considered for the purposes of this
8 Act. The surviving widow or widower, child or
9 children, mother, father, or person standing in loco parentis,
10 in the order named and none other, of any deceased person,
11 shall be paid the compensation that such deceased person would
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13 has heretofore died or shall hereafter die, or is disabled,
14 from service-connected causes incurred between August 5, 1964
15 and June 30, 1973, both dates inclusive, and who has not
16 received the benefits of this Act, he or the first of survivors
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"Active

24 duty" in the armed forces of the United States means full-
25 time duty in the armed forces of the United States, excluding
26 active duty for training purposes only and excluding any
27 period a person was assigned by the armed forces to a civilian
28 institution for a course of education or training which was
29 substantially the same as established courses offered to
30 civilians, or as a cadet or midshipman, however enrolled,
31 at one of the service academies.

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33 is created a board to be known as the "service compensation
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2 APPROVAL. It is the duty of the service compensation board
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7 appeal to the district court of the state of Iowa in and for
8 the county of his legal residence within a period of thirty
9 days from date of mailing by registered mail of notice of
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20 docket such appeal. The appeal shall be heard in such district
21 court as in equity de novo. Appeal may be taken to the supreme
22 court from any final order or judgment or decree of the
23 district court. A claimant who successfully appeals the
24 disapproval of an application shall be paid such amount as
25 he is entitled to as determined by the court from the service
26 compensation fund and, in addition, he shall be paid the
27 actual amount of legal fees incurred which legal fees shall
28 be paid in the same manner as administrative costs. When
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30 be made to the applicant in accordance with the provisions
31 of this Act. It is the duty of the board to prepare vouchers
32 and transmit the same to the state comptroller in payment
33 of the compensation claims provided for in this Act and other
34 necessary administrative expenses. The state comptroller
35 shall issue a warrant for the amount stated therein and the

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2 compensation fund. The board may employ such assistants and
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4 administration and the carrying out of the provisions of this
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6 carrying out the provisions of this Act shall be expended
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9 chapter nineteen A (19A) of the Code and shall give bond in
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11 practicable, be persons within the classes as defined in
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21 provided by the board. The application shall be filed within
22 four years subsequent to June 30, 1973.

23 Sec. 7. *NEW SECTION. FALSE STATEMENT—PENALTY.*

24 ^{Whoever} knowingly makes a false statement, oral or written, relating
25 to a material fact in supporting a claim under the provisions
26 of this Act, shall be punished by a fine of not more than
27 one thousand dollars or be imprisoned for not more than one
28 year, or punished by both such fine and imprisonment, and
29 shall forfeit all benefits he or she might have been entitled
30 to under this Act.

31 Sec. 8. *NEW SECTION. TAX EXEMPTION.* All payments and
32 allowances made under this Act shall be exempt from taxation
33 and from levy and sale on execution.

34 EXPLANATION

35 The purpose of this bill is to appropriate 28 million

1 dollars from the general fund of the state and deposit it
 2 in a service compensation fund. Funds will be paid from this
 3 fund in an amount specified in the Act to persons who served
 4 on active duty, as defined in the Act, in the United States
 5 armed forces, at any time between August 5, 1964 and June
 6 30, 1973, and who were residents in Iowa at least six months
 7 immediately prior to service and who were honorably discharged
 8 or separated from service.

AMENDMENT S-540 TO HOUSE FILE 656
 FISCAL NOTE
 SENATE

Date prepared May 9, 1973

Requested by Senator Kinley.

Prepared in regard to Amendment S-540 to House File 656 -
 An Act creating a veterans' service compensation fund, etc.,
 Kinley amendment thereto. Following is the fiscal effect in
 dollars of the legislative proposal as required by Senate Rule
 31.

Number of Iowans estimated by the Iowa Bonus Board to have served in the Vietnam Area combat zone	26,000
Maximum bonus to each	\$500
Total	\$13,000,000
Total other Iowans who served within the dates outlined in the bill	50,000
Maximum bonus to each	\$200
Total	\$10,000,000
Total estimated bonus (see note)	\$23,000,000

There are 24 known POW's. There is no estimate available as
 to the number of persons "permanently maimed or otherwise
 disabled while in the Armed Forces".

Filed
 May 9, 1973

GERRY D. RANKIN
 Legislative Fiscal Director

FISCAL NOTE

Date prepared May 24, 1973

Requested by Senator Kinley.

Prepared in regard to H.F. 656, as amended, passed and reprinted by the House, Kinley amendment thereto - Veterans' Service Compensation Fund. Following is the fiscal effect in dollars of the legislative proposal as required by Senate Rule 31.

Kinley amendment to House File 656, as amended, passed and reprinted by the House -

The actual number of Iowans serving in Vietnam between the dates July 1958 and August 1964 is not determinable, however, the Veterans Administration in Des Moines has furnished some figures indicating a reasonable estimate to be - 2,500

Maximum bonus to each	\$500
Total bonus	\$1,250,000

Estimated number of Iowans who served in the Armed Forces of the United States in Vietnam and earned either a Vietnam service medal or an armed forces expeditionary medal - Vietnam within the period August 1964 to June 1973 - 26,000

Maximum bonus to each	\$500
Total bonus	\$13,000,000

Estimated number of Iowans who served in the Armed Forces of the United States within the period August 1964 to June 1973 but did not serve in Vietnam - 50,000

Average bonus to each	\$275
Total bonus	\$13,750,000

Total bonus paid under the Kinley amendment \$28,000,000

Filed
May 24, 1973

GERRY D. RANKIN
Legislative Fiscal Director

1 Amend House File 656, as amended and passed by the House,
2 as follows:

3 1. By inserting on page 5 after line 16 the following new
4 section:

5 Sec. _____. NEW SECTION. TUITION CREDIT. In making
6 application for compensation under this Act, a person may
7 indicate an interest in taking tuition credit in lieu of cash
8 compensation. The service compensation board shall send to
9 each person who indicates an interest in taking tuition credit
10 a voucher to be used for tuition credit purposes, stating the
11 amount of compensation the person is entitled to and the total
12 amount of tuition credit allowed, or as a credit against
13 tuition owed by the person to any public post-secondary
14 educational institution or private college or university in
15 Iowa, the tuition credit to be at a rate of one hundred twenty-
16 five percent of the person's service compensation as otherwise
17 computed under the provisions of this Act.

18 To obtain the tuition credit, the person shall present the
19 voucher issued to him by the board to the cashier or other
20 financial official of the public post-secondary educational
21 institution or private college or university in Iowa. The
22 institution shall then allow the person a credit of up to one
23 hundred twenty-five percent of the amount of his compensation
24 as stated on the voucher against the tuition due from the
25 person and shall send the voucher to the board with a verifica-

Page 2

1 tion of the amount of tuition credit allowed and the address
2 of the person receiving credit as the address is given on the
3 person's enrollment records.

4 The service compensation board shall record the amount of
5 tuition credit allowed, and provide for payment of this amount
6 to the institution. If the full amount of one hundred twenty-
7 five percent of the person's compensation has not been used,
8 the board shall mail to the person at his address shown by the
9 enrollment records another voucher which shows the amount of
10 the compensation and the date of the original voucher, the
11 amount allowed as tuition credit and the amount of compensa-
12 tion remaining. For purposes of calculating the amount of
13 compensation remaining available for use if the full amount
14 of tuition credit is not taken, the amount of tuition credit
15 remaining shall be deemed to be one hundred twenty-five per-
16 cent of the amount of compensation remaining. The board shall
17 provide by rule for paying the remaining amount of compensa-
18 tion in cash under the provisions of this Act if the person
19 does not intend to take it as tuition credit under this
20 section.

21 2. By renumbering sections and correcting internal
22 references to conform with this amendment.

S-523

1 Amend House File 656 as amended, passed and reprinted by the
2 House as follows:
3 1. Page 2A, lines 9 and 10, by striking the date "June 30"
4 and inserting in lieu thereof the date "January 27".
5 2. Page 2A, line 21, by adding a period after the word
6 "service".
7 3. Page 2A, by striking lines 22 through 33 and inserting
8 in lieu thereof "Compensation for a fraction".
9 4. Page 3, line 15 by striking the date "June 30" and
10 inserting in lieu thereof the date "January 27".
11 5. Page 5, line 22, by striking the date "June 30" and
12 inserting in lieu thereof the date "January 27".

S-523 Filed *w.d. 6/4*
May 7, 1973

By GRIFFIN and RABEDEAUX

S-531

1 Amend House File 656 as amended, passed, and reprinted as
2 follows:
3 1. Page 2A, by striking lines 19 and 20, and inserting in
4 lieu thereof the following: "was in domestic service, and
5 twelve and one-half dollars".
6 2. Page 2A, by striking lines 22 through 24, inclusive.
7 3. Page 2A, by striking lines 27 through 30, inclusive.
8 4. Page 2A, line 33, by inserting after the period the
9 following: "As used in this Act 'foreign service' means
10 service outside the continental limits of the North American
11 continent, except service in the states of Alaska and Hawaii
12 shall not be deemed foreign service, and foreign service
13 includes service in all territories of the United States."
14 5. Page 3, line 8, after the word "surviving" insert the
15 word "unmarried".
16 6. Page 3, line 13, by striking the words "or is dis-
17 abled,".

S-531 Filed *1, 2, 3, 4 w.d. 5 and 6 adopted 6/4*
May 8, 1973 *5 and 6 reconsidered and* By RODGERS
lost 6/4

S-558

1 Amend House File 656 as amended, passed, and reprinted as
2 follows:
3 1. Page 3, by inserting after line 22 the following:
4 "A person entitled to compensation under this Act may, in
5 lieu of receiving his computed compensation, elect to contribute
6 all or a part of the compensation to the state conservation
7 commission to be used in promoting conservation and recreation
8 projects within the state. If a person makes such an election
9 he shall be presented an appropriate certificate signed by the
10 governor and members of the executive council, containing a
11 replica of the great seal of the state, and attesting to the
12 fact that he was entitled to compensation under the provisions
13 of this Act and donated all or a part of his compensation to
14 the promotion of conservation and recreation in this state."

S-558 Filed *adopted 6/4*
May 10, 1973

By MILLIGAN

S-540

1 Amend House File 656 as amended, passed, and reprinted, as
2 follows:

3 1. Page 2A, by striking lines 18 through 35 inclusive.

4 2. Page 2B, by striking line 36 and inserting in lieu
5 thereof the following:

6 "compensation fund forty dollars for each month or frac-
7 tion thereof that such person was in active service in the
8 Vietnam area combat zone, all prior to July 1, 1973, not to
9 exceed a total sum of five hundred dollars; however, a per-
10 son who was a prisoner of war shall not be subject to the
11 five hundred dollar limitation but shall be subject to a one
12 thousand dollar limitation.

13 Those persons who were permanently maimed or otherwise
14 disabled while in the armed forces shall not be subject to
15 the five hundred dollar limitation but shall be subject to a
16 one thousand dollar limitation.

17 As used in this Act 'service in the Vietnam area combat
18 zone' means service in a geographical area for which the
19 various armed forces service departments allowed the payment
20 of combat pay at the time of such service. Every person,
21 otherwise qualified under this section except that he did
22 not serve in a Vietnam area combat zone, shall be entitled
23 to receive from the service compensation fund ten dollars
24 for each month that such person was in active service during
25 the time periods specified in this section, not to exceed a

Page 2

1 total sum of two hundred dollars. No person shall".

S-540 Filed - *w. D. 6/4*
May 8, 1973

By KINLEY, MURRAY, DODERER,
SCHWENGELS, KELLY, GLUBA,
HEYING, GALLAGHER and BLOUIN and BERGMAN

S-639

1 Amend the Kinley amendment, S-627, to House File 656 as
2 amended, passed, and reprinted as follows:

3 1. Page 1, line 13, by inserting after the word "medal-
4 Vietnam" the words "or was a member of an Iowa army or air
5 national guard unit which was called to active duty within the
6 eligible time period".

7 2. Page 1, line 21, by inserting after the word "medal-
8 Vietnam" the words "or was not a member of a qualified national
9 guard unit".

S-639 Filed - *Adopted, reconsidered*
May 22, 1973 *and lost 6/4* By KELLY

S-729

1 Amend the Kinley, et al. amendment S-627, to House File 656,
2 page 1, line 13 by striking after the words "medal-Vietnam,"
3 the words "or can otherwise establish service in Vietnam during
4 that period,".

S-729 Filed and adopted By TIEDEN

June 4, 1973

S-627

1 Amend House File 656 as amended, passed, and re-
2 printed by the House as follows:

3 1. Page 2A, line 9, by striking the words "August
4 5, 1964" and inserting in lieu thereof the words
5 "July 1, 1958".

6 2. Page 2A, by striking lines 18 through 35, in-
7 clusive.

8 3. Page 2B, line 36, by striking the words "event
9 it shall be computed as a full month.", and inserting
10 in lieu thereof the following:

11 "compensation fund twenty-five dollars, if he earned
12 either a Vietnam service medal or an armed forces
13 expeditionary medal-Vietnam, for each month that such
14 person was in active service, all prior to July 1,
15 1973 not to exceed a total sum of five hundred dollars,
16 however, a person who was a prisoner of war shall not
17 be subject to the five hundred dollar limitation but
18 shall be subject to a one thousand dollar limitation.

19 Every person, otherwise qualified under this section
20 except that he did not earn either the Vietnam service
21 medal or the armed forces expeditionary medal-Vietnam,
22 shall be entitled to receive from the service compen-
23 sation fund ten dollars for each month that such person
24 was in active service during the time between August 4,
25 1964 and July 1, 1973, not to exceed a total sum of
26 three hundred dollars. Compensation for a fraction of
27 a month shall not be considered unless it be sixteen
28 days or more in which event it shall be computed as a
29 full month."

30 4. Page 3, line 2, by striking the words "August 4,
31 1964" and inserting in lieu thereof the words "July 1,
32 1958".

Page 2

1 5. Page 3, line 14, by striking the words "August
2 5, 1964" and inserting in lieu thereof the words "July
3 1, 1958".

S-627 Filed *Adopted 6/4 see amended* By KINLEY, MURRAY, DODERER,
May 21, 1973 *by 729* SCHWENGELS, BERGMAN, HEYING,
BLOUIN, GALLAGHER, GLUBA and
KELLY

S-736

1 Amend the Kinley amendment, S-627, to House File 656 as
2 amended, passed, and reprinted as follows:

3 1. Page 1, line 16, by adding after the word "war" the
4 words "or who was permanently maimed or otherwise disabled while
5 in the armed forces".

S-736 Filed and lost
June 4, 1973

By DODERER

S-724

1 Amend the Kinley, et al. amendment S-627 to House File 656,
2 by striking line 16 and inserting in lieu thereof the
3 following: "however; any family of a deceased veteran of
4 the Vietnam war, or one listed as missing in action, shall
5 receive compensation at the rate of twenty-five dollars per
6 month not to exceed one thousand dollars and any veteran who
7 sustained an injury while serving in Vietnam that qualifies
8 him for disability benefits would receive compensation of
9 fifteen dollars a month not to exceed seven hundred fifty
10 dollars. A person who was a prisoner of war shall not".

S-724 Filed *adopted 6/4, reconsidered*
June 1, 1973 *and lost 6/4*

By WILLITS, ORR, ROBINSON,
COLEMAN, NOLIN, SCOTT,
VAN GILST, PALMER, DODERER,
BLOUIN, GALLAGHER, PRIEBE,
KINLEY and KENNEDY

S-739

1 Amend House File 656, as amended, passed and reprinted by
2 the House, page 5, by inserting after line 33 the following
3 new section:
4 Sec. ____ . NEW SECTION. Any new employees hired by
5 the bonus board to implement this Act shall be Vietnam
6 veterans.

S-739 Filed and lost
June 4, 1973

By SCHABEN and PALMER

S-741

1 Amend the Murray amendment S-582, to House File 656, as follows:
2 1. Page 1, lines 15 and 16, by striking the words "twenty-five"
3 and inserting in lieu thereof the word "fifty".
4 2. Page 1, line 23, by striking the words "twenty-five" and
5 inserting in lieu thereof the word "fifty".
6 3. Page 2, lines 6 and 7, by striking the words "twenty-five"
7 and inserting in lieu thereof the word "fifty".
8 4. Page 2, line 15, by striking the words "twenty-five" and
9 inserting in lieu thereof the word "fifty".

S-741 Filed and lost
June 4, 1973

By SCHABEN

S-742

1 Amend House File 656, as amended, passed and reprinted by the
2 House, page 5, lines 10 and 11 by striking the words
3 "whenever practicable,".

S-742 Filed and lost
June 4, 1973

By SCHABEN and PALMER

1 Amend House File 656, as amended, passed, and reprinted
2 by the HOUse, page 5, line 33, by adding the following new
3 section:

4 "Sec. ____ . NEW SECTION. SUBMISSION TO ELECTORS. This Act,
5 after legal publication, shall be submitted to the people of
6 this state at a statewide general election to be held in conjunc-
7 tion with the regular school election to be held on the
8 second Monday in September, 1973 and shall not take effect as
9 provided in this Act unless at such election it shall receive
10 a majority of all votes cast for and against it. The governor
11 shall call the statewide general election by special proclama-
12 tion, issued not later than forty days prior to the election,
13 to be published in each county in the manner provided for
14 publishing official notices. There is appropriated from the
15 general fund of the state an amount sufficient to pay for
16 such notices. Separate ballots shall be provided for the
17 electors which shall be in substantially the following form:

18 (Notice to voters: For an affirmative vote upon any
19 question submitted upon this ballot, mark a cross mark or check
20 mark in the square after the word 'Yes'. For a negative vote,
21 make a similar mark in the square following the word 'No'.)

22 'Shall the following public measure, being an Act of the
23 Sixty-fifth General Assembly, be adopted and approved?'

24 (Here insert in full this Act)

Yes _____
No _____"

HOUSE FILE 656

H—356

1 Amend House File 656 as follows:

2 1. By striking all after the enacting clause and
3 inserting in lieu thereof the following:

4 Section 1. NEW SECTION. DEFINITIONS. As used
5 in this Act, unless the context otherwise requires:

6 1. "Veteran" means a person, male or female, who
7 served not less than one hundred twenty days on active
8 duty, as defined in subsection two (2) of this section,
9 and who at the time of entering into service was a
10 legal resident of the state of Iowa, who had maintained
11 that residence for a period of at least six months
12 immediately prior to entering into service, and who
13 was honorably separated or discharged from service,
14 or is still in active service in an honorable status,
15 or has been retired, or has been furloughed to a
16 reserve, or has been placed on inactive status.

17 2. "Active duty" means full-time duty in the armed
18 forces of the United States, at any time between
19 August 5, 1964 and January 27, 1973, both dates
20 inclusive, but excluding active duty for training
21 purposes only and excluding any period a person was
22 assigned by the armed forces to a civilian institution
23 for a course of education or training which was
24 substantially the same as established courses offered
25 to civilians, or was enrolled at one of the service
26 academies.

27 3. "Domestic service" means service within the
28 continental limits of the North American continent,
29 Alaska, and Hawaii.

30 4. "Foreign service" means service outside the
31 continental limits of the North American continent,
32 except service in the states of Alaska and Hawaii,
33 but including service in all territories of the United
34 States.

35 5. "Disabled" means suffering a compensable
36 service-connected disability of thirty percent or
37 more, as verified by the United States veterans
38 administration.

39 6. "Board" means the service compensation board
40 created in section two (2) of this Act.

41 Sec. 2. NEW SECTION. SERVICE COMPENSATION BOARD.
42 A service compensation board is created, to consist
43 of the auditor of state, the treasurer of state, and
44 the adjutant general.

45 Sec. 3. NEW SECTION. PERSONS ENTITLED TO RECEIVE
46 CREDIT.

47 1. Except as otherwise provided in this section,
48 a veteran is entitled to receive a veteran's credit
49 of ten dollars for each month that he was in active
50 duty in domestic service, and twelve and one-half

51 dollars for each month that he was in active duty
52 in foreign service, not to exceed a total credit of
53 five hundred dollars. Compensation for a fraction
54 of a month shall not be considered unless it is sixteen
55 days or more, in which case it shall be computed as
56 a full month.

57 2. A disabled veteran is entitled to receive a
58 veteran's credit in the full amount of five hundred
59 dollars regardless of the length of time that he
60 served in active duty.

61 3. The surviving unmarried widow or widower, child
62 or children, mother, father, or person standing in
63 loco parentis, in the order named, and none other,
64 of a deceased veteran is entitled to receive the
65 veteran's credit that the veteran would be entitled
66 to under this Act, if he were still living. How-
67 ever, if the veteran's death is from service-connected
68 causes incurred between August 5, 1964 and January
69 27, 1973, both dates inclusive, the first of his
70 survivors, as designated and in the order named, is
71 entitled to receive a veteran's credit in the full
72 amount of five hundred dollars. If a deceased veteran
73 has more than one surviving child entitled to a
74 veteran's credit, the credit shall be divided equally
75 between the surviving children. If an eligible
76 beneficiary of a deceased veteran is a minor at the
77 time credit is allowed, the credit may be used for
78 a period of five years from the date that the
79 beneficiary becomes an adult.

80 4. A person who received a bonus or compensation
81 from another state of like nature to the veteran's
82 credit provided in this Act, whether in the form of
83 a cash payment or otherwise, is entitled to receive
84 as a veteran's credit only the difference between
85 the amount he received from the other state and the
86 amount he is otherwise entitled to receive under this
87 section.

88 5. A veteran who, subsequent to August 4, 1964,
89 and while in the service of the armed forces of the
90 United States refused on conscientious, political,
91 religious, or other grounds to subject himself to
92 military discipline is not entitled to a veteran's
93 credit.

94 6. Service in the merchant marine is not considered
95 service in the armed forces of the United States for
96 purposes of this Act.

97 Sec. 4. NEW SECTION. TIME FOR MAKING APPLICATIONS.
98 Before receiving a veteran's credit under this Act,
99 the claimant shall file an application with the board,
100 on forms provided by the board. The application must
101 be filed within four years after January 27, 1973.

102 Sec. 5. NEW SECTION. FALSE STATEMENT--PENALTY.
103 Whoever knowingly makes a false statement, oral or

104 written, relating to a material fact supporting a
105 claim under this Act, shall be punished by a fine
106 of not more than one thousand dollars or by
107 imprisonment for not more than one year in a county
108 jail, or by both fine and imprisonment, and shall
109 forfeit all benefits under this Act.

110 Sec. 6. NEW SECTION. VETERAN'S CREDIT CERTIFICATE.

111 Upon determining that a person is entitled to a
112 veteran's credit, the board shall issue to the person
113 a credit certificate in the full amount of his credit.

114 A disabled veteran is entitled to exchange his
115 veteran's credit certificate for cash, and to receive
116 his cash payment from the board in one or more
117 installments at any time within five years after the
118 date the certificate is issued. If a disabled veteran
119 prefers to take his payment in installments, the board
120 shall issue a new certificate showing the balance
121 due after the payment of each installment.

122 A person who is not a disabled veteran, or a
123 disabled veteran who prefers not to take his credit
124 in cash, is entitled to use his veteran's credit
125 certificate only as a credit against Iowa state
126 individual income tax owed by the person, at any time
127 within five years after the date the certificate is
128 issued. To obtain the income tax credit, the person
129 shall attach his certificate to his individual income
130 tax return, as provided in section four hundred twenty-
131 two point thirteen (422.13) of the Code. The director
132 of revenue, upon receipt of an individual income tax
133 return with a veteran's credit certificate attached,
134 shall verify, allow, and certify to the board the
135 amount of credit allowed for that return, with the
136 name and address of the person receiving credit.
137 The board shall record the amount of veteran's credit
138 allowed, and if the full amount of the person's credit
139 has not been used, shall mail to the person at his
140 address as shown by his return another veteran's
141 credit certificate which shows the amount and date
142 of the original credit certificate, the amount allowed
143 as an individual income tax credit, and the amount
144 which remains available for use in subsequent years.

145 Sec. 7. NEW SECTION. POWERS AND DUTIES OF THE
146 BOARD. The board shall administer the provisions
147 of this Act, examine all applications and approve
148 or disapprove them, and make any investigation
149 necessary to establish facts. If an application is
150 disapproved, the board shall mail notice of the
151 disapproval by certified mail to the applicant at
152 his address as shown by the application, stating the
153 findings on which the order of disapproval is based.

154 The board shall prepare vouchers and transmit them
155 to the state comptroller for payment of the cash
156 payments approved by the board under this Act, and
157 for necessary administrative expense, and the state

158 comptroller shall issue warrants for the amount of
159 the vouchers transmitted to him, from funds
160 appropriated for this purpose.

161 The board may employ assistants and incur
162 administrative expenses as necessary in carrying out
163 the provisions of this Act. The board may determine
164 that some of its assistants are exempt from the
165 provisions of chapter nineteen A (19A) of the Code,
166 and may require any of its assistants to give bond
167 in the amount it prescribes. Whenever practicable,
168 the board shall employ as assistants persons of a
169 class who are eligible for a veteran's credit, as
170 described in section three (3) of this Act.

171 The board may make, adopt and promulgate rules
172 in accordance with the provisions of chapter seventeen
173 A (17A) of the Code, for carrying out the provisions
174 of this Act, as it deems necessary and expedient,
175 but not in conflict with any provisions of this Act.

176 Sec. 8. NEW SECTION. APPEAL. If an application
177 is disapproved by the board, the claimant may appeal
178 to the district court of the state of Iowa in and
179 for the county of his legal residence within a period
180 of thirty days from the date that notice of the
181 disapproval was mailed to him by the board. The
182 appeal must be perfected by filing in the office of
183 the board a written notice of appeal setting forth
184 the order or finding appealed from and the grounds
185 of the appeal. Within thirty days after the filing
186 of a notice of appeal, the board shall make, certify,
187 and file in the office of the clerk of the district
188 court to which the appeal is taken, a full and complete
189 transcript of all documents in the proceeding,
190 including any depositions, a transcript or
191 certification of the evidence, if reported, and the
192 notice of appeal. The appeal shall be heard in the
193 district court as in equity de novo. Appeal may
194 be taken to the supreme court from any final order
195 of the district court.

196 A claimant who successfully appeals the disapproval
197 of an application is entitled to receive a veteran's
198 credit certificate in the amount determined by the
199 court and, in addition, the board shall pay his
200 reasonable legal fees incurred, which shall be paid
201 in the same manner as administrative costs.

202 Sec. 9. NEW SECTION. EXEMPTIONS. A veteran's
203 credit certificate or the right to a cash payment
204 for a certificate is not taxable, transferable, or
205 assignable, and is not subject to execution, levy,
206 attachment, garnishment, or other legal process, or
207 to the operation of any bankruptcy or insolvency law.
208 The amount of cash payment received in exchange for
209 a veteran's credit certificate is not income subject
210 to the Iowa state individual income tax.

211 Sec. 10. Section four hundred twenty-two point
212 twelve (422.12), Code 1973, is amended by adding the
213 following new subsection:

214 NEW SUBSECTION. For a person who qualifies for
215 a veteran's credit, an additional exemption of the
216 amount of the person's unused credit, as established
217 by the service compensation board under sections one
218 (1) through nine (9) of this Act, but not to exceed
219 the amount of tax due. To receive this exemption
220 the person must attach to his return the veteran's
221 credit certificate provided to him by the service
222 compensation board.

223 2. Amend the title, page 1, by striking lines
224 1 through 4, inclusive, and inserting in lieu thereof
225 the words "An Act providing a veteran's credit, and
226 imposing a penalty."

H—356 Filed - *amended by 358C and* By BITTLE of Polk
April 23, 1973 *last 4/24/73 (988)* OAKLEY of Clinton

EXPLANATION

This bill provides a veteran's bonus in the form of a credit against state individual income tax, which may be used as needed over a period of five years. If the veteran is deceased, the credit may be used by specified members of his family. If the veteran is disabled or deceased from service-connected causes incurred during the Vietnam war period, he is entitled to a full credit of \$500; otherwise, the credit is based upon length of time in foreign or domestic service. If the veteran is disabled, he is entitled to collect a cash payment instead of the income tax credit.

HOUSE CLIP SHEET

Wednesday, April 25, 1973

HOUSE FILE 656

H—357

1 Amend the Bittle, Oakley amendment H-356, to House
2 File 656, filed April 23, 1973, as follows:

3 1. Line 126, by inserting after the comma the
4 words "or as a credit against tuition owed by the
5 person to any public postsecondary educational insti-
6 tution in Iowa, the tuition credit to be at a rate of
7 one hundred twenty-five percent of the veteran's
8 credit,".

9 2. Line 143, by inserting after the word "credit"
10 the words ", or as a tuition credit".

11 3. Line 144, by striking the words "use in sub-
12 sequent years" and inserting in lieu thereof the words
13 "subsequent use".

14 4. By inserting after line 144 the following
15 paragraph:

16 "To obtain the tuition credit, the person shall
17 present his certificate to the cashier or other offi-
18 cial of any public postsecondary educational institu-
19 tion in Iowa, who shall allow the person a credit of
20 up to one hundred twenty-five percent of the amount of
21 his certificate against tuition due from the person,
22 and shall send the certificate to the board with a
23 verification of the amount of tuition credit allowed
24 and the address of the person receiving credit, as
25 the address is given on the person's enrollment
26 records. The board shall record the amount of tuition
27 credit allowed, and if the full amount of one hundred
28 twenty-five percent of the person's credit has not
29 been used, shall mail to the person at his address as
30 shown by the enrollment records another veteran's
31 credit certificate which shows the amount and date of
32 the original credit certificate, the amount allowed
33 as a tuition credit or as an individual income tax
34 credit, and the amount of veteran's credit which
35 remains available for subsequent use. The board shall
36 provide by rule for refunding an unused portion of
37 tuition credit allowed, or for transferring tuition
38 credit between public postsecondary educational
39 institutions in the state."

H—357 Filed and lost
April 24, 1973

By DE JONG of Marion

HOUSE FILE 656

H—358A

1 Amend the Bittle amendment, H-356, to House File
2 656 as follows:
3 1. Line 16, by inserting after the period the
4 following:
5 "'Veteran' does not include a person whose pay
6 grade as established by the branch of military service
7 of which he was a member during the time period
8 specified in this subsection was 0-4 or higher."

H—358B

9 2. By striking lines 47 through 60, inclusive,
10 and inserting in lieu thereof the following:
11 "1. A veteran is entitled to receive a veteran's
12 credit of three hundred fifty dollars."

H—358C

13 3. Line 61, by striking the words "unmarried
14 widow or widower" and inserting in lieu thereof the
15 word "spouse".
16 4. By striking lines 66 through 72, inclusive, and
17 inserting in lieu thereof the words "to under this
18 Act, if he were living. If the deceased veteran".

H—358D

19 5. By adding after line 96 the following subsection:
20 "In lieu of the military service tax exemption under
21 section four hundred twenty-seven point three (427.3)
22 of the Code, a veteran may elect to have deducted each
23 year from his adjusted gross income as properly com-
24 puted for federal income tax purposes under the
25 Internal Revenue Code of 1954, for state income tax
26 purposes, the sum of five hundred dollars. The director
27 of revenue in cooperation with the service compensation
28 board shall promulgate rules to carry out this sub-
29 section."

H—358E

30 6. Renumber the subsections as required by this
31 amendment.

Filed and offered
Amendment H—358A and H—358B lost
Amendment H—358C adopted
Amendment H—358D lost
Amendment H—358E withdrawn
April 24, 1973

By HARGRAVE of Johnson
RINAS of Linn
O'HALLORAN of Black Hawk

SENATE AMENDMENT TO HOUSE FILE 656

- 1 Amend House File 656 as amended, passed and reprinted by
2 the House as follows:
- 3 1. Page 2A, line 9, by striking the words "August 5, 1964"
 - 4 and inserting in lieu thereof the words "July 1, 1958".
 - 5 2. Page 2A, by striking lines 18 through 35, inclusive.
 - 6 3. Page 2B, line 36, by striking the words "event it
 - 7 shall be computed as a full month.", and inserting in
 - 8 lieu thereof the following:
9 "compensation fund twenty-five dollars, if he earned either
10 a Vietnam service medal or an armed forces expeditionary
11 medal-Vietnam, or can otherwise establish service in Vietnam
12 during that period, for each month that such person was in
13 active service, all prior to July 1, 1973 not to exceed a
14 total sum of five hundred dollars, however, a person who
15 was a prisoner of war shall not be subject to the five
16 hundred dollar limitation but shall be subject to a one
17 thousand dollar limitation.
 - 18 Every person, otherwise qualified under this section
19 except that he did not earn either the Vietnam service
20 medal or the armed forces expeditionary medal-Vietnam,
21 shall be entitled to receive from the service compensation
22 fund ten dollars for each month that such person was in
23 active service during the time between August 4, 1964
24 and July 1, 1973, not to exceed a total sum of three
25 hundred dollars. Compensation for a fraction of a month
26 shall not be considered unless it be sixteen days or more
27 in which event it shall be computed as a full month."
 - 28 4. Page 3, line 2, by striking the words "August 4, 1964"
 - 29 and inserting in lieu thereof the words "July 1, 1958".
 - 30 5. Page 3, line 14, by striking the words "August 5, 1964"
 - 31 and inserting in lieu thereof the words "July 1, 1958".
 - 32 6. Page 3, by inserting after line 22 the following:
33 A person entitled to compensation under this Act may, in
34 lieu of receiving his computed compensation, elect to contri-
35 bute all or a part of the compensation to the state conser-
36 vation commission to be used in promoting conservation and
37 recreation projects within the state. If a person makes such
38 an election he shall be presented an appropriate certificate
39 signed by the governor and members of the executive council,
40 containing a replica of the great seal of the state, and
41 attesting to the fact that he was entitled to compensation
42 under the provisions of this Act and donated all or a part
43 of his compensation to the promotion of conservation and
44 recreation in this state.

Received from Senate
June 5, 1973

*House referred to committee 6/1
Senate inserted 6/1*

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 656, a bill for an Act creating a veterans' service compensation fund, appropriating moneys from the general fund of the state for deposit in the service compensation fund, providing administrative procedures, and providing a penalty, respectfully make the following recommendations:

1. That the Senate recede from its amendment and that House File 656, as amended, passed, and reprinted by the House, be amended as follows:

1. Page 2A, by striking lines 1 through 5, inclusive, and inserting in lieu thereof the following:

"Section 1. 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1973 and ending June 30, 1974 the sum of eighteen million (18,000,000) dollars and for the fiscal year beginning July 1, 1974, and ending June 30, 1975 the sum of ten million (10,000,000) dollars, or so much thereof as may be necessary, for deposit in a service compensation fund, hereby created, to be used in the manner provided in this Act.

2. If during the fiscal year beginning July 1, 1973 there are on file with the service compensation board approved applications which result in a total valid claim of in excess of eighteen million dollars, the service compensation board shall certify such fact to the state comptroller who shall transfer funds sufficient to satisfy all valid applications to the service compensation fund. Such funds transferred shall be deducted from the appropriation for the fiscal year beginning July 1, 1974.

3. Unencumbered funds appropriated by this Act which are available on June 30, 1978 shall on that date revert to the general fund of the state."

2. Page 2A, lines 9 and 10, by striking "June 30" and inserting in lieu thereof "January 27".

3. Page 2A, by striking lines 19 through 33, inclusive, and inserting in lieu thereof the following:

"was in active domestic service and twelve and one-half dollars for each month such person was in active foreign service, all between August 5, 1964 and January 27, 1973, inclusive, not to exceed a total sum of five hundred dollars. Compensation for a fraction".

4. Page 2B, line 36, after the period insert the following:
"As used in this Act 'foreign service' means service outside the continental limits of the North American continent, except service in the states of Alaska and Hawaii shall not be deemed foreign service, and foreign service includes service in all territories of the United States."

5. Page 3, line 15, by striking "June 30" and inserting in lieu thereof "January 27".

6. Page 3, lines 18 and 19, by striking the words ", or the amount entitled to because he was a prisoner of war,".

On the Part of the Senate:

JAMES W. GRIFFIN, CHAIRMAN
CALVIN O. HULTMAN
W. R. RABEDEAUX

On the Part of the House:

HAROLD O. FISCHER, CHAIRMAN
RUSSELL L. WYCKOFF
GLEN E. BORTELL
MATTIE HARPER

*House adopted 6/22
Senate failed to accept 6/22*

Filed
June 21, 1973

HOUSE CLIP SHEET

Monday, June 25, 1973

(2nd) REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 656

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 656, a bill for An Act creating a veterans' service compensation fund, appropriating moneys from the general fund of the state for deposit in the service compensation fund, providing administrative procedures, and providing a penalty, respectfully make the following recommendations:

1. That the Senate recede from its amendment and that House File 656, as amended, passed, and reprinted by the House, be amended as follows:

1. Page 2A, by striking lines 1 through 5, inclusive, and inserting in lieu thereof the following:

"Section 1. 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1973 and ending June 30, 1974 the sum of eighteen million (18,000,000) dollars and for the fiscal year beginning July 1, 1974, and ending June 30, 1975 the sum of ten million (10,000,000) dollars, or so much thereof as may be necessary, for deposit in a service compensation fund, hereby created, to be used in the manner provided in this Act.

2. If during the fiscal year beginning July 1, 1973 there are on file with the service compensation board approved applications which result in a total valid claim of in excess of eighteen million dollars, the service compensation board shall certify such fact to the state comptroller who shall transfer funds sufficient to satisfy all valid applications to the service compensation fund. Such funds transferred shall be deducted from the appropriation for the fiscal year beginning July 1, 1974.

3. Unnumbered funds appropriated by this Act which are available on June 30, 1977 shall on that date revert to the general fund of the state."

2. Page 2A, line 9, by striking the words "August 5, 1964" and inserting in lieu thereof the words "July 1, 1958".

3. Page 2A, lines 9 and 10, by striking the words "June 30, 1973" and inserting in lieu thereof the words "August 4, 1964".

4. Page 2A, by striking lines 18 through 35, inclusive.

5. Page 2B, line 36, by striking the words "event it shall be computed as a full month. No person shall", and inserting in lieu

thereof the following:

"compensation fund seventeen dollars and fifty cents, if he earned either a Vietnam service medal or an armed forces expeditionary medal-Vietnam, or can otherwise establish service in Vietnam during that period, for each month that such person was in the Vietnam service area, between July 1, 1958 and August 4, 1964, both dates inclusive, not to exceed a total sum of five hundred dollars.

Every person otherwise qualified under this section and who earned either a Vietnam service medal or an armed forces expeditionary medal-Vietnam for service between the period commencing August 5, 1964 and ending June 30, 1973, or can otherwise establish service in the Vietnam service area during that period, shall be entitled to receive from the service compensation fund seventeen dollars and fifty cents for each month that such person was in the Vietnam service area and twelve dollars and fifty cents for each month that such person was not in the Vietnam service area, not to exceed a total sum of five hundred dollars.

Every person otherwise qualified under this section, except that he did not earn either the Vietnam service medal or the armed forces expeditionary medal-Vietnam, and did not serve in the Vietnam service area, shall be entitled to receive from the service compensation fund twelve dollars and fifty cents for each month that such person was in active service during the time between August 5, 1964 and June 30, 1973, both dates inclusive, not to exceed a total sum of three hundred dollars.

Compensation under this Act shall not be paid for a fraction of a month unless it be sixteen days or more in which event it shall be computed as a full month.

No person shall".

6. Page 3, line 2, by striking the words "August 4, 1964" and inserting in lieu thereof the words "July 1, 1958".

7. Page 3, lines 14 and 15, by striking the words "between August 5, 1964 and June 30, 1973, both dates inclusive," and inserting in lieu thereof the words "during the period and in the area for which he is able to receive compensation under this Act,".

8. Page 3, by striking lines 18 and 19 and inserting in lieu thereof the words "paid five hundred dollars or three hundred dollars, whichever maximum rate he would have been entitled to receive, regardless of the length of such".

On the part of the Senate:

JOHN N. NYSTROM, Chairman
RALPH W. POTTER
WILLARD R. HANSEN
CLOYD E. ROBINSON
WILLIAM E. GLUBA

On part of the House:

DELWYN STROMER, Chairman
WILLIAM J. HARGRAVE
WAYNE BENNETT
WILLITS E. JUNKER
KEITH H. DUNTON

Filed
June 23, 1973

House adopted 6/23 (2821)
Senate " 6/23 (2052)