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WAYS AND MEANS

HOUSE FILE

317

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WARNSTADT

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

A BILL FOR

1 An Act relating to veterans' benefits, veterans preference,
2 veterans' claims, and providing a penalty.

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

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HF 317

1 Section 1. NEW SECTION. 35.1 DEFINITIONS.

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

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

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

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

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

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

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

24 Sec. 2. Section 35.8, Code 1997, is amended to read as
25 follows:

26 35.8 MONEY COMPRISING FUND.

27 A war orphans educational aid fund is created as a separate
28 fund in the state treasury under the control of the commission
29 of veterans affairs. Any money hereafter appropriated for the
30 purpose of aiding in the education of orphaned children of
31 ~~honorably-discharged-persons-who-served-in-the-military-or~~
32 ~~naval-forces-of-the-United-States-in-World-War-I-or-World-War~~
33 ~~II~~ veterans, as provided-by-this-chapter defined in section
34 35.1, shall be ~~known-as~~ deposited in the war orphans
35 educational aid fund.

1 Sec. 3. Section 35.9, unnumbered paragraph 1, Code 1997,
2 is amended to read as follows:

3 The commission of veterans affairs may expend not more than
4 six hundred dollars per year for any one child who has lived
5 in the state of Iowa for two years preceding application for
6 aid, and who is the child of a person who died during-World
7 War-I-between-the-dates-of-April-6, 1917, and June 2, 1921, or
8 during-World-War-II-between-the-dates-of-September-16, 1940,
9 and-December-31, 1946, both-dates-inclusive, or-the-Korean
10 Conflict-between-June-25, 1950, and-January-31, 1955, both
11 dates-inclusive, or-the-Vietnam-Conflict-between-August-5,
12 1964, and-May-7, 1975, both-dates-inclusive, or-the-Persian
13 Gulf-Conflict-at-any-time-between-August-2, 1990, and-the-date
14 the-president-or-the-Congress-of-the-United-States-declares-a
15 permanent-cessation-of-hostilities, both-dates-inclusive,
16 while-serving-in-the during active federal military or naval
17 forces service while serving in the armed forces or during
18 active federal military service in the Iowa national guard or
19 other military component of the United States, to-include
20 members-of-the-reserve-components-performing-service-or-duties
21 required-or-authorized-under-chapter-39, United-States-Code
22 and-Title-32, United-States-Code, sections-502-through-505,
23 and-active-state-service-required-or-authorized-under-chapter
24 29A, or-as-a-result-of-such-service, to defray the expenses of
25 tuition, matriculation, laboratory and similar fees, books and
26 supplies, board, lodging, and any other reasonably necessary
27 expense for such the child or children incident to attendance
28 in this state at an educational or training institution of
29 college grade, or in a business or vocational training school
30 with standards approved by the commission of veterans affairs.
31 However, if-Congress-enacts-a-date-different-from-August-2,
32 1990, as-the-beginning-of-the-Persian-Gulf-Conflict-for
33 purposes-of-determining-whether-a-veteran-is-entitled-to
34 receive-military-benefits-as-a-veteran-of-the-Persian-Gulf
35 Conflict, that-date-shall-be-substituted-for-August-2, 1990.

1 Sec. 4. Section 35A.8, Code 1997, is amended by adding the
2 following new subsection:

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

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

28 (2) A person is not entitled to compensation pursuant to
29 this subsection if the person received a bonus or compensation
30 similar to that provided in this subsection from another
31 state.

32 (3) A person is not entitled to compensation pursuant to
33 this subsection if the person was on active duty in the
34 merchant marine service after September 16, 1940, and the
35 person refused on conscientious, political, religious, or

1 other grounds, to be subject to military discipline.

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

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

20 d. All payments and allowances made under this subsection
21 shall be exempt from taxation and from levy and sale on
22 execution.

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

25 Sec. 5. Section 35B.3, Code 1997, is amended to read as
26 follows:

27 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

28 The county commission of veteran affairs shall consist of
29 either three or five persons, as determined by the board of
30 supervisors, all of whom shall be honorably-discharged-persons
31 who-served-in-the-military-or-naval-forces-of-the-United
32 States-in-any-war,-including-World-War-I-at-any-time-between
33 April-6-1917-and-November-11-1918,-both-dates-inclusive;-
34 World-War-II-at-any-time-between-December-7-1941-and
35 December-31-1946,-both-dates-inclusive;-the-Korean-Conflict

1 at any time between June 25, 1950, and January 31, 1955, both
2 dates inclusive; the Vietnam Conflict at any time between
3 December 22, 1961, and May 7, 1975, both dates inclusive; and
4 the Persian Gulf Conflict at any time between August 2, 1990,
5 and the date the president or the Congress of the United
6 States declares a permanent cessation of hostilities, both
7 dates inclusive. However, if Congress enacts a date different
8 from August 2, 1990, as the beginning of the Persian Gulf
9 Conflict for purposes of determining whether a veteran is
10 entitled to receive military benefits as a veteran of the
11 Persian Gulf Conflict, that date shall be substituted for
12 August 2, 1990 veterans as defined in section 35.1. If
13 possible, each member of the commission shall be a veteran of
14 a different war or conflict, so as to divide membership among
15 the persons who served in World War I, World War II, the
16 Korean Conflict, the Vietnam Conflict, and the Persian Gulf
17 Conflict; however, military action. However, this
18 qualification does not preclude membership to a veteran who
19 served in more than one of the wars or conflicts military
20 actions.

21 Sec. 6. Section 35B.10, unnumbered paragraph 1, Code 1997,
22 is amended to read as follows:

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

1 to each during the preceding quarter. Each report so filed
2 shall be securely fixed in a record book to be used only for
3 such reports made under this chapter.

4 Sec. 7. Section 35B.13, Code 1997, is amended to read as
5 follows:

6 35B.13 BURIAL -- EXPENSES.

7 The commission is responsible for the interment in a
8 suitable cemetery of the body of any honorably-discharged
9 ~~person who served in the military or naval forces of the~~
10 ~~United States during any war, including World War I at any~~
11 ~~time between April 6, 1917, and November 11, 1918, both dates~~
12 ~~inclusive; World War II at any time between December 7, 1941,~~
13 ~~and December 31, 1946, both dates inclusive; the Korean~~
14 ~~Conflict at any time between June 25, 1950, and January 31,~~
15 ~~1955, both dates inclusive; the Vietnam Conflict at any time~~
16 ~~between December 22, 1961, and May 7, 1975, both dates~~
17 ~~inclusive; and the Persian Gulf Conflict at any time between~~
18 ~~August 2, 1990, and the date the president or the Congress of~~
19 ~~the United States declares a permanent cessation of~~
20 ~~hostilities, both dates inclusive; veteran, as defined in~~
21 ~~section 35.1, or the spouse, surviving spouse, or child of the~~
22 ~~person, if the person has died without leaving sufficient~~
23 ~~means to defray the funeral expenses. However, if Congress~~
24 ~~enacts a date different from August 2, 1990, as the beginning~~
25 ~~of the Persian Gulf Conflict for purposes of determining~~
26 ~~whether a veteran is entitled to receive military benefits as~~
27 ~~a veteran of the Persian Gulf Conflict, that date shall be~~
28 ~~substituted for August 2, 1990.~~ The commission may pay the
29 expenses in a sum not exceeding an amount established by the
30 board of supervisors.

31 Sec. 8. Section 35B.14, unnumbered paragraph 1, Code 1997,
32 is amended to read as follows:

33 The board of supervisors of each county may appropriate
34 moneys for the food, clothing, shelter, utilities, medical
35 benefits, and funeral expenses of honorably-discharged,

1 indigent persons who served in the military or naval forces of
2 the United States in any war including World War I at any time
3 between April 6, 1917, and November 11, 1918, both dates
4 inclusive; World War II at any time between December 7, 1941,
5 and December 31, 1946, both dates inclusive; the Korean
6 Conflict at any time between June 25, 1950, and January 31,
7 1955, both dates inclusive; the Vietnam Conflict at any time
8 between December 22, 1961, and May 7, 1975, both dates
9 inclusive; and the Persian Gulf Conflict at any time between
10 August 2, 1990, and the date the president or the Congress of
11 the United States declares a permanent cessation of
12 hostilities, both dates inclusive; veterans, as defined in
13 section 35.1, and their indigent spouses, surviving spouses,
14 and minor children not over eighteen years of age, having a
15 legal residence in the county. However, if Congress enacts a
16 date different from August 2, 1990, as the beginning of the
17 Persian Gulf Conflict for purposes of determining whether a
18 veteran is entitled to receive military benefits as a veteran
19 of the Persian Gulf Conflict, that date shall be substituted
20 for August 2, 1990.

21 Sec. 9. Section 35B.16, Code 1997, is amended to read as
22 follows:

23 35B.16 MARKERS FOR GRAVES.

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

1 ~~the Congress of the United States declares a permanent~~
2 ~~cessation of hostilities, both dates inclusive, and veteran,~~
3 ~~as defined in section 35.1, who is buried within the limits of~~
4 ~~the county, to. The marker shall be placed at the~~
5 ~~individual's grave to permanently mark and designate the grave~~
6 ~~for memorial purposes. The expenses shall be paid from any~~
7 ~~funds raised as provided in this chapter. If Congress enacts~~
8 ~~a date different from August 2, 1990, as the beginning of the~~
9 ~~Persian Gulf Conflict for purposes of determining whether a~~
10 ~~veteran is entitled to receive military benefits as a veteran~~
11 ~~of the Persian Gulf Conflict, that date shall be substituted~~
12 ~~for August 2, 1990.~~

13 Sec. 10. Section 35C.3, Code 1997, is amended to read as
14 follows:

15 35C.3 DUTY TO INVESTIGATE AND APPOINT.

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

1 Sec. 11. NEW SECTION. 35C.5A ARBITRATION.

2 In addition to the remedies provided in sections 35C.4 and
3 35C.5, a person belonging to a class of persons qualifying for
4 a preference may submit any refusal to allow a preference, or
5 any reduction of the person's salary as described in section
6 35C.4, to arbitration within sixty days after written
7 notification of the refusal or reduction. Within ten days
8 after any submission, an arbitrator shall be selected by a
9 committee that includes one member chosen by the person
10 refused preference, one member chosen by the appointing
11 officer, board, or person, and one member who shall be a
12 disinterested party selected by the other two members of the
13 committee. A list of qualified arbitrators may be obtained
14 from the American arbitration association or other recognized
15 arbitration organization or association. The decision of the
16 arbitrator shall be final and binding on the parties.

17 Sec. 12. Section 37.10, unnumbered paragraph 1, Code 1997,
18 is amended to read as follows:

19 Each commissioner shall be ~~an-honorably-discharged-soldier,~~
20 ~~sailor,-marine,-airman,-or-coast-guard-member~~ a veteran, as
21 defined in section 35.1, and be a resident of the county in
22 which the memorial hall or monument is located.

23 Sec. 13. Section 282.6, unnumbered paragraph 1, Code 1997,
24 is amended to read as follows:

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

1 after graduation from a four-year course in an approved high
2 school or its equivalent shall be charged a sufficient tuition
3 fee to cover the cost of the instruction received by such the
4 person.

5 Sec. 14. Section 331.608, subsection 8, Code 1997, is
6 amended to read as follows:

7 8. As used in this section, "veteran" means a ~~man-or-woman~~
8 veteran as defined in section 35.1 who enlisted or was
9 inducted from the county, resided at any time in the county,
10 or is buried in the county ~~and-who-served-as-a-member-of-a~~
11 ~~branch-of-the-armed-forces-of-the-United-States-of-America,-as~~
12 ~~a-member-of-the-merchant-marine-during-the-time-of-war,-during~~
13 ~~the-Korean-Conflict-beginning-June-25,-1950,-and-ending~~
14 ~~January-31,-1955,-both-dates-inclusive,-or-during-the-Vietnam~~
15 ~~Conflict-beginning-August-5,-1964,-and-ending-June-30,-1973,-~~
16 ~~both-dates-inclusive,-or-as-a-member-of-the-armed-forces-of-a~~
17 ~~country-allied-with-the-United-States-of-America-or-the-armed~~
18 ~~forces-of-Iowa-or-another-state-or-territory.~~

19 Sec. 15. Section 400.10, Code 1997, is amended to read as
20 follows:

21 400.10 PREFERENCES.

22 In all examinations and appointments under this chapter,
23 other than promotions and appointments of chief of the police
24 department and chief of the fire department, honorably
25 discharged veterans ~~from-the-military-or-naval-forces-of-the~~
26 ~~United-States-in-any-war-in-which-the-United-States-has-been~~
27 ~~engaged,-including-the-Korean-Conflict-at-any-time-between~~
28 ~~June-25,-1950,-and-January-31,-1955,-both-dates-inclusive,-the~~
29 ~~Vietnam-Conflict-beginning-August-5,-1964,-and-ending-May-7-~~
30 ~~1975,-both-dates-inclusive,-and-the-Persian-Gulf-Conflict~~
31 ~~beginning-August-2,-1990,-and-ending-on-the-date-specified-by~~
32 ~~the-president-or-the-Congress-of-the-United-States-as-the-date~~
33 ~~of-permanent-cessation-of-hostilities,-both-dates-inclusive,-~~
34 and as defined in section 35.1, who are citizens and residents
35 of this state, shall have five points added to the veteran's

1 grade or score attained in qualifying examinations for
2 appointment to positions and five additional points added to
3 the grade or score if the veteran has a service-connected
4 disability or is receiving compensation, disability benefits
5 or pension under laws administered by the veterans
6 administration. ~~However, if the Congress of the United States~~
7 ~~enacts a date different from August 27, 1990, as the beginning~~
8 ~~of the Persian Gulf Conflict to determine the eligibility of a~~
9 ~~veteran for military benefits as a veteran of the Persian Gulf~~
10 ~~Conflict, the date enacted by the Congress of the United~~
11 ~~States shall be substituted for August 27, 1990.~~ An honorably
12 discharged veteran who has been awarded the Purple Heart for
13 disabilities incurred in action shall be considered to have a
14 service-connected disability. However, the points shall be
15 given only upon passing the exam and shall not be the
16 determining factor in passing.

17 ~~For the purposes of this section World War II shall be from~~
18 ~~December 7, 1941, to December 31, 1946, both dates inclusive.~~
19 Sec. 16. Section 427.3, subsections 1 and 2, Code 1997,
20 are amended to read as follows:

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

25 2. The property, not to exceed one thousand eight hundred
26 fifty-two dollars in taxable value of an honorably separated,
27 retired, furloughed to a reserve, placed on inactive status,
28 or discharged ~~soldier, sailor, marine, or nurse of the second~~
29 ~~World War from December 7, 1941, to December 31, 1946, army of~~
30 ~~occupation in Germany from November 12, 1918, to July 11,~~
31 ~~1923, American expeditionary forces in Siberia from November~~
32 ~~12, 1918, to April 30, 1920, second Nicaraguan campaign with~~
33 ~~the navy or marines in Nicaragua or on combatant ships 1926-~~
34 ~~1933, second Haitian suppression of insurrections 1919-1920,~~
35 ~~navy and marine operations in China 1937-1939 and Yangtze~~

1 service-with-navy-and-marines-in-Shanghai-or-in-the-Yangtze
2 Valley-1926-1927-and-1930-1932-or-of-the-Korean-Conflict-at
3 any-time-between-June-25,1950,-and-January-31,1955,-both
4 dates-inclusive,-or-those-who-served-on-active-duty-during-the
5 Vietnam-Conflict-beginning-December-22,1961,-and-ending-May
6 7,1975,-both-dates-inclusive,-or-those-who-served-on-active
7 duty-during-the-Persian-Gulf-Conflict-at-any-time-between
8 August-2,1990,-and-the-date-the-president-or-the-Congress-of
9 the-United-States-declares-a-permanent-cessation-of
10 hostilities,-both-dates-inclusive veteran, as defined in
11 section 35.1. However,-if-Congress-enacts-a-date-different
12 from-August-2,1990,-as-the-beginning-of-the-Persian-Gulf
13 Conflict-for-purposes-of-determining-whether-a-veteran-is
14 entitled-to-receive-military-benefits-as-a-veteran-of-the
15 Persian-Gulf-Conflict,-that-date-shall-be-substituted-for
16 August-2,1990,-. For-the-purposes-of-this-section,-"active
17 duty"-means-full-time-duty-in-the-armed-forces-of-the-United
18 States,-excluding-active-duty-for-training-purposes-only-and
19 excluding-any-period-a-person-was-assigned-by-the-armed-forces
20 to-a-civilian-institution-for-a-course-of-education-or
21 training-which-was-substantially-the-same-as-established
22 courses-offered-to-civilians,-or-as-a-cadet-or-midshipman,
23 however-enrolled,-at-one-of-the-service-academies.

24 Sec. 17. Section 427.3, Code 1997, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 5. The military service tax credit
27 payable to political subdivisions of this state pursuant to
28 chapter 426A shall be paid in full from state-appropriated
29 funds.

30 Sec. 18. Section 427.4, Code 1997, is amended to read as
31 follows:

32 427.4 EXEMPTIONS TO RELATIVES.

33 In case any person in the foregoing classifications does
34 not claim any-such the exemption from taxation, it shall be
35 allowed in the name of such the person to the same extent on

1 the property of any one of the following persons in the order
2 named:

3 1. The spouse, or surviving spouse remaining unmarried, of
4 ~~any-such-soldier, sailor, marine, or nurse~~ a veteran, as
5 defined in section 35.1, where they are living together or
6 were living together at the time of the death of ~~such-person~~
7 the veteran.

8 2. The parent whose spouse is deceased and who remains
9 unmarried, of ~~any-such-soldier, sailor, marine, or nurse~~ a
10 veteran, as defined in section 35.1, whether living or
11 deceased, where such the parent is, or was at the time of
12 death of the ~~soldier, sailor, marine, or nurse~~ veteran,
13 dependent on ~~such-person~~ the veteran for support.

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

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

21 Sec. 19. Section 483A.24, subsection 13, Code 1997, is
22 amended to read as follows:

23 13. Upon payment of the fee of thirty dollars for a
24 lifetime hunting and fishing combined license, the department
25 shall issue a hunting and fishing combined license to a
26 resident of Iowa who is a veteran, as defined in section 35.1,
27 ~~who was disabled during-the-period-of-a-veteran's-service~~
28 ~~listed-in-this-subsection~~ or who was a prisoner of war during
29 that veteran's military service. The department shall prepare
30 an application to be used by a person requesting a hunting and
31 fishing combined license under this subsection. The
32 commission of veterans affairs shall assist the department in
33 verifying the status or claims of applicants under this
34 subsection. As used in this subsection, "veteran" means a
35 ~~person who is a resident of Iowa and who served in the armed~~

1 forces-of-the-United-States-of-America-at-any-time-during
2 World-War-I-between-the-dates-of-April-6,1917, and July-2,
3 1921, World-War-II-between-the-dates-of-December-7,1941, and
4 December-31,1946, the-Korean-Conflict-between-the-dates-of
5 June-27,1950, and January-31,1955, the-Vietnam-Conflict
6 between-August-5,1964, and May-7,1975, or the-Persian-Gulf
7 Conflict-between-August-2,1990, and the-date-the-president-or
8 the-Congress-of-the-United-States-declares-a-permanent
9 cessation-of-hostilities, all-dates-inclusive, and "disabled"
10 means entitled to compensation under the United States Code,
11 Title 38, chapter 11.

12 Sec. 20. Section 35.7, Code 1997, is repealed.

13

EXPLANATION

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

18 In addition to the persons who served during wars or
19 military conflicts, the term "veteran" is redefined to include
20 former members of the armed forces who served on active duty
21 during peacetime and were discharged under honorable
22 conditions, former members of the national guard or military
23 reserve who served six or more years after January 28, 1973,
24 and were discharged under honorable conditions, former members
25 of the active, oceangoing merchant marines who served during
26 World War II and were discharged under honorable conditions,
27 and former members of the women's air force service pilots and
28 other persons who have been conferred veterans status based on
29 their civilian duties during World War II pursuant to federal
30 law. The definition change makes these persons and their
31 families eligible for veteran benefits, such as military
32 service property tax exemptions and credits, education
33 benefits for veterans' children, burial benefits, employment
34 preferences, bonus compensation for active, oceangoing
35 merchant marines during World War II, and benefits for

1 indigent veterans and their families.

2 The bill establishes a bonus compensation for merchant
3 marines who served during World War II and were discharged
4 under honorable conditions or for qualified relatives of
5 deceased merchant marines. The bonus is to be administered by
6 the executive director of the state commission of veterans
7 affairs. The bonus amounts to \$12.50 for each month served on
8 active duty, not to exceed a total of \$500. A person applying
9 for bonus compensation who knowingly makes a false statement
10 relating to a material fact commits a serious misdemeanor and
11 forfeits all rights to such compensation.

12 The bill amends the military service property tax exemption
13 provisions to correspond to the new definition of veteran.

14 The bill replaces the term "honorably discharged persons"
15 with the term "veteran" for purposes of memorial markers
16 placed by county commissions of veteran affairs, for
17 membership of county commissions of veteran affairs, for
18 payment of burial expenses of veterans, for payments to
19 indigent veterans, and for the war orphans educational aid
20 fund. This change expands the number of persons eligible for
21 veterans preference and for lifetime hunting and fishing
22 licenses.

23 Claims certified by a county commission of veteran affairs
24 are required to be reviewed by the county board of supervisors
25 and the county auditor then issues warrants in payment of the
26 claims. The Code requires the county commissions to prepare
27 and file quarterly in the county auditor's office a report
28 showing the names and addresses of all recipients of
29 assistance. The bill requires that case numbers, rather than
30 names and addresses, be used to identify recipients.

31 Under the bill, when a person who qualifies for a veterans
32 preference applies for an appointment or employment, and is
33 refused the appointment or employment, the appointing officer,
34 board, or person is required, within 10 days of the refusal,
35 to notify the unsuccessful applicant in writing of the

1 specific grounds for refusal.

2 If a person who belongs to a class of persons qualifying
3 for veterans preference is refused a preference or receives a
4 qualifying reduction in salary, the Code currently allows the
5 person the remedies of judicial review and appeal. The bill
6 adds arbitration as a third remedy. Within 60 days after
7 written notification of the refusal or reduction, the person
8 affected may submit the refusal or reduction to arbitration.
9 Within 10 days of a submission, an arbitrator shall be
10 selected by a committee that includes one member chosen by the
11 person refused preference, one member chosen by the appointing
12 officer, board, or person, and one member who shall be a
13 disinterested party selected by the other two members of the
14 committee. The arbitrator's decision is final and binding.

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