

REPRINTED

SENATE FILE 462
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 145)

(SUCCESSOR TO SF 291)

Passed Senate, Date 3/31/99 (P. 884) Passed House, Date 4-27-99 (P. 1735)
Vote: Ayes 46 Nays 0 Vote: Ayes 96 Nays 0
Approved May 25, 1999

A BILL FOR

1 An Act relating to veterans' benefits, veterans preference,
2 veterans' claims, reimbursement for military service tax
3 exemption, and providing a penalty and applicability date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 462

SENATE FILE 462

S-3181

- 1 Amend Senate File 462 as follows:
- 2 1. Page 4, by striking lines 32 and 33 and
- 3 inserting the following: "States, at any time between
- 4 December 7, 1941, and December 31, 1946, both dates
- 5 inclusive, and who served for a period of".
- 6 2. Page 5, line 19, by striking the word and
- 7 figures "September 16, 1940" and inserting the
- 8 following: "December 7, 1941".

By JOHN P. KIBBIE

S-3181 FILED MARCH 30, 1999

adapted 3/31/99 (P. 884)

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DIVISION I
VETERANS BENEFITS

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2
3 Section 1. Section 19A.9, subsection 21, unnumbered
4 paragraph 1, Code 1999, is amended to read as follows:

5 For veterans preference through a provision that honorably
6 ~~separated veterans who served on active duty in the armed~~
7 ~~forces of the United States in any war, campaign or expedition~~
8 ~~for which a campaign badge or service medal has been~~
9 ~~authorized by the government of the United States as defined~~
10 in section 35.1 shall have five points added to the grade or
11 score attained in qualifying examinations for appointment to
12 jobs.

13 Sec. 2. NEW SECTION. 35.1 DEFINITIONS.

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

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

17 2. a. "Veteran" means a resident of this state who served
18 in the armed forces of the United States at any time during
19 the following dates and who was discharged under honorable
20 conditions:

21 (1) World War I from April 6, 1917, through November 11,
22 1918.

23 (2) Occupation of Germany from November 12, 1918, through
24 July 11, 1923.

25 (3) American expeditionary forces in Siberia from November
26 12, 1918, through April 30, 1920.

27 (4) Second Haitian suppression of insurrections from 1919
28 through 1920.

29 (5) Second Nicaragua campaign with marines or navy in
30 Nicaragua or on combatant ships from 1926 through 1933.

31 (6) Yangtze service with navy and marines in Shanghai or
32 in the Yangtze valley from 1926 through 1927 and 1930 through
33 1932.

34 (7) China service with navy and marines from 1937 through
35 1939.

1 (8) World War II from December 7, 1941, through December
2 31, 1946.

3 (9) Korean conflict from June 25, 1950, through January
4 31, 1955.

5 (10) Vietnam conflict from February 28, 1961, through May
6 7, 1975.

7 (11) Lebanon or Grenada service from August 24, 1982,
8 through July 31, 1984.

9 (12) Panama service from December 20, 1989, through
10 January 31, 1990.

11 (13) Persian Gulf conflict from August 2, 1990, through
12 the date the president or the Congress of the United States
13 declares a cessation of hostilities. However, if the United
14 States Congress enacts a date different from August 2, 1990,
15 as the beginning of the Persian Gulf conflict for purposes of
16 determining whether a veteran is entitled to receive military
17 benefits as a veteran of the Persian Gulf conflict, that date
18 shall be substituted for August 2, 1990.

19 b. "Veteran" includes the following persons:

20 (1) Former members of the reserve forces of the United
21 States who served at least twenty years in the reserve forces
22 after January 28, 1973, and who were discharged under
23 honorable conditions. However, a member of the reserve forces
24 of the United States who completed a minimum aggregate of
25 ninety days of active federal service, other than training,
26 and was discharged under honorable conditions, or was retired
27 under Title X of the United States Code shall be included as a
28 veteran.

29 (2) Former members of the Iowa national guard who served
30 at least twenty years in the Iowa national guard after January
31 28, 1973, and who were discharged under honorable conditions.
32 However, a member of the Iowa national guard who was activated
33 for federal duty, other than training, for a minimum aggregate
34 of ninety days, and was discharged under honorable conditions
35 or was retired under Title X of the United States Code shall

1 be included as a veteran.

2 (3) Former members of the active, oceangoing merchant
3 marines who served during World War II at any time between
4 December 7, 1941, and December 31, 1946, both dates inclusive,
5 who were discharged under honorable conditions.

6 (4) Former members of the women's air force service pilots
7 and other persons who have been conferred veterans status
8 based on their civilian duties during World War II in
9 accordance with federal Pub. L. No. 95-202, 38 U.S.C. § 106.

10 Sec. 3. Section 35.8, Code 1999, is amended to read as
11 follows:

12 35.8 MONEY COMPRISING FUND.

13 A war orphans educational aid fund is created as a separate
14 fund in the state treasury under the control of the commission
15 of veterans affairs. Any money hereafter appropriated for the
16 purpose of aiding in the education of orphaned children of
17 ~~honorably-discharged-persons-who-served-in-the-military-or~~
18 ~~naval-forces-of-the-United-States-in-World-War-I-or-World-War~~
19 ~~II veterans,~~ as provided-by-this-chapter defined in section
20 35.1, shall be known as deposited in the war orphans
21 educational aid fund.

22 Sec. 4. Section 35.9, unnumbered paragraph 1, Code 1999,
23 is amended to read as follows:

24 The commission of veterans affairs may expend not more than
25 six hundred dollars per year for any one child who has lived
26 in the state of Iowa for two years preceding application for
27 aid, and who is the child of a person who died ~~during-World~~
28 ~~War-I-between-the-dates-of-April-6-1917-and-June-2-1921-or~~
29 ~~during-World-War-II-between-the-dates-of-September-16-1940~~
30 ~~and-December-31-1946-both-dates-inclusive,-or-the-Korean~~
31 ~~Conflict-between-June-25-1950-and-January-31-1955-both~~
32 ~~dates-inclusive,-or-the-Vietnam-Conflict-between-August-5~~
33 ~~1964-and-May-7-1975-both-dates-inclusive,-or-the-Persian~~
34 ~~Gulf-Conflict-at-any-time-between-August-2-1990-and-the-date~~
35 ~~the-president-or-the-Congress-of-the-United-States-declares-a~~

1 permanent-cessation-of-hostilities,-both-dates-inclusive,
2 while-serving-in-the during active federal military or naval
3 forces service while serving in the armed forces or during
4 active federal military service in the Iowa national guard or
5 other military component of the United States, to-include
6 ~~members-of-the-reserve-components-performing-service-or-duties~~
7 ~~required-or-authorized-under-chapter-39,-United-States-Code~~
8 ~~and-Title-32,-United-States-Code,-sections-502-through-505,~~
9 ~~and-active-state-service-required-or-authorized-under-chapter~~
10 ~~29A,-or-as-a-result-of-such-service,~~ to defray the expenses of
11 tuition, matriculation, laboratory and similar fees, books and
12 supplies, board, lodging, and any other reasonably necessary
13 expense for such the child or children incident to attendance
14 in this state at an educational or training institution of
15 college grade, or in a business or vocational training school
16 with standards approved by the commission of veterans affairs.
17 ~~However,-if-Congress-enacts-a-date-different-from-August-2,~~
18 ~~1990,-as-the-beginning-of-the-Persian-Gulf-Conflict-for~~
19 ~~purposes-of-determining-whether-a-veteran-is-entitled-to~~
20 ~~receive-military-benefits-as-a-veteran-of-the-Persian-Gulf~~
21 ~~Conflict,-that-date-shall-be-substituted-for-August-2,-1990-~~

22 Sec. 5. Section 35A.8, Code 1999, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 4. a. The executive director shall
25 provide for the administration of the bonus authorized in this
26 subsection. The commission shall adopt rules, pursuant to
27 chapter 17A, as necessary to administer this subsection
28 including, but not limited to, application procedures,
29 investigation, approval or disapproval, and payment of claims.

30 b. (1) Each person who served on active duty in the
31 active, oceangoing merchant marine service of the United
32 States, at any time between September 16, 1940, and September
33 2, 1945, both dates inclusive, and who served for a period of
34 not less than one hundred twenty days on or before December
35 31, 1946, and who at the time of entering into the merchant

1 marine service was a legal resident of the state of Iowa, and
2 who had maintained the person's residence in this state for a
3 period of at least six months immediately before entering the
4 merchant marine service, and was honorably discharged or
5 separated from the merchant marine service, is entitled to
6 receive from moneys appropriated for that purpose the sum of
7 twelve dollars and fifty cents for each month that the person
8 was on active duty in the merchant marine service, all before
9 December 31, 1946, not to exceed a total sum of five hundred
10 dollars. Compensation for a fraction of a month shall not be
11 considered unless the fraction is sixteen days or more, in
12 which case the fraction shall be computed as a full month.

13 (2) A person is not entitled to compensation pursuant to
14 this subsection if the person received a bonus or compensation
15 similar to that provided in this subsection from another
16 state.

17 (3) A person is not entitled to compensation pursuant to
18 this subsection if the person was on active duty in the
19 merchant marine service after September 16, 1940, and the
20 person refused on conscientious, political, religious, or
21 other grounds, to be subject to military discipline.

22 (4) The surviving unremarried widow or widower, child or
23 children, mother, father, or person standing in loco parentis,
24 in the order named and none other, of any deceased person,
25 shall be paid the compensation that the deceased person would
26 be entitled to pursuant to this subsection, if living, but if
27 any person has died or shall die, or is disabled, from
28 service-connected causes incurred during the period and in the
29 area from which the person is entitled to receive compensation
30 pursuant to this subsection, the person or the first survivor
31 as designated by this subsection and in the order named, shall
32 be paid five hundred dollars, regardless of the length of
33 service.

34 c. A person who knowingly makes a false statement relating
35 to a material fact in supporting an application under this

1 subsection is guilty of a serious misdemeanor. A person
2 convicted pursuant to this subsection shall forfeit all
3 benefits to which the person may have been entitled under this
4 subsection.

5 d. All payments and allowances made under this subsection
6 shall be exempt from taxation and from levy and sale on
7 execution.

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

10 Sec. 6. Section 35B.3, Code 1999, is amended to read as
11 follows:

12 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

13 The county commission of veteran affairs shall consist of
14 either three or five persons, as determined by the board of
15 supervisors, all of whom shall be ~~honorably-discharged-persons~~
16 ~~who-served-in-the-military-or-naval-forces-of-the-United~~
17 ~~States-in-any-war,-including-World-War-I-at-any-time-between~~
18 ~~April-6,-1917,-and-November-11,-1918,-both-dates-inclusive,-~~
19 ~~World-War-II-at-any-time-between-December-7,-1941,-and~~
20 ~~December-31,-1946,-both-dates-inclusive,-the-Korean-Conflict~~
21 ~~at-any-time-between-June-25,-1950,-and-January-31,-1955,-both~~
22 ~~dates-inclusive,-the-Vietnam-Conflict-at-any-time-between~~
23 ~~December-22,-1961,-and-May-7,-1975,-both-dates-inclusive,-and~~
24 ~~the-Persian-Gulf-Conflict-at-any-time-between-August-2,-1990,~~
25 ~~and-the-date-the-president-or-the-Congress-of-the-United~~
26 ~~States-declares-a-permanent-cessation-of-hostilities,-both~~
27 ~~dates-inclusive.--However,-if-Congress-enacts-a-date-different~~
28 ~~from-August-2,-1990,-as-the-beginning-of-the-Persian-Gulf~~
29 ~~Conflict-for-purposes-of-determining-whether-a-veteran-is~~
30 ~~entitled-to-receive-military-benefits-as-a-veteran-of-the~~
31 ~~Persian-Gulf-Conflict,-that-date-shall-be-substituted-for~~
32 ~~August-2,-1990~~ veterans as defined in section 35.1. If
33 possible, each member of the commission shall be a veteran of
34 a different war-or-conflict,-so-as-to-divide-membership-among
35 the-persons-who-served-in-World-War-I,-World-War-II,-the

1 Korean-Conflict,--the-Vietnam-Conflict,--and-the-Persian-Gulf
2 Conflict,--however, military action. However, this
3 qualification does not preclude membership to a veteran who
4 served in more than one of the wars-or-conflicts military
5 actions.

6 Sec. 7. Section 35B.10, unnumbered paragraph 1, Code 1999,
7 is amended to read as follows:

8 All claims certified by the commission shall be reviewed by
9 the board of supervisors and the county auditor shall issue
10 warrants in payment of the claims. All applications,
11 investigation reports and case records are privileged
12 communications and shall be held confidential, subject to use
13 and inspection only by persons authorized by law in connection
14 with their official duties relating to financial audits and
15 the administration of this chapter. However, the county
16 commission of veteran affairs shall prepare and file in the
17 office of the county auditor on or before the thirtieth day of
18 each January, April, July and October a report showing the
19 names-and-addresses case numbers of all recipients receiving
20 assistance under this chapter, together with the amount paid
21 to each during the preceding quarter. Each report so filed
22 shall be securely fixed in a record book to be used only for
23 such reports made under this chapter.

24 Sec. 8. Section 35B.13, Code 1999, is amended to read as
25 follows:

26 35B.13 BURIAL -- EXPENSES.

27 The commission is responsible for the interment in a
28 suitable cemetery of the body of any honorably-discharged
29 person-who-served-in-the-military-or-naval-forces-of-the
30 United-States-during-any-war,--including-World-War-I-at-any
31 time-between-April-6,--1917,--and-November-11,--1918,--both-dates
32 inclusive,--World-War-II-at-any-time-between-December-7,--1941,
33 and-December-31,--1946,--both-dates-inclusive,--the-Korean
34 Conflict-at-any-time-between-June-25,--1950,--and-January-31,
35 1955,--both-dates-inclusive,--the-Vietnam-Conflict-at-any-time

1 ~~between-December-22-1961-and-May-7-1975-both-dates~~
2 ~~inclusive-and-the-Persian-Gulf-Conflict-at-any-time-between~~
3 ~~August-2-1990-and-the-date-the-president-or-the-Congress-of~~
4 ~~the-United-States-declares-a-permanent-cessation-of~~
5 ~~hostilities-both-dates-inclusive; veteran, as defined in~~
6 ~~section 35.1, or the spouse, surviving spouse, or child of the~~
7 ~~person, if the person has died without leaving sufficient~~
8 ~~means to defray the funeral expenses. However-if-Congress~~
9 ~~enacts-a-date-different-from-August-2-1990-as-the-beginning~~
10 ~~of-the-Persian-Gulf-Conflict-for-purposes-of-determining~~
11 ~~whether-a-veteran-is-entitled-to-receive-military-benefits-as~~
12 ~~a-veteran-of-the-Persian-Gulf-Conflict-that-date-shall-be~~
13 ~~substituted-for-August-2-1990. The commission may pay the~~
14 ~~expenses in a sum not exceeding an amount established by the~~
15 ~~board of supervisors.~~

16 Sec. 9. Section 35B.14, unnumbered paragraph 1, Code 1999,
17 is amended to read as follows:

18 The board of supervisors of each county may appropriate
19 moneys for the food, clothing, shelter, utilities, medical
20 benefits, and funeral expenses of ~~honorably-discharged,~~
21 ~~indigent persons who served in the military or naval forces of~~
22 ~~the-United-States-in-any-war-including-World-War-I-at-any-time~~
23 ~~between-April-6-1917-and-November-11-1918-both-dates~~
24 ~~inclusive; World-War-II-at-any-time-between-December-7-1941,~~
25 ~~and-December-31-1946-both-dates-inclusive; the-Korean~~
26 ~~Conflict-at-any-time-between-June-25-1950-and-January-31-~~
27 ~~1955-both-dates-inclusive; the-Vietnam-Conflict-at-any-time~~
28 ~~between-December-22-1961-and-May-7-1975-both-dates~~
29 ~~inclusive-and-the-Persian-Gulf-Conflict-at-any-time-between~~
30 ~~August-2-1990-and-the-date-the-president-or-the-Congress-of~~
31 ~~the-United-States-declares-a-permanent-cessation-of~~
32 ~~hostilities-both-dates-inclusive; veterans, as defined in~~
33 ~~section 35.1, and their indigent spouses, surviving spouses,~~
34 ~~and minor children not over eighteen years of age, having a~~
35 ~~legal residence in the county. However-if-Congress-enacts-a~~

1 ~~date-different-from-August-27-1990, as the beginning of the~~
2 ~~Persian-Gulf-Conflict-for-purposes-of-determining-whether-a~~
3 ~~veteran-is-entitled-to-receive-military-benefits-as-a-veteran~~
4 ~~of-the-Persian-Gulf-Conflict, that date shall be substituted~~
5 ~~for-August-27-1990.~~

6 Sec. 10. Section 35B.16, Code 1999, is amended to read as
7 follows:

8 35B.16 MARKERS FOR GRAVES.

9 The county commission of veteran affairs may furnish a
10 suitable and appropriate metal marker for the grave of each
11 ~~honorably-discharged-person, who served in the military or~~
12 ~~naval forces of the United States during any war, including~~
13 ~~World War I at any time between April 6, 1917, and November~~
14 ~~11, 1918, both dates inclusive, World War II at any time~~
15 ~~between December 7, 1941, and December 31, 1946, both dates~~
16 ~~inclusive, the Korean Conflict at any time between June 25,~~
17 ~~1950, and January 31, 1955, both dates inclusive, the Vietnam~~
18 ~~Conflict at any time between December 22, 1961, and May 7,~~
19 ~~1975, both dates inclusive, and the Persian Gulf Conflict at~~
20 ~~any time between August 2, 1990, and the date the president or~~
21 ~~the Congress of the United States declares a permanent~~
22 ~~cessation of hostilities, both dates inclusive, and veteran,~~
23 ~~as defined in section 35.1, who is buried within the limits of~~
24 ~~the county, to. The marker shall be placed at the~~
25 ~~individual's grave to permanently mark and designate the grave~~
26 ~~for memorial purposes. The expenses shall be paid from any~~
27 ~~funds raised as provided in this chapter. ~~if Congress enacts~~~~
28 ~~a date different from August 27, 1990, as the beginning of the~~
29 ~~Persian-Gulf-Conflict-for-purposes-of-determining-whether-a~~
30 ~~veteran-is-entitled-to-receive-military-benefits-as-a-veteran~~
31 ~~of-the-Persian-Gulf-Conflict, that date shall be substituted~~
32 ~~for-August-27-1990.~~

33 Sec. 11. Section 35C.3, Code 1999, is amended to read as
34 follows:

35 35C.3 DUTY TO INVESTIGATE AND APPOINT.

1 When any preferred person ~~shall-apply~~ applies for
2 appointment or employment under this chapter, the officer,
3 board, or person whose duty it is or may be to appoint or
4 employ ~~some~~ a person to fill ~~such~~ the position or place shall,
5 before appointing or employing ~~anyone~~ a person to fill ~~such~~
6 the position or place, make an investigation as to the
7 qualifications of ~~said~~ the applicant for ~~such~~ the place or
8 position, and if the applicant is of good moral character and
9 can perform the duties of ~~said~~ the position ~~so~~ applied for, as
10 ~~hereinbefore-provided,~~ ~~said~~ the officer, board, or person
11 shall appoint ~~said~~ the applicant to ~~such~~ the position, place,
12 or employment. ~~Said~~ The appointing officer, board, or person
13 shall set forth in writing and file for public inspection, the
14 specific grounds upon which it ~~is-held-that-the-person~~
15 appointed ~~is-entitled-to-said-appointment,~~ or ~~in-the-case-such~~
16 ~~appointment-is-refused,-the-specific-grounds-for-the-refusal~~
17 ~~thereof~~ refused to appoint the person. Within ten days after
18 an appointment is refused, the appointing officer, board, or
19 person shall notify the unsuccessful applicant in writing of
20 the specific grounds for refusal.

21 Sec. 12. NEW SECTION. 35C.5A ARBITRATION.

22 In addition to the remedies provided in sections 35C.4 and
23 35C.5, a person belonging to a class of persons qualifying for
24 a preference may submit any refusal to allow a preference, or
25 any reduction of the person's salary as described in section
26 35C.4, to arbitration within sixty days after written
27 notification of the refusal or reduction. Within ten days
28 after any submission, an arbitrator shall be selected by a
29 committee that includes one member chosen by the person
30 refused preference, one member chosen by the appointing
31 officer, board, or person, and one member who shall be a
32 disinterested party selected by the other two members of the
33 committee. A list of qualified arbitrators may be obtained
34 from the American arbitration association or other recognized
35 arbitration organization or association. The decision of the

1 arbitrator shall be final and binding on the parties.

2 Sec. 13. Section 37.10, unnumbered paragraph 1, Code 1999,
3 is amended to read as follows:

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

8 Sec. 14. Section 282.6, unnumbered paragraph 1, Code 1999,
9 is amended to read as follows:

10 Every school shall be free of tuition to all actual
11 residents between the ages of five and twenty-one years and to
12 resident ~~honorably-discharged-soldiers,-sailors,-and-marines~~
13 veterans as defined in section 35.1, as many months after
14 becoming twenty-one years of age as they have spent in the
15 ~~military-or-naval-service~~ armed forces of the United States
16 before they became twenty-one, provided, however, fees may be
17 charged covering instructional costs for a summer school or
18 drivers education program. The board of education may, in a
19 hardship case, exempt a student from payment of the above
20 fees. Every person, however, who shall attend any school
21 after graduation from a four-year course in an approved high
22 school or its equivalent shall be charged a sufficient tuition
23 fee to cover the cost of the instruction received by such the
24 person.

25 Sec. 15. Section 331.608, subsection 8, Code 1999, is
26 amended to read as follows:

27 8. As used in this section, "veteran" means a ~~man-or-woman~~
28 veteran as defined in section 35.1 who enlisted or was
29 inducted from the county, resided at any time in the county,
30 or is buried in the county ~~and-who-served-as-a-member-of-a~~
31 ~~branch-of-the-armed-forces-of-the-United-States-of-America,-as~~
32 ~~a-member-of-the-merchant-marine-during-the-time-of-war,-during~~
33 ~~the-Korean-Conflict-beginning-June-25,-1950,-and-ending~~
34 ~~January-31,-1955,-both-dates-inclusive,-or-during-the-Vietnam~~
35 ~~Conflict-beginning-August-5,-1964,-and-ending-June-30,-1973,~~

1 both-dates-inclusive, or as a member of the armed forces of a
2 country allied with the United States of America or the armed
3 forces of Iowa or another state or territory.

4 Sec. 16. Section 400.10, Code 1999, is amended to read as
5 follows:

6 400.10 PREFERENCES.

7 In all examinations and appointments under this chapter,
8 other than promotions and appointments of chief of the police
9 department and chief of the fire department, honorably
10 discharged veterans from the military or naval forces of the
11 United States in any war in which the United States has been
12 engaged, including the Korean Conflict at any time between
13 June 25, 1950, and January 31, 1955, both dates inclusive, the
14 Vietnam Conflict beginning August 5, 1964, and ending May 7,
15 1975, both dates inclusive, and the Persian Gulf Conflict
16 beginning August 2, 1990, and ending on the date specified by
17 the president or the Congress of the United States as the date
18 of permanent cessation of hostilities, both dates inclusive,
19 and as defined in section 35.1, who are citizens and residents
20 of this state, shall have five points added to the veteran's
21 grade or score attained in qualifying examinations for
22 appointment to positions and five additional points added to
23 the grade or score if the veteran has a service-connected
24 disability or is receiving compensation, disability benefits
25 or pension under laws administered by the veterans
26 administration. However, if the Congress of the United States
27 enacts a date different from August 2, 1990, as the beginning
28 of the Persian Gulf Conflict to determine the eligibility of a
29 veteran for military benefits as a veteran of the Persian Gulf
30 Conflict, the date enacted by the Congress of the United
31 States shall be substituted for August 2, 1990. An honorably
32 discharged veteran who has been awarded the Purple Heart for
33 disabilities incurred in action shall be considered to have a
34 service-connected disability. However, the points shall be
35 given only upon passing the exam and shall not be the

1 determining factor in passing.

2 ~~For the purposes of this section World War II shall be from~~
3 ~~December 7, 1941, to December 31, 1946, both dates inclusive.~~

4 Sec. 17. Section 427.3, subsections 1, 2, and 3, Code
5 1999, are amended to read as follows:

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

10 2. The property, not to exceed one thousand eight hundred
11 fifty-two dollars in taxable value of an honorably separated,
12 retired, furloughed to a reserve, placed on inactive status,
13 or discharged ~~soldier, sailor, marine, or nurse of the second~~
14 ~~World War from December 7, 1941, to December 31, 1946, army of~~
15 ~~occupation in Germany from November 12, 1918, to July 11,~~
16 ~~1923, American expeditionary forces in Siberia from November~~
17 ~~12, 1918, to April 30, 1920, second Nicaraguan campaign with~~
18 ~~the navy or marines in Nicaragua or on combatant ships 1926-~~
19 ~~1933, second Haitian suppression of insurrections 1919-1920,~~
20 ~~navy and marine operations in China 1937-1939 and Yangtze~~
21 ~~service with navy and marines in Shanghai or in the Yangtze~~
22 ~~Valley 1926-1927 and 1930-1932 or of the Korean Conflict at~~
23 ~~any time between June 25, 1950, and January 31, 1955, both~~
24 ~~dates inclusive, or those who served on active duty during the~~
25 ~~Vietnam Conflict beginning December 22, 1961, and ending May~~
26 ~~7, 1975, both dates inclusive, or those who served on active~~
27 ~~duty during the Persian Gulf Conflict at any time between~~
28 ~~August 2, 1990, and the date the president or the Congress of~~
29 ~~the United States declares a permanent cessation of~~
30 ~~hostilities, both dates inclusive~~ veteran, as defined in
31 section 35.1. However, if Congress enacts a date different
32 from August 2, 1990, as the beginning of the Persian Gulf
33 Conflict for purposes of determining whether a veteran is
34 entitled to receive military benefits as a veteran of the
35 Persian Gulf Conflict, that date shall be substituted for

1 August-27-1990.--For-the-purposes-of-this-section7-"active
2 duty"-means-full-time-duty-in-the-armed-forces-of-the-United
3 States7-excluding-active-duty-for-training-purposes-only-and
4 excluding-any-period-a-person-was-assigned-by-the-armed-forces
5 to-a-civilian-institution-for-a-course-of-education-or
6 training-which-was-substantially-the-same-as-established
7 courses-offered-to-civilians7-or-as-a-cadet-or-midshipman7
8 however-enrolled7-at-one-of-the-service-academies7

9 3. Where the word "soldier veteran" appears in this
10 chapter, it includes, without limitation, the members of the
11 United States air force and the United States merchant marine.

12 Sec. 18. Section 427.4, Code 1999, is amended to read as
13 follows:

14 427.4 EXEMPTIONS TO RELATIVES.

15 In case any person in the foregoing classifications does
16 not claim ~~any-such~~ the exemption from taxation, it shall be
17 allowed in the name of ~~such~~ the person to the same extent on
18 the property of any one of the following persons in the order
19 named:

20 1. The spouse, or surviving spouse remaining unmarried, of
21 ~~any-such-soldier7-sailor7-marine7-or-nurse~~ a veteran, as
22 defined in section 35.1, where they are living together or
23 were living together at the time of the death of ~~such-person~~
24 the veteran.

25 2. The parent whose spouse is deceased and who remains
26 unmarried, of ~~any-such-soldier7-sailor7-marine7-or-nurse~~ a
27 veteran, as defined in section 35.1, whether living or
28 deceased, where ~~such~~ the parent is, or was at the time of
29 death of the ~~soldier7-sailor7-marine7-or-nurse~~ veteran,
30 dependent on ~~such-person~~ the veteran for support.

31 3. The minor child, or children owning property as tenants
32 in common, of ~~any-such~~ a deceased ~~soldier7-sailor7-marine7-or~~
33 ~~nurse~~ veteran, as defined in section 35.1.

34 No more than one tax exemption shall be allowed under this
35 section or section 427.3 in the name of ~~any-honorably~~

1 ~~discharged-soldier, sailor, marine, or nurse~~ a veteran, as
2 defined in section 35.1.

3 Sec. 19. Section 483A.24, subsection 13, Code 1999, is
4 amended to read as follows:

5 13. Upon payment of the fee of thirty dollars for a
6 lifetime hunting and fishing combined license, the department
7 shall issue a hunting and fishing combined license to a
8 resident of Iowa who is a veteran, as defined in section 35.1,
9 ~~who was disabled during the period of a veteran's service~~
10 ~~listed in this subsection~~ or who was a prisoner of war during
11 that veteran's military service. The department shall prepare
12 an application to be used by a person requesting a hunting and
13 fishing combined license under this subsection. The
14 commission of veterans affairs shall assist the department in
15 verifying the status or claims of applicants under this
16 subsection. As used in this subsection, ~~"veteran" means a~~
17 ~~person who is a resident of Iowa and who served in the armed~~
18 ~~forces of the United States of America at any time during~~
19 ~~World War I between the dates of April 6, 1917, and July 2,~~
20 ~~1921, World War II between the dates of December 7, 1941, and~~
21 ~~December 31, 1946, the Korean Conflict between the dates of~~
22 ~~June 27, 1950, and January 31, 1955, the Vietnam Conflict~~
23 ~~between August 5, 1964, and May 7, 1975, or the Persian Gulf~~
24 ~~Conflict between August 2, 1990, and the date the president or~~
25 ~~the Congress of the United States declares a permanent~~
26 ~~cessation of hostilities, all dates inclusive, and "disabled"~~
27 means entitled to compensation under the United States Code,
28 Title 38, chapter 11.

29 Sec. 20. Section 35.7, Code 1999, is repealed.

30 DIVISION II

31 MILITARY SERVICE PROPERTY TAX CREDIT AND EXEMPTION

32 Sec. 21. Section 25B.7, subsection 2, paragraph c, Code
33 1999, is amended to read as follows:

34 c. Military service property tax credit and exemption
35 pursuant to chapter 426A and sections 427.3 through 427.7, to

1 the extent of six dollars and ~~seventy-five~~ ninety-two cents
2 per thousand dollars of assessed value of the exempt property.

3 Sec. 22. Section 426A.2, Code 1999, is amended to read as
4 follows:

5 426A.2 MILITARY SERVICE TAX CREDIT.

6 The moneys shall be apportioned each year so as to replace
7 all or a portion of the tax which would be due on property
8 eligible for military service tax exemption in the state, if
9 the property were subject to taxation, the amount of the
10 credit to be not more than six dollars and ~~seventy-five~~
11 ninety-two cents per thousand dollars of assessed value of
12 property which would be subject to the tax, except for the
13 military service tax exemption.

14 Sec. 23. The increase in state reimbursement resulting
15 from the amendment to section 426A.2 in this Act is subject to
16 the limitation on its use by local governments as provided in
17 section 25B.7, subsection 3.

18 Sec. 24. Division II of this Act applies to the military
19 service property tax exemption claims allowed on or after
20 January 1, 2000.

21 EXPLANATION

22 Division I of this bill redefines "veteran" to include
23 those who served in the armed forces during designated wars or
24 expeditions and includes persons who served in the armed
25 forces of the United States during peacetime or in civilian
26 occupations which have been given military status when
27 performed during actual conflict or in war zones.

28 In addition to the persons who served during wars or
29 military conflicts, the term "veteran" is redefined to include
30 former members of the armed forces who served on active duty
31 during peacetime and were discharged under honorable
32 conditions, former members of the national guard or military
33 reserve who served 20 or more years after January 28, 1973,
34 and were discharged under honorable conditions, former members
35 of the active, oceangoing merchant marines who served during

1 World War II and were discharged under honorable conditions,
2 and former members of the women's air force service pilots and
3 other persons who have been conferred veterans status based on
4 their civilian duties during World War II pursuant to federal
5 law. A veteran also includes a member of the reserve forces
6 of the United States or the Iowa national guard who was
7 activated for federal service for at least 90 days or
8 completed at least 90 days of active federal service,
9 excluding training, and was discharged or retired under
10 honorable conditions. The definition change makes these
11 persons and their families eligible for veteran benefits, such
12 as military service property tax exemptions and credits,
13 education benefits for veterans' children, burial benefits,
14 employment preferences, bonus compensation for active,
15 oceangoing merchant marines during World War II, and benefits
16 for indigent veterans and their families. A veteran also
17 receives a preference in state employment.

18 Division I establishes a bonus compensation for merchant
19 marines who served during World War II and were discharged
20 under honorable conditions or for qualified relatives of
21 deceased merchant marines. The bonus is to be administered by
22 the executive director of the state commission of veterans
23 affairs. The bonus amounts to \$12.50 for each month served on
24 active duty, not to exceed a total of \$500. A person applying
25 for bonus compensation who knowingly makes a false statement
26 relating to a material fact commits a serious misdemeanor and
27 forfeits all rights to such compensation.

28 Division I amends the military service property tax
29 exemption provisions to correspond to the new definition of
30 veteran.

31 Division I replaces the term "honorably discharged persons"
32 with the term "veteran" for purposes of memorial markers
33 placed by county commissions of veteran affairs, for
34 membership on county commissions of veteran affairs, for
35 payment of burial expenses of veterans, for payments to

1 indigent veterans, and for the war orphans educational aid
2 fund. This change expands the number of persons eligible for
3 veterans preference and for lifetime hunting and fishing
4 licenses.

5 Claims certified by a county commission of veteran affairs
6 are required to be reviewed by the county board of supervisors
7 and the county auditor then issues warrants in payment of the
8 claims. The Code requires the county commissions to prepare
9 and file quarterly in the county auditor's office a report
10 showing the names and addresses of all recipients of
11 assistance. Division I requires that case numbers, rather
12 than names and addresses, be used to identify recipients.

13 Under Division I, when a person who qualifies for a
14 veterans preference applies for an appointment or employment,
15 and is refused the appointment or employment, the appointing
16 officer, board, or person is required, within 10 days of the
17 refusal, to notify the unsuccessful applicant in writing of
18 the specific grounds for refusal.

19 If a person who belongs to a class of persons qualifying
20 for veterans preference is refused a preference or receives a
21 qualifying reduction in salary, the Code currently allows the
22 person the remedies of judicial review and appeal. Division I
23 adds arbitration as a third remedy. Within 60 days after
24 written notification of the refusal or reduction, the person
25 affected may submit the refusal or reduction to arbitration.
26 Within 10 days of a submission, an arbitrator shall be
27 selected by a committee that includes one member chosen by the
28 person refused preference, one member chosen by the appointing
29 officer, board, or person, and one member who shall be a
30 disinterested party selected by the other two members of the
31 committee. The arbitrator's decision is final and binding.

32 Division I repeals Code section 35.7, which becomes
33 redundant with the amendment to Code section 35.8.

34 Under present law, the state will reimburse local
35 governments for the lost tax revenue resulting from the

1 military service tax exemption. However, the amount of
2 reimbursement is limited to \$6.75 per \$1,000 of the assessed
3 value of the exemption. Since the consolidated levies
4 throughout the state exceed \$6.75 per \$1,000 of the assessed
5 value, the local governments are not reimbursed for all the
6 lost property tax revenue. This bill increases the amount of
7 the reimbursement to \$6.92 per \$1,000 of the assessed value.

8 Division II also limits the use of the increased
9 reimbursement to local governments to property tax relief and
10 infrastructure needs until July 1, 2002.

11 Division II applies to military service property tax
12 exemption claims allowed on or after January 1, 2000.

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**SENATE FILE 462
FISCAL NOTE**

A fiscal note for Senate File 462 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 462 redefines the definition of veteran, provides a bonus compensation for merchant marines, and amends the military service property tax exemptions based upon the new definition of veteran.

ASSUMPTIONS

1. Bonus compensations for merchant marines:
 - A. There are approximately 300 eligible merchant marines/widows/children.
 - B. The maximum bonus is \$500 per eligible merchant marine or survivor.
2. The military service property tax exemption is based upon the new definition of veteran:
 - A. The redefinition of "veteran" to include persons honorably discharged from the armed services who served during Lebanon or Grenada service from August 24, 1982, through July 31, 1984. Second, it adds Panama service from December 20, 1989, through January 31, 1990. This is projected to add an additional 2,200 individuals, of which 75.0% (1,650) are assumed to be eligible homeowners.
 - B. The expansion of the definition of "veteran" to include veterans of the Iowa National Guard and the reserve forces would increase the number of eligible veterans by an additional 800 persons. Of the 800 individuals, 75.0% (600) are assumed to be eligible homeowners.
 - C. The military service exemption allows eligible property owners to reduce the taxable value of their home by \$1,852. The State currently reimburses local governments for \$6.75 per \$1,000 of lost taxable valuation. Senate File 462 increases the reimbursement to \$6.92 per \$1,000 of lost taxable valuation.
 - D. The average consolidated tax rate is estimated to be \$30.00 per \$1,000 of taxable valuation.

FISCAL IMPACT

The estimated cost to the General Fund for Senate File 462 is as follows:

	<u>FY 2000</u>	<u>FY 2001</u>
Merchant Marines	\$ 150,000	\$ 0
Military Exempt. Approp.	0	97,000
Total	<u>\$ 150,000</u>	<u>\$ 97,000</u>

PAGE 2 , FISCAL NOTE, SENATE FILE 462

-2-

The additional \$97,000 reimbursement by the State for the Military Service Tax Exemption effectively reimburses localities for the additional ,250 individuals now eligible due to Senate File 462.

SOURCES

Commission on Veterans Affairs
Iowa Veterans Home
Department of Management
U.S. Census Bureau
U.S. Department of Defense

(LSB 1226SZ, LCS)

FILED MARCH 30, 1999

BY DENNIS PROUTY, FISCAL DIRECTOR

H-3 4/1/99 Ways & Means
H- 4/21/99 amend/Do Pass
H- 1730

SENATE FILE 462

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 145)

(SUCCESSOR TO SF 291)

(AS AMENDED AND PASSED BY THE SENATE MARCH 31, 1999)

_____ - New Language by the Senate

Passed Senate, Date ^(P.1357) 4/28/99 Passed House, Date ^(P.1735) 4-27-99
Vote: Ayes 48 Nays 0 Vote: Ayes 96 Nays 0
Approved May 25, 1999
^(P.1876) 4-29-99
vote 97-0

A BILL FOR

1 An Act relating to veterans' benefits, veterans preference,
2 veterans' claims, reimbursement for military service tax
3 exemption, and providing a penalty and applicability date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 462

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DIVISION I

VETERANS BENEFITS

Section 1. Section 19A.9, subsection 21, unnumbered paragraph 1, Code 1999, is amended to read as follows:

For veterans preference through a provision that ~~honorably separated veterans who served on active duty in the armed forces of the United States in any war, campaign or expedition for which a campaign badge or service medal has been authorized by the government of the United States as defined~~ in section 35.1 shall have five points added to the grade or score attained in qualifying examinations for appointment to jobs.

Sec. 2. NEW SECTION. 35.1 DEFINITIONS.

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

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

2. a. "Veteran" means a resident of this state who served in the armed forces of the United States at any time during the following dates and who was discharged under honorable conditions:

(1) World War I from April 6, 1917, through November 11, 1918.

(2) Occupation of Germany from November 12, 1918, through July 11, 1923.

(3) American expeditionary forces in Siberia from November 12, 1918, through April 30, 1920.

(4) Second Haitian suppression of insurrections from 1919 through 1920.

(5) Second Nicaragua campaign with marines or navy in Nicaragua or on combatant ships from 1926 through 1933.

(6) Yangtze service with navy and marines in Shanghai or in the Yangtze valley from 1926 through 1927 and 1930 through 1932.

(7) China service with navy and marines from 1937 through 1939.

1 (8) World War II from December 7, 1941, through December
2 31, 1946.

3 (9) Korean conflict from June 25, 1950, through January
4 31, 1955.

5 (10) Vietnam conflict from February 28, 1961, through May
6 7, 1975.

7 (11) Lebanon or Grenada service from August 24, 1982,
8 through July 31, 1984.

9 (12) Panama service from December 20, 1989, through
10 January 31, 1990.

11 (13) Persian Gulf conflict from August 2, 1990, through
12 the date the president or the Congress of the United States
13 declares a cessation of hostilities. However, if the United
14 States Congress enacts a date different from August 2, 1990,
15 as the beginning of the Persian Gulf conflict for purposes of
16 determining whether a veteran is entitled to receive military
17 benefits as a veteran of the Persian Gulf conflict, that date
18 shall be substituted for August 2, 1990.

19 b. "Veteran" includes the following persons:

20 (1) Former members of the reserve forces of the United
21 States who served at least twenty years in the reserve forces
22 after January 28, 1973, and who were discharged under
23 honorable conditions. However, a member of the reserve forces
24 of the United States who completed a minimum aggregate of
25 ninety days of active federal service, other than training,
26 and was discharged under honorable conditions, or was retired
27 under Title X of the United States Code shall be included as a
28 veteran.

29 (2) Former members of the Iowa national guard who served
30 at least twenty years in the Iowa national guard after January
31 28, 1973, and who were discharged under honorable conditions.
32 However, a member of the Iowa national guard who was activated
33 for federal duty, other than training, for a minimum aggregate
34 of ninety days, and was discharged under honorable conditions
35 or was retired under Title X of the United States Code shall

1 be included as a veteran.

2 (3) Former members of the active, oceangoing merchant
3 marines who served during World War II at any time between
4 December 7, 1941, and December 31, 1946, both dates inclusive,
5 who were discharged under honorable conditions.

6 (4) Former members of the women's air force service pilots
7 and other persons who have been conferred veterans status
8 based on their civilian duties during World War II in
9 accordance with federal Pub. L. No. 95-202, 38 U.S.C. § 106.
10 Sec. 3. Section 35.8, Code 1999, is amended to read as
11 follows:

12 35.8 MONEY COMPRISING FUND.

13 A war orphans educational aid fund is created as a separate
14 fund in the state treasury under the control of the commission
15 of veterans affairs. Any money hereafter appropriated for the
16 purpose of aiding in the education of orphaned children of
17 ~~honorably-discharged-persons-who-served-in-the-military-or~~
18 ~~naval-forces-of-the-United-States-in-World-War-I-or-World-War~~
19 ~~II veterans,~~ as provided-by-this-chapter defined in section
20 35.1, shall be known-as deposited in the war orphans
21 educational aid fund.

22 Sec. 4. Section 35.9, unnumbered paragraph 1, Code 1999,
23 is amended to read as follows:

24 The commission of veterans affairs may expend not more than
25 six hundred dollars per year for any one child who has lived
26 in the state of Iowa for two years preceding application for
27 aid, and who is the child of a person who died ~~during-World~~
28 ~~War-I-between-the-dates-of-April-6,1917,-and-June-27,1921,-or~~
29 ~~during-World-War-II-between-the-dates-of-September-16,1940,~~
30 ~~and-December-31,1946,-both-dates-inclusive,-or-the-Korean~~
31 ~~Conflict-between-June-25,1950,-and-January-31,1955,-both~~
32 ~~dates-inclusive,-or-the-Vietnam-Conflict-between-August-5,~~
33 ~~1964,-and-May-7,1975,-both-dates-inclusive,-or-the-Persian~~
34 ~~Gulf-Conflict-at-any-time-between-August-2,1990,-and-the-date~~
35 ~~the-president-or-the-Congress-of-the-United-States-declares-a~~

1 permanent-cessation-of-hostilities, both dates inclusive,
2 while-serving-in-the during active federal military or naval
3 forces service while serving in the armed forces or during
4 active federal military service in the Iowa national guard or
5 other military component of the United States, to include
6 ~~members-of-the-reserve-components-performing-service-or-duties~~
7 ~~required-or-authorized-under-chapter-39, United States Code~~
8 ~~and Title 32, United States Code, sections 502 through 505,~~
9 ~~and active state service required or authorized under chapter~~
10 ~~29A, or as a result of such service,~~ to defray the expenses of
11 tuition, matriculation, laboratory and similar fees, books and
12 supplies, board, lodging, and any other reasonably necessary
13 expense for such the child or children incident to attendance
14 in this state at an educational or training institution of
15 college grade, or in a business or vocational training school
16 with standards approved by the commission of veterans affairs.
17 However, if Congress enacts a date different from August 2,
18 1990, as the beginning of the Persian Gulf Conflict for
19 purposes of determining whether a veteran is entitled to
20 receive military benefits as a veteran of the Persian Gulf
21 Conflict, that date shall be substituted for August 2, 1990.

22 Sec. 5. Section 35A.8, Code 1999, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 4. a. The executive director shall
25 provide for the administration of the bonus authorized in this
26 subsection. The commission shall adopt rules, pursuant to
27 chapter 17A, as necessary to administer this subsection
28 including, but not limited to, application procedures,
29 investigation, approval or disapproval, and payment of claims.

30 b. (1) Each person who served on active duty in the
31 active, oceangoing merchant marine service of the United
32 States, at any time between December 7, 1941, and December 31,
33 1946, both dates inclusive, and who served for a period of not
34 less than one hundred twenty days on or before December 31,
35 1946, and who at the time of entering into the merchant marine

1 service was a legal resident of the state of Iowa, and who had
2 maintained the person's residence in this state for a period
3 of at least six months immediately before entering the
4 merchant marine service, and was honorably discharged or
5 separated from the merchant marine service, is entitled to
6 receive from moneys appropriated for that purpose the sum of
7 twelve dollars and fifty cents for each month that the person
8 was on active duty in the merchant marine service, all before
9 December 31, 1946, not to exceed a total sum of five hundred
10 dollars. Compensation for a fraction of a month shall not be
11 considered unless the fraction is sixteen days or more, in
12 which case the fraction shall be computed as a full month.

13 (2) A person is not entitled to compensation pursuant to
14 this subsection if the person received a bonus or compensation
15 similar to that provided in this subsection from another
16 state.

17 (3) A person is not entitled to compensation pursuant to
18 this subsection if the person was on active duty in the
19 merchant marine service after December 7, 1941, and the person
20 refused on conscientious, political, religious, or other
21 grounds, to be subject to military discipline.

22 (4) The surviving unremarried widow or widower, child or
23 children, mother, father, or person standing in loco parentis,
24 in the order named and none other, of any deceased person,
25 shall be paid the compensation that the deceased person would
26 be entitled to pursuant to this subsection, if living, but if
27 any person has died or shall die, or is disabled, from
28 service-connected causes incurred during the period and in the
29 area from which the person is entitled to receive compensation
30 pursuant to this subsection, the person or the first survivor
31 as designated by this subsection and in the order named, shall
32 be paid five hundred dollars, regardless of the length of
33 service.

34 c. A person who knowingly makes a false statement relating
35 to a material fact in supporting an application under this

1 subsection is guilty of a serious misdemeanor. A person
 2 convicted pursuant to this subsection shall forfeit all
 3 benefits to which the person may have been entitled under this
 4 subsection.

5 d. All payments and allowances made under this subsection
 6 shall be exempt from taxation and from levy and sale on
 7 execution.

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

10 Sec. 6. Section 35B.3, Code 1999, is amended to read as
 11 follows:

12 35B.3 COUNTY COMMISSION OF VETERAN AFFAIRS.

13 The county commission of veteran affairs shall consist of
 14 either three or five persons, as determined by the board of
 15 supervisors, all of whom shall be ~~honorably-discharged-persons~~
 16 ~~who-served-in-the-military-or-naval-forces-of-the-United~~
 17 ~~States-in-any-war, including World War I at any time between~~
 18 ~~April 6, 1917, and November 11, 1918, both dates inclusive;~~
 19 ~~World War II at any time between December 7, 1941, and~~
 20 ~~December 31, 1946, both dates inclusive;~~ the Korean Conflict
 21 ~~at any time between June 25, 1950, and January 31, 1955, both~~
 22 ~~dates inclusive;~~ the Vietnam Conflict at any time between
 23 ~~December 22, 1961, and May 7, 1975, both dates inclusive;~~ and
 24 ~~the Persian Gulf Conflict at any time between August 2, 1990,~~
 25 ~~and the date the president or the Congress of the United~~
 26 ~~States declares a permanent cessation of hostilities, both~~
 27 ~~dates inclusive;--However, if Congress enacts a date different~~
 28 ~~from August 2, 1990, as the beginning of the Persian Gulf~~
 29 ~~Conflict for purposes of determining whether a veteran is~~
 30 ~~entitled to receive military benefits as a veteran of the~~
 31 ~~Persian Gulf Conflict, that date shall be substituted for~~
 32 ~~August 2, 1990~~ veterans as defined in section 35.1. If
 33 possible, each member of the commission shall be a veteran of
 34 a different war or conflict, so as to divide membership among
 35 the persons who served in World War I, World War II, the

1 ~~Korean-Conflict, the-Vietnam-Conflict, and the-Persian-Gulf~~
2 ~~Conflict, however,~~ military action. However, this
3 qualification does not preclude membership to a veteran who
4 served in more than one of the ~~wars-or-conflicts~~ military
5 actions.

6 Sec. 7. Section 35B.10, unnumbered paragraph 1, Code 1999,
7 is amended to read as follows:

8 All claims certified by the commission shall be reviewed by
9 the board of supervisors and the county auditor shall issue
10 warrants in payment of the claims. All applications,
11 investigation reports and case records are privileged
12 communications and shall be held confidential, subject to use
13 and inspection only by persons authorized by law in connection
14 with their official duties relating to financial audits and
15 the administration of this chapter. However, the county
16 commission of veteran affairs shall prepare and file in the
17 office of the county auditor on or before the thirtieth day of
18 each January, April, July and October a report showing the
19 ~~names-and-addresses~~ case numbers of all recipients receiving
20 assistance under this chapter, together with the amount paid
21 to each during the preceding quarter. Each report so filed
22 shall be securely fixed in a record book to be used only for
23 such reports made under this chapter.

24 Sec. 8. Section 35B.13, Code 1999, is amended to read as
25 follows:

26 35B.13 BURIAL -- EXPENSES.

27 The commission is responsible for the interment in a
28 suitable cemetery of the body of any ~~honorably-discharged~~
29 ~~person-who-served-in-the-military-or-naval-forces-of-the~~
30 ~~United-States-during-any-war, including-World-War-I-at-any~~
31 ~~time-between-April-6, 1917, and-November-11, 1918, both-dates~~
32 ~~inclusive, World-War-II-at-any-time-between-December-7, 1941,~~
33 ~~and-December-31, 1946, both-dates-inclusive, the-Korean~~
34 ~~Conflict-at-any-time-between-June-25, 1950, and-January-31,~~
35 ~~1955, both-dates-inclusive, the-Vietnam-Conflict-at-any-time~~

1 between-December-22,1961,-and-May-7,-1975,-both-dates
2 inclusive,-and-the-Persian-Gulf-Conflict-at-any-time-between
3 August-2,-1990,-and-the-date-the-president-or-the-Congress-of
4 the-United-States-declares-a-permanent-cessation-of
5 hostilities,-both-dates-inclusive, veteran, as defined in
6 section 35.1, or the spouse, surviving spouse, or child of the
7 person, if the person has died without leaving sufficient
8 means to defray the funeral expenses. However,-if-Congress
9 enacts-a-date-different-from-August-2,-1990,-as-the-beginning
10 of-the-Persian-Gulf-Conflict-for-purposes-of-determining
11 whether-a-veteran-is-entitled-to-receive-military-benefits-as
12 a-veteran-of-the-Persian-Gulf-Conflict,-that-date-shall-be
13 substituted-for-August-2,-1990. The commission may pay the
14 expenses in a sum not exceeding an amount established by the
15 board of supervisors.

16 Sec. 9. Section 35B.14, unnumbered paragraph 1, Code 1999,
17 is amended to read as follows:

18 The board of supervisors of each county may appropriate
19 moneys for the food, clothing, shelter, utilities, medical
20 benefits, and funeral expenses of honorably-discharged,
21 indigent persons-who-served-in-the-military-or-naval-forces-of
22 the-United-States-in-any-war-including-World-War-I-at-any-time
23 between-April-6,-1917,-and-November-11,-1918,-both-dates
24 inclusive,-World-War-II-at-any-time-between-December-7,-1941,
25 and-December-31,-1946,-both-dates-inclusive,-the-Korean
26 Conflict-at-any-time-between-June-25,-1950,-and-January-31,
27 1955,-both-dates-inclusive,-the-Vietnam-Conflict-at-any-time
28 between-December-22,-1961,-and-May-7,-1975,-both-dates
29 inclusive,-and-the-Persian-Gulf-Conflict-at-any-time-between
30 August-2,-1990,-and-the-date-the-president-or-the-Congress-of
31 the-United-States-declares-a-permanent-cessation-of
32 hostilities,-both-dates-inclusive, veterans, as defined in
33 section 35.1, and their indigent spouses, surviving spouses,
34 and minor children not over eighteen years of age, having a
35 legal residence in the county. However,-if-Congress-enacts-a

1 ~~date-different-from-August-27-1990-as-the-beginning-of-the~~
2 ~~Persian-Gulf-Conflict-for-purposes-of-determining-whether-a~~
3 ~~veteran-is-entitled-to-receive-military-benefits-as-a-veteran~~
4 ~~of-the-Persian-Gulf-Conflict-that-date-shall-be-substituted~~
5 ~~for-August-27-1990-~~

6 Sec. 10. Section 35B.16, Code 1999, is amended to read as
7 follows:

8 35B.16 MARKERS FOR GRAVES.

9 The county commission of veteran affairs may furnish a
10 suitable and appropriate metal marker for the grave of each
11 ~~honorably-discharged-person-who-served-in-the-military-or~~
12 ~~naval-forces-of-the-United-States-during-any-war-including~~
13 ~~World-War-I-at-any-time-between-April-6-1917-and-November~~
14 ~~11-1918-both-dates-inclusive-World-War-II-at-any-time~~
15 ~~between-December-7-1941-and-December-31-1946-both-dates~~
16 ~~inclusive-the-Korean-Conflict-at-any-time-between-June-25~~
17 ~~1950-and-January-31-1955-both-dates-inclusive-the-Vietnam~~
18 ~~Conflict-at-any-time-between-December-22-1961-and-May-7~~
19 ~~1975-both-dates-inclusive-and-the-Persian-Gulf-Conflict-at~~
20 ~~any-time-between-August-27-1990-and-the-date-the-president-or~~
21 ~~the-Congress-of-the-United-States-declares-a-permanent~~
22 ~~cessation-of-hostilities-both-dates-inclusive-and veteran,~~
23 ~~as defined in section 35.1, who is buried within the limits of~~
24 ~~the county-to. The marker shall be placed at the~~
25 ~~individual's grave to permanently mark and designate the grave~~
26 ~~for memorial purposes. The expenses shall be paid from any~~
27 ~~funds raised as provided in this chapter. If-Congress-enacts~~
28 ~~a-date-different-from-August-27-1990-as-the-beginning-of-the~~
29 ~~Persian-Gulf-Conflict-for-purposes-of-determining-whether-a~~
30 ~~veteran-is-entitled-to-receive-military-benefits-as-a-veteran~~
31 ~~of-the-Persian-Gulf-Conflict-that-date-shall-be-substituted~~
32 ~~for-August-27-1990-~~

33 Sec. 11. Section 35C.3, Code 1999, is amended to read as
34 follows:

35 35C.3 DUTY TO INVESTIGATE AND APPOINT.

1 When any preferred person ~~shall apply~~ applies for
2 appointment or employment under this chapter, the officer,
3 board, or person whose duty it is or may be to appoint or
4 employ ~~some~~ a person to fill ~~such~~ the position or place shall,
5 before appointing or employing ~~anyone~~ a person to fill ~~such~~
6 the position or place, make an investigation as to the
7 qualifications of ~~said~~ the applicant for ~~such~~ the place or
8 position, and if the applicant is of good moral character and
9 can perform the duties of ~~said~~ the position so applied for, as
10 ~~hereinbefore-provided,~~ said the officer, board, or person
11 shall appoint ~~said~~ the applicant to ~~such~~ the position, place,
12 or employment. ~~Said~~ The appointing officer, board, or person
13 shall set forth in writing and file for public inspection, the
14 specific grounds upon which it ~~is held that the person~~
15 ~~appointed is entitled to said appointment,~~ or ~~in the case such~~
16 ~~appointment is refused, the specific grounds for the refusal~~
17 thereof refused to appoint the person. Within ten days after
18 an appointment is refused, the appointing officer, board, or
19 person shall notify the unsuccessful applicant in writing of
20 the specific grounds for refusal.

21 Sec. 12. NEW SECTION. 35C.5A ARBITRATION.

22 In addition to the remedies provided in sections 35C.4 and
23 35C.5, a person belonging to a class of persons qualifying for
24 a preference may submit any refusal to allow a preference, or
25 any reduction of the person's salary as described in section
26 35C.4, to arbitration within sixty days after written
27 notification of the refusal or reduction. Within ten days
28 after any submission, an arbitrator shall be selected by a
29 committee that includes one member chosen by the person
30 refused preference, one member chosen by the appointing
31 officer, board, or person, and one member who shall be a
32 disinterested party selected by the other two members of the
33 committee. A list of qualified arbitrators may be obtained
34 from the American arbitration association or other recognized
35 arbitration organization or association. The decision of the

1 arbitrator shall be final and binding on the parties.

2 Sec. 13. Section 37.10, unnumbered paragraph 1, Code 1999,
3 is amended to read as follows:

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

8 Sec. 14. Section 282.6, unnumbered paragraph 1, Code 1999,
9 is amended to read as follows:

10 Every school shall be free of tuition to all actual
11 residents between the ages of five and twenty-one years and to
12 resident ~~honorably-discharged-soldiers,~~~~sailors,~~~~and-marines~~
13 veterans as defined in section 35.1, as many months after
14 becoming twenty-one years of age as they have spent in the
15 ~~military-or-naval-service~~ armed forces of the United States
16 before they became twenty-one, provided, however, fees may be
17 charged covering instructional costs for a summer school or
18 drivers education program. The board of education may, in a
19 hardship case, exempt a student from payment of the above
20 fees. Every person, however, who shall attend any school
21 after graduation from a four-year course in an approved high
22 school or its equivalent shall be charged a sufficient tuition
23 fee to cover the cost of the instruction received by ~~such~~ the
24 person.

25 Sec. 15. Section 331.608, subsection 8, Code 1999, is
26 amended to read as follows:

27 8. As used in this section, "veteran" means a ~~man-or-woman~~
28 veteran as defined in section 35.1 who enlisted or was
29 inducted from the county, resided at any time in the county,
30 or is buried in the county ~~and-who-served-as-a-member-of-a~~
31 ~~branch-of-the-armed-forces-of-the-United-States-of-America,~~~~as~~
32 ~~a-member-of-the-merchant-marine-during-the-time-of-war,~~~~during~~
33 ~~the-Korean-Conflict-beginning-June-25,-1950,-and-ending~~
34 ~~January-31,-1955,-both-dates-inclusive,~~~~or-during-the-Vietnam~~
35 ~~Conflict-beginning-August-5,-1964,-and-ending-June-30,-1973,~~

1 both-dates-inclusive, or as a member of the armed forces of a
2 country allied with the United States of America or the armed
3 forces of Iowa or another state or territory.

4 Sec. 16. Section 400.10, Code 1999, is amended to read as
5 follows:

6 400.10 PREFERENCES.

7 In all examinations and appointments under this chapter,
8 other than promotions and appointments of chief of the police
9 department and chief of the fire department, honorably
10 discharged veterans from the military or naval forces of the
11 United States in any war in which the United States has been
12 engaged, including the Korean Conflict at any time between
13 June 25, 1950, and January 31, 1955, both dates inclusive, the
14 Vietnam Conflict beginning August 5, 1964, and ending May 7,
15 1975, both dates inclusive, and the Persian Gulf Conflict
16 beginning August 2, 1990, and ending on the date specified by
17 the president or the Congress of the United States as the date
18 of permanent cessation of hostilities, both dates inclusive,
19 and as defined in section 35.1, who are citizens and residents
20 of this state, shall have five points added to the veteran's
21 grade or score attained in qualifying examinations for
22 appointment to positions and five additional points added to
23 the grade or score if the veteran has a service-connected
24 disability or is receiving compensation, disability benefits
25 or pension under laws administered by the veterans
26 administration. However, if the Congress of the United States
27 enacts a date different from August 2, 1990, as the beginning
28 of the Persian Gulf Conflict to determine the eligibility of a
29 veteran for military benefits as a veteran of the Persian Gulf
30 Conflict, the date enacted by the Congress of the United
31 States shall be substituted for August 2, 1990. An honorably
32 discharged veteran who has been awarded the Purple Heart for
33 disabilities incurred in action shall be considered to have a
34 service-connected disability. However, the points shall be
35 given only upon passing the exam and shall not be the

1 determining factor in passing.

2 For-the-purposes-of-this-section-World-War-II-shall-be-from
3 December-7, 1941, to-December-31, 1946, both-dates-inclusive.

4 Sec. 17. Section 427.3, subsections 1, 2, and 3, Code
5 1999, are amended to read as follows:

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

10 2. The property, not to exceed one thousand eight hundred
11 fifty-two dollars in taxable value of an honorably separated,
12 retired, furloughed to a reserve, placed on inactive status,
13 or discharged soldier, sailor, marine, or nurse of the second
14 World War from-December-7, 1941, to-December-31, 1946, army-of
15 occupation-in-Germany-from-November-12, 1918, to-July-11,
16 1923, American-expeditionary-forces-in-Siberia-from-November
17 12, 1918, to-April-30, 1920, second-Nicaraguan-campaign-with
18 the-navy-or-marines-in-Nicaragua-or-on-combatant-ships-1926-
19 1933, second-Haitian-suppression-of-insurrections-1919-1920,
20 navy-and-marine-operations-in-China-1937-1939-and-Yangtze
21 service-with-navy-and-marines-in-Shanghai-or-in-the-Yangtze
22 Valley-1926-1927-and-1930-1932-or-of-the-Korean-Conflict-at
23 any-time-between-June-25, 1950, and-January-31, 1955, both
24 dates-inclusive, or-those-who-served-on-active-duty-during-the
25 Vietnam-Conflict-beginning-December-22, 1961, and-ending-May
26 7, 1975, both-dates-inclusive, or-those-who-served-on-active
27 duty-during-the-Persian-Gulf-Conflict-at-any-time-between
28 August-2, 1990, and-the-date-the-president-or-the-Congress-of
29 the-United-States-declares-a-permanent-cessation-of
30 hostilities, both-dates-inclusive veteran, as defined in
31 section 35.1. However, if-Congress-enacts-a-date-different
32 from-August-2, 1990, as-the-beginning-of-the-Persian-Gulf
33 Conflict-for-purposes-of-determining-whether-a-veteran-is
34 entitled-to-receive-military-benefits-as-a-veteran-of-the
35 Persian-Gulf-Conflict, that-date-shall-be-substituted-for

1 August-27-1990:--For-the-purposes-of-this-section,"active
2 duty"-means-full-time-duty-in-the-armed-forces-of-the-United
3 States,-excluding-active-duty-for-training-purposes-only-and
4 excluding-any-period-a-person-was-assigned-by-the-armed-forces
5 to-a-civilian-institution-for-a-course-of-education-or
6 training-which-was-substantially-the-same-as-established
7 courses-offered-to-civilians,-or-as-a-cadet-or-midshipman,
8 however-enrolled,-at-one-of-the-service-academies-

9 3. Where the word "soldier veteran" appears in this
10 chapter, it includes, without limitation, the members of the
11 United States air force and the United States merchant marine.

12 Sec. 18. Section 427.4, Code 1999, is amended to read as
13 follows:

14 427.4 EXEMPTIONS TO RELATIVES.

15 In case any person in the foregoing classifications does
16 not claim any-such the exemption from taxation, it shall be
17 allowed in the name of such the person to the same extent on
18 the property of any one of the following persons in the order
19 named:

20 1. The spouse, or surviving spouse remaining unmarried, of
21 any-such-soldier,-sailor,-marine,-or-nurse a veteran, as
22 defined in section 35.1, where they are living together or
23 were living together at the time of the death of such-person
24 the veteran.

25 2. The parent whose spouse is deceased and who remains
26 unmarried, of any-such-soldier,-sailor,-marine,-or-nurse a
27 veteran, as defined in section 35.1, whether living or
28 deceased, where such the parent is, or was at the time of
29 death of the soldier,-sailor,-marine,-or-nurse veteran,
30 dependent on such-person the veteran for support.

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

34 No more than one tax exemption shall be allowed under this
35 section or section 427.3 in the name of any-honorably

1 ~~discharged-soldier, sailor, marine, or nurse~~ a veteran, as
2 defined in section 35.1.

3 Sec. 19. Section 483A.24, subsection 13, Code 1999, is
4 amended to read as follows:

5 13. Upon payment of the fee of thirty dollars for a
6 lifetime hunting and fishing combined license, the department
7 shall issue a hunting and fishing combined license to a
8 resident of Iowa who is a veteran, as defined in section 35.1,
9 ~~who was disabled during the period of a veteran's service~~
10 ~~listed in this subsection~~ or who was a prisoner of war during
11 that veteran's military service. The department shall prepare
12 an application to be used by a person requesting a hunting and
13 fishing combined license under this subsection. The
14 commission of veterans affairs shall assist the department in
15 verifying the status or claims of applicants under this
16 subsection. As used in this subsection, ~~"veteran" means a~~
17 ~~person who is a resident of Iowa and who served in the armed~~
18 ~~forces of the United States of America at any time during~~
19 ~~World War I between the dates of April 6, 1917, and July 2,~~
20 ~~1921, World War II between the dates of December 7, 1941, and~~
21 ~~December 31, 1946, the Korean Conflict between the dates of~~
22 ~~June 27, 1950, and January 31, 1955, the Vietnam Conflict~~
23 ~~between August 5, 1964, and May 7, 1975, or the Persian Gulf~~
24 ~~Conflict between August 2, 1990, and the date the president or~~
25 ~~the Congress of the United States declares a permanent~~
26 ~~cessation of hostilities, all dates inclusive, and "disabled"~~
27 means entitled to compensation under the United States Code,
28 Title 38, chapter 11.

29 Sec. 20. Section 35.7, Code 1999, is repealed.

30 DIVISION II

31 MILITARY SERVICE PROPERTY TAX CREDIT AND EXEMPTION

32 Sec. 21. Section 25B.7, subsection 2, paragraph c, Code
33 1999, is amended to read as follows:

34 c. Military service property tax credit and exemption
35 pursuant to chapter 426A and sections 427.3 through 427.7, to

1 the extent of six dollars and ~~seventy-five~~ ninety-two cents
2 per thousand dollars of assessed value of the exempt property.

3 Sec. 22. Section 426A.2, Code 1999, is amended to read as
4 follows:

5 426A.2 MILITARY SERVICE TAX CREDIT.

6 The moneys shall be apportioned each year so as to replace
7 all or a portion of the tax which would be due on property
8 eligible for military service tax exemption in the state, if
9 the property were subject to taxation, the amount of the
10 credit to be not more than six dollars and ~~seventy-five~~
11 ninety-two cents per thousand dollars of assessed value of
12 property which would be subject to the tax, except for the
13 military service tax exemption.

14 Sec. 23. The increase in state reimbursement resulting
15 from the amendment to section 426A.2 in this Act is subject to
16 the limitation on its use by local governments as provided in
17 section 25B.7, subsection 3.

18 Sec. 24. Division II of this Act applies to the military
19 service property tax exemption claims allowed on or after
20 January 1, 2000.

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SENATE FILE 462

H-1790

- 1 Amend Senate File 462, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, by striking lines 14 through 17.

By MYERS of Johnson
 HOUSER of Pottawattamie

H-1790 FILED APRIL 22, 1999

adapted
4.27-99 (P. 1734)

SENATE FILE 462

H-1815

- 1 Amend Senate File 462, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 9 the
- 4 following:
- 5 "() A person who served in the armed forces of
- 6 the United States, is a former member of reserved
- 7 forces of the United States and served for at least
- 8 six years, is a former member of the Iowa national
- 9 guard, and is discharged under honorable conditions."
- 10 2. By renumbering as necessary.

By WEIGEL of Chickasaw

H-1815 FILED APRIL 26, 1999

w/d 4/27/99
(P. 1734)

SENATE FILE 462

H-1818

- 1 Amend Senate File 462, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 9 the
- 4 following:
- 5 "() A person who served for a total of six
- 6 years in the armed forces of the United States, the
- 7 reserved forces of the United States and the Iowa
- 8 national guard, and is discharged under honorable
- 9 conditions."
- 10 2. By renumbering as necessary.

By WEIGEL of Chickasaw

H-1818 FILED APRIL 26, 1999

lost
4/27/99
(P. 1735)

SENATE AMENDMENT TO HOUSE AMENDMENT TO S. F. 462

H-1884

- 1 Amend the House amendment, S-3494, to Senate File
- 2 462, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 5.
- 5 2. Page 1, by striking lines 39 and 40.
- 6 3. Page 1, by striking lines 42 and 43.

RECEIVED FROM THE SENATE

H-1884 FILED APRIL 28, 1999

House Concurred 4.29-99 (P. 1874)

SENATE FILE 462

H-1730

1 Amend Senate File 462, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 12.

4 2. By striking page 10, line 21, through page 11,
5 line 1.

6 3. Page 11, by inserting after line 24 the
7 following:

8 "Sec. ____ . Section 321.34, Code 1999, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 15. LEGION OF MERIT SPECIAL
11 PLATES. The owner of a motor vehicle subject to
12 registration under section 321.109, subsection 1,
13 light delivery truck, panel delivery truck, or pickup
14 who has been awarded the legion of merit may, upon
15 written application to the department and presentation
16 of satisfactory proof of the award of the legion of
17 merit as established by the Congress of the United
18 States, order special registration plates with a
19 legion of merit processed emblem. The emblem shall be
20 designed by the department in cooperation with the
21 adjutant general and shall signify that the owner was
22 awarded the legion of merit. The application is
23 subject to approval by the department, in consultation
24 with the adjutant general. The special plates shall
25 be issued at no charge and are subject to an annual
26 registration fee of fifteen dollars. The county
27 treasurer shall validate the special plates in the
28 same manner as regular registration plates are
29 validated under this section.

30 The surviving spouse of a person who was issued
31 special plates under this subsection may continue to
32 use or apply for and use the special plates subject to
33 registration of the special plates in the surviving
34 spouse's name and upon payment of the annual
35 registration fee. If the surviving spouse remarries,
36 the surviving spouse shall return the special plates
37 to the department and the department shall issue
38 regular registration plates to the surviving spouse."

39 4. By striking page 12, line 4, through page 13,
40 line 3.

41 5. Title page, line 1, by striking the words
42 "veterans preference,".

43 6. Title page, line 2, by inserting after the
44 word "claims," the following: "special veterans'
45 motor vehicle registration plates,".

By COMMITTEE ON WAYS AND MEANS
VAN FOSSEN of Scott, Chairperson

H-1730 FILED APRIL 21, 1999

*adapted
4-27-99
(p. 1734)*

HOUSE AMENDMENT TO
SENATE FILE 462

S-3494

1 Amend Senate File 462, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 12.

4 2. By striking page 10, line 21, through page 11,
5 line 1.

6 3. Page 11, by inserting after line 24 the
7 following:

8 "Sec. _____. Section 321.34, Code 1999, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 15. LEGION OF MERIT SPECIAL
11 PLATES. The owner of a motor vehicle subject to
12 registration under section 321.109, subsection 1,
13 light delivery truck, panel delivery truck, or pickup
14 who has been awarded the legion of merit may, upon
15 written application to the department and presentation
16 of satisfactory proof of the award of the legion of
17 merit as established by the Congress of the United
18 States, order special registration plates with a
19 legion of merit processed emblem. The emblem shall be
20 designed by the department in cooperation with the
21 adjutant general and shall signify that the owner was
22 awarded the legion of merit. The application is
23 subject to approval by the department, in consultation
24 with the adjutant general. The special plates shall
25 be issued at no charge and are subject to an annual
26 registration fee of fifteen dollars. The county
27 treasurer shall validate the special plates in the
28 same manner as regular registration plates are
29 validated under this section.

30 The surviving spouse of a person who was issued
31 special plates under this subsection may continue to
32 use or apply for and use the special plates subject to
33 registration of the special plates in the surviving
34 spouse's name and upon payment of the annual
35 registration fee. If the surviving spouse remarries,
36 the surviving spouse shall return the special plates
37 to the department and the department shall issue
38 regular registration plates to the surviving spouse."

39 4. By striking page 12, line 4, through page 13,
40 line 3.

41 5. Page 16, by striking lines 14 through 17.

42 6. Title page, line 1, by striking the words
43 "veterans preference,".

44 7. Title page, line 2, by inserting after the
45 word "claims," the following: "special veterans'
46 motor vehicle registration plates,".

47 8. By renumbering, relettering, or redesignating
48 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3494 FILED APRIL 27, 1999

Senate Concurred
4-28-99
(P.1357)

SENATE FILE 462

S-3522

- 1 Amend the House amendment, S-3494, to Senate File
2 462, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking lines 3 through 5.
5 2. Page 1, by striking lines 39 and 40.
6 3. Page 1, by striking lines 42 and 43.

By RICHARD F. DRAKE
JOHN P. KIBBIE

S-3522 FILED APRIL 28, 1999
ADOPTED (P. 1357)

AN ACT

RELATING TO VETERANS' BENEFITS, VETERANS PREFERENCE, VETERANS' CLAIMS, SPECIAL VETERANS' MOTOR VEHICLE REGISTRATION PLATES, REIMBURSEMENT FOR MILITARY SERVICE TAX EXEMPTION, AND PROVIDING A PENALTY AND APPLICABILITY DATE.

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

DIVISION I
VETERANS BENEFITS

Section 1. Section 19A.9, subsection 21, unnumbered paragraph 1, Code 1999, is amended to read as follows:

For veterans preference through a provision that ~~honorably separated veterans who served on active duty in the armed forces of the United States in any war campaign or expedition for which a campaign badge or service medal has been authorized by the government of the United States as defined in section 35.1~~ shall have five points added to the grade or score attained in qualifying examinations for appointment to jobs.

Sec. 2. NEW SECTION. 35.1 DEFINITIONS.

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

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

2. a. "Veteran" means a resident of this state who served in the armed forces of the United States at any time during the following dates and who was discharged under honorable conditions:

(1) World War I from April 6, 1917, through November 11, 1918.

(2) Occupation of Germany from November 12, 1918, through July 11, 1923.

(3) American expeditionary forces in Siberia from November 12, 1918, through April 30, 1920.

(4) Second Haitian suppression of insurrections from 1919 through 1920.

(5) Second Nicaragua campaign with marines or navy in Nicaragua or on combatant ships from 1926 through 1933.

(6) Yangtze service with navy and marines in Shanghai or in the Yangtze valley from 1926 through 1927 and 1930 through 1932.

(7) China service with navy and marines from 1937 through 1939.

(8) World War II from December 7, 1941, through December 31, 1946.

(9) Korean conflict from June 25, 1950, through January 31, 1955.

(10) Vietnam conflict from February 28, 1961, through May 7, 1975.

(11) Lebanon or Grenada service from August 24, 1982, through July 31, 1984.

(12) Panama service from December 20, 1989, through January 31, 1990.

(13) Persian Gulf conflict from August 2, 1990, through the date the president or the Congress of the United States declares a cessation of hostilities. However, if the United States 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.

b. "Veteran" includes the following persons:

(1) Former members of the reserve forces of the United States who served at least twenty years in the reserve forces after January 28, 1973, and who were discharged under honorable conditions. However, a member of the reserve forces

of the United States who completed a minimum aggregate of ninety days of active federal service, other than training, and was discharged under honorable conditions, or was retired under Title X of the United States Code shall be included as a veteran.

(2) Former members of the Iowa national guard who served at least twenty years in the Iowa national guard after January 28, 1973, and who were discharged under honorable conditions. However, a member of the Iowa national guard who was activated for federal duty, other than training, for a minimum aggregate of ninety days, and was discharged under honorable conditions or was retired under Title X of the United States Code shall be included as a veteran.

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

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

Sec. 3. Section 35.8, Code 1999, is amended to read as follows:

35.8 MONEY COMPRISING FUND.

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

Sec. 4. Section 35.9, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The commission of veterans affairs may expend not more than six hundred dollars per year for any one child who has lived in the state of Iowa for two years preceding application for aid, and who is the child of a person who died during-World-War-I-between-the-dates-of-April-6-1917-and-June-27-1927-or-during-World-War-II-between-the-dates-of-September-16-1940-and-December-31-1946-both-dates-inclusive-or-the-Korean-Conflict-between-June-25-1950-and-January-31-1955-both-dates-inclusive-or-the-Vietnam-Conflict-between-August-5-1964-and-May-7-1975-both-dates-inclusive-or-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-while-serving-in-the-during active federal military or naval forces service while serving in the armed forces or during active federal military service in the Iowa national guard or other military component of the United States, to include members-of-the-reserve-components-performing-service-or-duties-required-or-authorized-under-chapter-39-United-States-Code-and-Title-32-United-States-Code-sections-502-through-505-and-active-state-service-required-or-authorized-under-chapter-29A-or-as-a-result-of-such-service, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, board, lodging, and any other reasonably necessary expense for such the child or children incident to attendance in this state at an educational or training institution of college grade, or in a business or vocational training school with standards approved by the commission of veterans affairs. However, if Congress enacts a date different from August 2, 1996, 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, 1996.

Sec. 5. Section 35A.8, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 4. a. The executive director shall provide for the administration of the bonus authorized in this subsection. The commission shall adopt rules, pursuant to chapter 17A, as necessary to administer this subsection including, but not limited to, application procedures, investigation, approval or disapproval, and payment of claims.

b. (1) Each person who served on active duty in the active, oceangoing merchant marine service of the United States, at any time between December 7, 1941, and December 31, 1946, both dates inclusive, and who served for a period of not less than one hundred twenty days on or before December 31, 1946, and who at the time of entering into the merchant marine service was a legal resident of the state of Iowa, and who had maintained the person's residence in this state for a period of at least six months immediately before entering the merchant marine service, and was honorably discharged or separated from the merchant marine service, is entitled to receive from moneys appropriated for that purpose the sum of twelve dollars and fifty cents for each month that the person was on active duty in the merchant marine service, all before December 31, 1946, not to exceed a total sum of five hundred dollars. Compensation for a fraction of a month shall not be considered unless the fraction is sixteen days or more, in which case the fraction shall be computed as a full month.

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

(3) A person is not entitled to compensation pursuant to this subsection if the person was on active duty in the merchant marine service after December 7, 1941, and the person refused on conscientious, political, religious, or other grounds, to be subject to military discipline.

(4) The surviving unremarried widow or widower, child or children, mother, father, or person standing in loco parentis, in the order named and none other, of any deceased person,

shall be paid the compensation that the deceased person would be entitled to pursuant to this subsection, if living, but if any person has died or shall die, or is disabled, from service-connected causes incurred during the period and in the area from which the person is entitled to receive compensation pursuant to this subsection, the person or the first survivor as designated by this subsection and in the order named, shall be paid five hundred dollars, regardless of the length of service.

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

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

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

Sec. 6. Section 35B.3, Code 1999, 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 27, 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 27, 1990 veterans as defined in section 35.1.~~ 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, military action. However, this qualification does not preclude membership to a veteran who served in more than one of the wars or conflicts military actions.

Sec. 7. Section 35B.10, unnumbered paragraph 1, Code 1999, is amended to read as follows:

All claims certified by the commission shall be reviewed by the board of supervisors and the county auditor shall issue warrants in payment of the claims. All applications, investigation reports and case records are privileged communications and shall be held confidential, subject to use and inspection only by persons authorized by law in connection with their official duties relating to financial audits and the administration of this chapter. However, the county commission of veteran affairs shall prepare and file in the office of the county auditor on or before the thirtieth day of each January, April, July and October a report showing the names and addresses case numbers of all recipients receiving assistance under this chapter, together with the amount paid to each during the preceding quarter. Each report so filed shall be securely fixed in a record book to be used only for such reports made under this chapter.

Sec. 8. Section 35B.13, Code 1999, is amended to read as follows:

35B.13 BURIAL -- EXPENSES.

The commission is responsible for the interment in a suitable cemetery of the body of any honorably discharged person who served in the military or naval forces of the United States during 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 27, 1990, and the date the president or the Congress of the United States declares a permanent cessation of hostilities, both dates inclusive; veteran, as defined in section 35.1, or the spouse, surviving spouse, or child of the person, if the person has died without leaving sufficient means to defray the funeral expenses. However, if Congress enacts a date different from August 27, 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 27, 1990. The commission may pay the expenses in a sum not exceeding an amount established by the board of supervisors.

Sec. 9. Section 35B.14, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The board of supervisors of each county may appropriate moneys for the food, clothing, shelter, utilities, medical benefits, and funeral expenses of honorably discharged, indigent 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; veterans, as defined in section 35.1, and their indigent spouses, surviving spouses, and minor children not over eighteen years of age, having a legal residence in the county. 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.~~

Sec. 10. Section 35B.16, Code 1999, is amended to read as follows:

35B.16 MARKERS FOR GRAVES.

The county commission of veteran affairs may furnish a suitable and appropriate metal marker for the grave of each ~~honorably discharged person, who served in the military or naval forces of the United States during 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; and veteran, as defined in section 35.1, who is buried within the limits of the county to.~~ The marker shall be placed at the individual's grave to permanently mark and designate the grave for memorial purposes. The expenses shall be paid from any funds raised as provided in this chapter. ~~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.~~

Sec. 11. Section 35C.3, Code 1999, is amended to read as follows:

35C.3 DUTY TO INVESTIGATE AND APPOINT.

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

Sec. 12. NEW SECTION. 35C.5A ARBITRATION.

In addition to the remedies provided in sections 35C.4 and 35C.5, a person belonging to a class of persons qualifying for a preference may submit any refusal to allow a preference, or any reduction of the person's salary as described in section 35C.4, to arbitration within sixty days after written notification of the refusal or reduction. Within ten days after any submission, an arbitrator shall be selected by a committee that includes one member chosen by the person

refused preference, one member chosen by the appointing officer, board, or person, and one member who shall be a disinterested party selected by the other two members of the committee. A list of qualified arbitrators may be obtained from the American arbitration association or other recognized arbitration organization or association. The decision of the arbitrator shall be final and binding on the parties.

Sec. 13. Section 37.10, unnumbered paragraph 1, Code 1999, is amended to read as follows:

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

Sec. 14. Section 282.6, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Every school shall be free of tuition to all actual residents between the ages of five and twenty-one years and to resident ~~honorably-discharged-soldiers, sailors, and marines~~ veterans as defined in section 35.1, as many months after becoming twenty-one years of age as they have spent in the ~~military or naval service~~ armed forces of the United States before they became twenty-one, provided, however, fees may be charged covering instructional costs for a summer school or drivers education program. The board of education may, in a hardship case, exempt a student from payment of the above fees. Every person, however, who shall attend any school after graduation from a four-year course in an approved high school or its equivalent shall be charged a sufficient tuition fee to cover the cost of the instruction received by such the person.

Sec. 15. Section 321.34, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 15. LEGION OF MERIT SPECIAL PLATES. The owner of a motor vehicle subject to registration under section 321.109, subsection 1, light delivery truck, panel delivery truck, or pickup who has been awarded the legion of merit may,

upon written application to the department and presentation of satisfactory proof of the award of the legion of merit as established by the Congress of the United States, order special registration plates with a legion of merit processed emblem. The emblem shall be designed by the department in cooperation with the adjutant general and shall signify that the owner was awarded the legion of merit. The application is subject to approval by the department, in consultation with the adjutant general. The special plates shall be issued at no charge and are subject to an annual registration fee of fifteen dollars. The county treasurer shall validate the special plates in the same manner as regular registration plates are validated under this section.

The surviving spouse of a person who was issued special plates under this subsection may continue to use or apply for and use the special plates subject to registration of the special plates in the surviving spouse's name and upon payment of the annual registration fee. If the surviving spouse remarries, the surviving spouse shall return the special plates to the department and the department shall issue regular registration plates to the surviving spouse.

Sec. 16. Section 331.608, subsection 8, Code 1999, is amended to read as follows:

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

Sec. 17. Section 400.10, Code 1999, is amended to read as follows:

400.10 PREFERENCES.

In all examinations and appointments under this chapter, other than promotions and appointments of chief of the police department and chief of the fire department, honorably discharged veterans from the military or naval forces of the United States in any war in which the United States has been engaged, including the Korean Conflict at any time between June 25, 1950, and January 31, 1955, both dates inclusive, the Vietnam Conflict beginning August 5, 1964, and ending May 7, 1975, both dates inclusive, and the Persian Gulf Conflict beginning August 2, 1990, and ending on the date specified by the president or the Congress of the United States as the date of permanent cessation of hostilities, both dates inclusive, and as defined in section 35.1, who are citizens and residents of this state, shall have five points added to the veteran's grade or score attained in qualifying examinations for appointment to positions and five additional points added to the grade or score if the veteran has a service-connected disability or is receiving compensation, disability benefits or pension under laws administered by the veterans administration. ~~However, if the Congress of the United States enacts a date different from August 2, 1990, as the beginning of the Persian Gulf Conflict to determine the eligibility of a veteran for military benefits as a veteran of the Persian Gulf Conflict, the date enacted by the Congress of the United States shall be substituted for August 2, 1990.~~ An honorably discharged veteran who has been awarded the Purple Heart for disabilities incurred in action shall be considered to have a service-connected disability. However, the points shall be given only upon passing the exam and shall not be the determining factor in passing.

~~For the purposes of this section World War II shall be from December 7, 1941, to December 31, 1946, both dates inclusive.~~

Sec. 18. Section 427.3, subsections 1, 2, and 3, Code 1999, are amended to read as follows:

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

2. The property, not to exceed one thousand eight hundred fifty-two dollars in taxable value of an honorably separated, retired, furloughed to a reserve, placed on inactive status, or discharged ~~soldier, sailor, marine, or nurse of the second World War from December 7, 1941, to December 31, 1946, army of occupation in Germany from November 12, 1918, to July 11, 1923, American expeditionary forces in Siberia from November 12, 1918, to April 30, 1920, second Nicaraguan campaign with the navy or marines in Nicaragua or on combatant ships 1926-1933, second Haitian suppression of insurrections 1919-1920, navy and marine operations in China 1937-1939 and Yangtze service with navy and marines in Shanghai or in the Yangtze Valley 1926-1927 and 1930-1932 or of the Korean Conflict at any time between June 25, 1950, and January 31, 1955, both dates inclusive, or those who served on active duty during the Vietnam Conflict beginning December 22, 1961, and ending May 7, 1975, both dates inclusive, or those who served on active duty during 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~~ veteran, as defined in section 35.1. ~~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.~~ ~~For the purposes of this section, "active duty" means full-time duty in the armed forces of the United States, excluding active duty for training purposes only and excluding any period a person was assigned by the armed forces~~

~~to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians, or as a cadet or midshipman, however enrolled, at one of the service academies.~~

3. Where the word "soldier veteran" appears in this chapter, it includes, without limitation, the members of the United States air force and the United States merchant marine.

Sec. 19. Section 427.4, Code 1999, is amended to read as follows:

427.4 EXEMPTIONS TO RELATIVES.

In case any person in the foregoing classifications does not claim ~~any such~~ the exemption from taxation, it shall be allowed in the name of such the person to the same extent on the property of any one of the following persons in the order named:

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

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

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

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

Sec. 20. Section 483A.24, subsection 13, Code 1999, is amended to read as follows:

13. Upon payment of the fee of thirty dollars for a lifetime hunting and fishing combined license, the department shall issue a hunting and fishing combined license to a resident of Iowa who is a veteran, as defined in section 35.1, who was disabled during the period of a veteran's service listed in this subsection or who was a prisoner of war during that veteran's military service. The department shall prepare an application to be used by a person requesting a hunting and fishing combined license under this subsection. The commission of veterans affairs shall assist the department in verifying the status or claims of applicants under this subsection. As used in this subsection, "veteran" means a ~~person who is a resident of Iowa and who served in the armed forces of the United States of America at any time during World War I between the dates of April 6, 1917, and July 2, 1921; World War II between the dates of December 7, 1941, and December 31, 1946; the Korean Conflict between the dates of June 27, 1950, and January 31, 1955; the Vietnam Conflict between August 5, 1964, and May 7, 1975; or the Persian Gulf Conflict between August 2, 1990, and the date the president or the Congress of the United States declares a permanent cessation of hostilities, all dates inclusive, and "disabled" means entitled to compensation under the United States Code, Title 38, chapter 11.~~

Sec. 21. Section 35.7, Code 1999, is repealed.

DIVISION II

MILITARY SERVICE PROPERTY TAX CREDIT AND EXEMPTION

Sec. 22. Section 25B.7, subsection 2, paragraph c, Code 1999, is amended to read as follows:

c. Military service property tax credit and exemption pursuant to chapter 426A and sections 427.3 through 427.7, to the extent of six dollars and ~~seventy-five~~ ninety-two cents per thousand dollars of assessed value of the exempt property.

Sec. 23. Section 426A.2, Code 1999, is amended to read as follows:

426A.2 MILITARY SERVICE TAX CREDIT.

The moneys shall be apportioned each year so as to replace all or a portion of the tax which would be due on property eligible for military service tax exemption in the state, if the property were subject to taxation, the amount of the credit to be not more than six dollars and seventy-five ninety-two cents per thousand dollars of assessed value of property which would be subject to the tax, except for the military service tax exemption.

Sec. 24. Division II of this Act applies to the military service property tax exemption claims allowed on or after January 1, 2000.

MARY E. KRAMER
President of the Senate

BRENT SIECRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 462, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved May 25, 1999

THOMAS J. VILSACK
Governor