

House File 2261 - Introduced

HOUSE FILE _____
BY BAILEY

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

A BILL FOR

1 An Act relating to veterans affairs by modifying training
2 requirements, requiring minimum hours of operation for local
3 veteran affairs offices in each county, creating a county
4 commission of veteran affairs training program, creating a
5 county commissions of veteran affairs fund, providing an
6 appropriation, and providing an effective date.

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

8 TLSB 5259HH 82

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1 1 Section 1. Section 35A.5, subsection 9, Code Supplement
1 2 2007, is amended to read as follows:

1 3 9. After consultation with the commission, provide
1 4 certification training to executive directors of county
1 5 commissions of veteran affairs pursuant to section 35B.6.

1 6 Training provided under this subsection shall include

1 7 accreditation by the national association of county veteran

1 8 service officers. Training provided by the department shall

1 9 be certified by the national association of county veteran

1 10 service officers and, in addition, shall ensure that each

1 11 executive director is proficient in the use of electronic

1 12 mail, general computer use, and use of the internet to access

1 13 information regarding facilities, benefits, and services

1 14 available to veterans and their families. The department may

1 15 adopt rules in accordance with chapter 17A to provide for

1 16 training of county veteran affairs executive directors.

1 17 Sec. 2. NEW SECTION. 35A.16 COUNTY COMMISSIONS OF

1 18 VETERAN AFFAIRS FUND == APPROPRIATION.

1 19 1. a. A county commissions of veteran affairs fund is
1 20 created within the state treasury under the control of the
1 21 commission. The fund shall consist of appropriations made to
1 22 the fund and any other moneys available to and obtained or
1 23 accepted by the department from the federal government or
1 24 private sources for deposit in the fund.

1 25 b. There is appropriated from the general fund of the
1 26 state to the commission, for the fiscal year beginning July 1,
1 27 2009, and for each subsequent fiscal year, the sum of one
1 28 million dollars to be credited to the county commissions of
1 29 veteran affairs fund.

1 30 2. Notwithstanding section 12C.7, interest or earnings on
1 31 moneys in the county commissions of veteran affairs fund shall
1 32 be credited to the county commissions of veteran affairs fund.
1 33 Notwithstanding section 8.33, moneys remaining in the county
1 34 commissions of veteran affairs fund at the end of a fiscal
1 35 year shall not revert to the general fund of the state.

2 1 3. If sufficient moneys are available, the commission
2 2 shall annually allocate ten thousand dollars to each county
2 3 commission of veteran affairs, or to each county sharing the
2 4 services of an executive director pursuant to chapter 28E, to
2 5 be used for the employment of an executive director pursuant
2 6 to section 35B.6.

2 7 4. A county commission of veteran affairs training program
2 8 account shall be established within the county commissions of
2 9 veteran affairs fund. Any moneys remaining in the fund after
2 10 the allocations under subsection 3 shall be credited to the
2 11 account and used by the department to fund the county
2 12 commission of veteran affairs training program under section
2 13 35A.17.

2 14 Sec. 3. NEW SECTION. 35A.17 COUNTY COMMISSION OF VETERAN
2 15 AFFAIRS TRAINING PROGRAM.

2 16 1. A county commission of veteran affairs training program

2 17 is created under the control of the commission for the purpose
2 18 of providing training, certification, and accreditation
2 19 opportunities for county commissions of veteran affairs
2 20 executive directors and employees.

2 21 2. The department may receive and accept donations,
2 22 grants, gifts, and contributions from any public or private
2 23 source for the purpose of providing training opportunities
2 24 under this section. All funds received by the department
2 25 shall be deposited in the county commission of veteran affairs
2 26 training program account established in section 35A.16,
2 27 subsection 4.

2 28 3. a. The commission shall use funds deposited in the
2 29 county commission of veteran affairs training program account
2 30 to organize statewide or regional training conferences and
2 31 provide training, certification, and accreditation
2 32 opportunities for county commissions of veteran affairs
2 33 executive directors and employees, consistent with the
2 34 requirements of section 35A.5, subsection 9.

2 35 b. During the fiscal year beginning July 1, 2009, the
3 1 commission shall use account funds to arrange for an
3 2 accreditation course by the national association of county
3 3 veteran service officers to take place within the state.

3 4 c. The commission may use account funds to hire an agency,
3 5 organization, or other entity to provide training or
3 6 educational programming, reimburse county executive directors
3 7 and employees for transportation costs related to a conference
3 8 or program, or both.

3 9 4. The department shall adopt rules, pursuant to chapter
3 10 17A, deemed necessary for the administration of the county
3 11 commission of veteran affairs training program.

3 12 Sec. 4. Section 35B.6, subsection 1, Code 2007, is amended
3 13 to read as follows:

3 14 1. a. The members of the commission shall qualify by
3 15 taking the usual oath of office, and give bond in the sum of
3 16 five hundred dollars each, conditioned for the faithful
3 17 discharge of their duties with sureties to be approved by the
3 18 county auditor. The commission shall organize by the
3 19 selection of one of their members as chairperson, and one as
3 20 secretary. The commission, subject to the approval of the
3 21 board of supervisors, shall ~~have power to employ~~ an executive
3 22 director and ~~shall have the power to employ~~ other necessary
3 23 ~~employees when needed, including~~ administrative or clerical
3 24 ~~assistants when needed, the.~~ The compensation of such
3 25 employees ~~to shall~~ be fixed by the board of supervisors, but
3 26 no member of the commission shall be so employed. The
3 27 executive director must possess the same qualifications as
3 28 provided in section 35B.3 for commission members. However,
3 29 this qualification requirement shall not apply to a person
3 30 employed as an executive director prior to July 1, 1989.

3 31 b. Upon the employment of an executive director, the
3 32 executive director shall complete a course of ~~initial~~
3 33 ~~certification~~ training provided by the department of veterans
3 34 affairs pursuant to section 35A.5. ~~If an executive director~~
3 35 ~~fails to obtain certification within one year of being~~

4 1 ~~employed, the executive director shall be removed from office.~~

4 2 ~~if an executive director is not appointed, a A commissioner or~~
4 3 ~~a clerical assistant shall other commission employee may also~~
4 4 complete the course of certification training. The department
4 5 shall issue the executive director, commissioner, or ~~clerical~~
4 6 ~~assistant employee~~ a certificate of training after completion
4 7 of the ~~initial~~ certification training course. To maintain
4 8 ~~annual~~ certification, the executive director, commissioner, or
4 9 ~~clerical assistant employee~~ shall ~~attend one department~~
4 10 ~~training course each year~~ satisfy the continuing education
4 11 requirements established by the national association of county
4 12 veteran service officers. Failure of an executive director to
4 13 maintain certification ~~may~~ shall be cause for removal from
4 14 office. The expenses of training the executive director shall
4 15 be paid from the appropriation authorized in section 35B.14.

4 16 Sec. 5. Section 35B.6, subsection 4, Code 2007, is amended
4 17 by striking the subsection and inserting in lieu thereof the
4 18 following:

4 19 4. a. Each county commission of veteran affairs shall
4 20 maintain an office in a building owned, operated, or leased by
4 21 the county.

4 22 b. A commission of veteran affairs office shall be open
4 23 for the following minimum number of hours each week:

4 24 (1) For a county with a population of thirty thousand or
4 25 less, no fewer than twenty hours per week.

4 26 (2) For a county with a population of more than thirty
4 27 thousand and less than sixty thousand, no fewer than thirty

4 28 hours per week.

4 29 (3) For a county with a population of sixty thousand or
4 30 more, no fewer than forty hours per week.

4 31 c. Counties sharing the services of an executive director
4 32 shall consider the aggregate population of such counties when
4 33 determining the number of hours the office shall be open. The
4 34 number of hours shall be allocated between the counties in the
4 35 proportion that the population of each county bears to the
5 1 aggregate population.

5 2 d. The hours that the office is open shall be posted in a
5 3 prominent position outside the office.

5 4 Sec. 6. Section 35B.14, Code 2007, is amended to read as
5 5 follows:

5 6 35B.14 COUNTY APPROPRIATION.

5 7 1. The board of supervisors of each county may appropriate
5 8 moneys for training an executive director as provided for in
5 9 section 35B.6, the food, clothing, shelter, utilities, medical
5 10 benefits, and funeral expenses of indigent veterans, as
5 11 defined in section 35.1, and their indigent spouses, surviving
5 12 spouses, and minor children not over eighteen years of age,
5 13 having a legal residence in the county.

5 14 2. The appropriation shall be expended by the joint action
5 15 and control of the board of supervisors and the county
5 16 commission of veteran affairs.

5 17 Sec. 7. STATE MANDATE FUNDING SPECIFIED. In accordance
5 18 with section 25B.2, subsection 3, the state cost of requiring
5 19 compliance with any state mandate included in this Act shall
5 20 be moneys appropriated in this Act and shall be deemed to meet
5 21 all the state funding-related requirements of section 25B.2,
5 22 subsection 3, and no specific state funding shall be necessary
5 23 for the full implementation of this Act by and enforcement of
5 24 this Act against all affected political subdivisions.

5 25 Sec. 8. EFFECTIVE DATE. This Act takes effect on July 1,
5 26 2009.

5 27 EXPLANATION

5 28 This bill requires each county commission of veteran
5 29 affairs to maintain an office in the county and to employ an
5 30 executive director. The bill also requires each county office
5 31 and executive director to meet minimum hours of service each
5 32 week. The bill provides different levels of service hours
5 33 that are dependent on county population. The bill also
5 34 provides that required service hours be allocated by
5 35 population for counties sharing an executive director.

6 1 The bill requires the training provided to executive
6 2 directors by the department of veterans affairs to be
6 3 certified by the national association of county veteran
6 4 service officers and that it ensures that each trainee is
6 5 proficient in electronic mail use, general computer use, and
6 6 use of the internet to access information on veterans
6 7 benefits, services, and facilities. The bill also requires
6 8 training provided to executive directors to include
6 9 accreditation by the national association of county veteran
6 10 service officers. If an executive director fails to acquire
6 11 or fails to maintain certification by the department, the
6 12 executive director shall be removed from office.

6 13 The bill creates a county commissions of veteran affairs
6 14 fund under the control of the state veterans affairs
6 15 commission. Beginning July 1, 2009, and for each subsequent
6 16 fiscal year, \$1 million is appropriated from the general fund
6 17 to the county commissions of veteran affairs fund. The bill
6 18 provides that if sufficient moneys are available in the fund,
6 19 the veterans affairs commission shall allocate \$10,000 to each
6 20 county to be used for the employment of an executive director.

6 21 The bill further provides that any moneys remaining in the
6 22 fund after allocation to the counties shall be deposited in an
6 23 account for use in the county commission of veteran affairs
6 24 training program established under new Code section 35A.17.

6 25 The training program requires the state commission of veterans
6 26 affairs to provide training, certification, and accreditation
6 27 programs for county commissions of veteran affairs executive
6 28 directors and employees, including accreditation sessions by
6 29 the national association of county veteran service officers.

6 30 The bill may include a state mandate as defined in Code
6 31 section 25B.3. The bill includes a specification of the
6 32 amount of the state cost of any state mandate included in the
6 33 bill. The specification is deemed to constitute state
6 34 compliance with any state mandate funding-related requirements
6 35 of Code section 25B.2. The inclusion of this specification is
7 1 intended to reinstate the requirement of political
7 2 subdivisions to comply with any state mandates included in the
7 3 bill.

7 4 The bill takes effect on July 1, 2009.
7 5 LSB 5259HH 82
7 6 md/sc/5.2