

1.25.93 (P. 94)

Sub Comm. - Local Gov.
Vonda Hoef, Mundie, Walter

(P. 714) AMEND/DO PASS W/H 3365
4/8/93 Senate - Local Gov

JAN 22 1993

See final copy

LOCAL GOVERNMENT

HOUSE FILE 43
BY NELSON

Passed House, Date 4-8-93 (P. 1125) Passed Senate, Date 2/14/94
Vote: Ayes 96 Nays 3 Vote: Ayes 45 Nays 0
Approved Feb 17, 1994

A BILL FOR

- 1 An Act providing for an increase in the membership of county
- 2 commissions of veteran affairs.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 43

H-3365

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 4, by inserting after the words
- 3 "consist of" the following: "either".
- 4 2. Page 1, by striking line 5 and inserting the
- 5 following: "three or five persons, as determined by
- 6 the board of supervisors, all of whom shall be
- 7 honorably discharged".
- 8 3. Page 1, by striking line 32 and inserting the
- 9 following:
- 10 "Members of the commission of veteran affairs shall
- 11 be appointed by the board of supervisors to staggered
- 12 three-year terms at the regular meeting in June."
- 13 4. Page 2, line 3, by inserting after line 3 the
- 14 following:
- 15 "If the board of supervisors increases the
- 16 commission of veteran affairs membership to five
- 17 members, the initial terms of the two new members
- 18 shall be two and three years respectively. However,
- 19 the new members shall serve until their successors are
- 20 appointed and qualify."
- 21 5. Page 2, by striking lines 4 through 8.

adopted 4/8/93 (P. 1125) By COMMITTEE ON LOCAL GOVERNMENT
IVERSON of Wright, Chairperson

H-3365 FILED MARCH 19, 1993

HF 43

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1 Section 1. Section 35B.3, Code 1993, is amended to read as
2 follows:

3 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

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

29 Sec. 2. Section 35B.4, Code 1993, is amended by striking
30 the section and inserting in lieu thereof the following:

31 35B.4 APPOINTMENT -- VACANCIES.

32 The board shall appoint members to three-year terms.
33 However, a member shall serve until a successor has been
34 appointed and qualifies. The board may remove an appointee at
35 any time for neglect of duty or maladministration. A vacancy

1 on the commission shall be filled for the unexpired portion of
2 the regular term in the same manner as regular appointments
3 are made.

4 Sec. 3. NEW APPOINTMENTS. Notwithstanding section 35B.4,
5 the initial terms of the members appointed to fill the two new
6 commission positions pursuant to section 1 of this Act shall
7 be two and three years respectively. These members shall
8 serve until their successors are appointed and qualify.

9 EXPLANATION

10 This bill increases to five the number of members on a
11 county commission of veteran affairs. Under current law a
12 commission consists of three persons. The bill includes a
13 provision to stagger the terms of the new members.

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Senr (P. 238) 2/9/94 Do Pass

HOUSE FILE 43
BY NELSON

(As Amended and Passed by the House April 8, 1993)

Passed House, Date _____ Passed Senate, ^(P. 274) Date 2/14/94
Vote: Ayes _____ Nays _____ Vote: Ayes 45 Nays 0
Approved Feb 17, 1994

A BILL FOR

1 An Act providing for an increase in the membership of county
2 commissions of veteran affairs.

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

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House Amendments _____

Deleted Language *

1 Section 1. Section 35B.3, Code 1993, is amended to read as
2 follows:

3 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

4 The county commission of veteran affairs shall consist of
5 either three or five persons, as determined by the board of
6 supervisors, all of whom shall be honorably discharged persons
7 who served in the military or naval forces of the United
8 States in any war, including World War I at any time between
9 April 6, 1917, and November 11, 1918, both dates inclusive;
10 World War II at any time between December 7, 1941, and
11 December 31, 1946, both dates inclusive; the Korean Conflict
12 at any time between June 25, 1950, and January 31, 1955, both
13 dates inclusive; the Vietnam Conflict at any time between
14 December 22, 1961, and May 7, 1975, both dates inclusive; and
15 the Persian Gulf Conflict at any time between August 2, 1990,
16 and the date the president or the congress of the United
17 States declares a permanent cessation of hostilities, both
18 dates inclusive. However, if congress enacts a date different
19 from August 2, 1990, as the beginning of the Persian Gulf
20 Conflict for purposes of determining whether a veteran is
21 entitled to receive military benefits as a veteran of the
22 Persian Gulf Conflict, that date shall be substituted for
23 August 2, 1990. If possible, each member of the commission
24 shall be a veteran of a different war or conflict, so as to
25 divide membership among the persons who served in World War I,
26 World War II, the Korean Conflict, the Vietnam Conflict, and
27 the Persian Gulf Conflict; however, this qualification does
28 not preclude membership to a veteran who served in more than
29 one of the wars or conflicts.

30 Sec. 2. Section 35B.4, Code 1993, is amended by striking
31 the section and inserting in lieu thereof the following:

32 35B.4 APPOINTMENT -- VACANCIES.

33 Members of the commission of veteran affairs shall be
34 appointed by the board of supervisors to staggered three-year
35 terms at the regular meeting in June. However, a member shall

1 serve until a successor has been appointed and qualifies. The
2 board may remove an appointee at any time for neglect of duty
3 or maladministration. A vacancy on the commission shall be
4 filled for the unexpired portion of the regular term in the
5 same manner as regular appointments are made.

6 If the board of supervisors increases the commission of
7 veteran affairs membership to five members, the initial terms
8 of the two new members shall be two and three years
9 respectively. However, the new members shall serve until
10 their successors are appointed and qualify.

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HOUSE FILE 43

AN ACT

PROVIDING FOR AN INCREASE IN THE MEMBERSHIP OF COUNTY
COMMISSIONS OF VETERAN AFFAIRS.

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

Section 1. Section 35B.3, Code 1993, is amended to read as follows:

35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

The county commission of veteran affairs shall consist of either three or five persons, as determined by the board of supervisors, all of whom shall be honorably discharged persons who served in the military or naval forces of the United

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

Sec. 2. Section 35B.4, Code 1993, is amended by striking the section and inserting in lieu thereof the following:

35B.4 APPOINTMENT -- VACANCIES.

Members of the commission of veteran affairs shall be appointed by the board of supervisors to staggered three-year terms at the regular meeting in June. However, a member shall serve until a successor has been appointed and qualifies. The board may remove an appointee at any time for neglect of duty or maladministration. A vacancy on the commission shall be filled for the unexpired portion of the regular term in the same manner as regular appointments are made.

If the board of supervisors increases the commission of veteran affairs membership to five members, the initial terms

of the two new members shall be two and three years respectively. However, the new members shall serve until their successors are appointed and qualify.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 43, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved Feb. 17, 1994

TERRY E. BRANSTAD
Governor