

House Study Bill 233

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
VETERANS AFFAIRS BILL BY
CHAIRPERSON WHITEAD)

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

A BILL FOR

1 An Act concerning veterans by providing for regional veterans
2 affairs offices, providing for the duties of the department of
3 veterans affairs and the commission on veterans affairs, and
4 establishing a counseling program for veterans.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2111YC 82
7 ec/je/5

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1 1 Section 1. Section 7E.5, subsection 1, paragraph v, Code
1 2 2007, is amended to read as follows:
1 3 v. The department of veterans affairs. ~~However, the~~
~~1 4 commission of veterans affairs created in section 35A.2 shall~~
~~1 5 have primary responsibility for state veterans affairs.~~
1 6 Sec. 2. NEW SECTION. 35.12 VETERANS COUNSELING PROGRAM.
1 7 1. The department shall establish and administer a
1 8 counseling program for veterans. The program shall provide
1 9 assistance to veterans and their families to reduce the
1 10 incidence of alcohol and chemical dependency and suicide among
1 11 veterans and to make mental health counseling available to
1 12 at-risk veterans. The department shall coordinate with United
1 13 States veterans administration hospitals, health care
1 14 facilities, and clinics in this state and the department of
1 15 public health in developing the program.
1 16 2. The program established by the department shall include
1 17 but not be limited to the following:
1 18 a. Public education and awareness programs for veterans,
1 19 health care professionals, and the public, relative to
1 20 recognizing and responding to at-risk veterans.
1 21 b. Referral services to identify appropriate counseling
1 22 and treatment programs for at-risk veterans.
1 23 Sec. 3. Section 35A.2, subsection 1, Code 2007, is amended
1 24 to read as follows:
1 25 1. A commission of veterans affairs is created consisting
1 26 of nine persons who shall be appointed by the governor,
1 27 subject to confirmation by the senate. Members shall be
1 28 appointed to staggered terms of four years beginning and
1 29 ending as provided in section 69.19. The governor shall fill
1 30 a vacancy for the unexpired portion of the term. In addition
~~1 31 to the members appointed by the governor, the director of the~~
~~1 32 department shall serve as a nonvoting, ex officio member of~~
~~1 33 the commission.~~
1 34 Sec. 4. Section 35A.3, subsections 2 and 3, Code 2007, are
1 35 amended by striking the subsections and inserting in lieu
2 1 thereof the following:
2 2 2. Advise and make recommendations to the department, the
2 3 general assembly, and the governor, concerning issues
2 4 involving and impacting veterans in this state.
2 5 Sec. 5. Section 35A.5, Code 2007, is amended by adding the
2 6 following new subsections:
2 7 NEW SUBSECTION. 0A. Maintain and disseminate information
2 8 to veterans and the public regarding facilities, benefits, and
2 9 services available to veterans and their families and assist
2 10 veterans and their families in obtaining such benefits and
2 11 services.
2 12 NEW SUBSECTION. 0B. Establish and maintain regional
2 13 veterans affairs offices pursuant to section 35A.6.
2 14 NEW SUBSECTION. 12. Adopt rules pursuant to chapter 17A
2 15 and establish policy for the management and operation of the
2 16 department.

2 17 Sec. 6. Section 35A.5, subsection 8, Code 2007, is amended
2 18 to read as follows:

2 19 8. Provide training to executive directors of county
2 20 commissions of veteran affairs pursuant to section 35B.6. The
2 21 ~~commission department~~ may adopt rules in accordance with
2 22 chapter 17A to provide for training of county veteran affairs
2 23 executive directors.

2 24 Sec. 7. NEW SECTION. 35A.6 REGIONAL VETERANS AFFAIRS
2 25 OFFICES.

2 26 1. The department shall establish and maintain regional
2 27 veterans affairs offices. A regional veterans affairs office,
2 28 to the extent practicable, shall be located in each service
2 29 delivery area, as defined by section 84B.2, and colocated with
2 30 the workforce development center which is located in each
2 31 service delivery area.

2 32 2. The duties of a regional veterans affairs office shall
2 33 include but not be limited to the following:

2 34 a. Assist the department in providing assistance, advice,
2 35 and training to executive directors of county commissions of
3 1 veteran affairs and to county commissions of veteran affairs
3 2 located in the service delivery area of the regional veterans
3 3 affairs office.

3 4 b. Provide assistance to veterans and their families in
3 5 obtaining available services and benefits for veterans and
3 6 their families.

3 7 Sec. 8. Section 35A.8, subsection 4, paragraph a, Code
3 8 2007, is amended to read as follows:

3 9 a. The executive director shall provide for the
3 10 administration of the bonus authorized in this subsection.
3 11 The ~~commission department~~ shall adopt rules, pursuant to
3 12 chapter 17A, as necessary to administer this subsection
3 13 including, but not limited to, application procedures,
3 14 investigation, approval or disapproval, and payment of claims.

3 15 Sec. 9. Section 35A.11, Code 2007, is amended to read as
3 16 follows:

3 17 35A.11 VETERANS LICENSE FEE FUND.

3 18 A veterans license fee fund is created in the state
3 19 treasury under the control of the ~~commission department~~. The
3 20 fund shall include the fees credited by the treasurer of state
3 21 from the sale of special veteran license plates pursuant to
3 22 section 321.34, subsection 13, paragraph "d". Notwithstanding
3 23 section 12C.7, interest or earnings on moneys in the veterans
3 24 license fee fund shall be credited to the veterans license fee
3 25 fund. Moneys in the fund are appropriated to the ~~commission~~
3 26 ~~department~~ to be used to fulfill the responsibilities of the
3 27 ~~commission department~~.

3 28 Sec. 10. Section 35A.13, subsections 2, 5, and 6, Code
3 29 2007, are amended to read as follows:

3 30 2. A veterans trust fund is created in the state treasury
3 31 under the control of the ~~commission department~~.

3 32 5. The minimum balance of the trust fund required prior to
3 33 expenditure of moneys from the trust fund is fifty million
3 34 dollars. However, for the fiscal period beginning July 1,
3 35 2006, and ending June 30, 2009, the minimum balance of the
4 1 trust fund required prior to expenditure of moneys from the
4 2 trust fund is five million dollars. Once the minimum balance
4 3 is reached, the interest and earnings on the fund and any
4 4 moneys received under subsection 3, paragraph "a", are
4 5 appropriated to the ~~commission department~~ to be used to
4 6 achieve the purposes of this section.

4 7 6. It is the intent of the general assembly that beginning
4 8 with the fiscal year beginning July 1, 2007, appropriations be
4 9 made annually to the veterans trust fund. Prior to any
4 10 additional appropriations to this fund, the ~~commission~~
4 11 ~~department~~ shall provide the general assembly with information
4 12 identifying immediate and long-term veteran services
4 13 throughout the state and a plan for delivering those services.

4 14 Sec. 11. Section 35A.13, subsection 7, unnumbered
4 15 paragraph 1, Code 2007, is amended to read as follows:

4 16 Moneys appropriated to the ~~commission department~~ under this
4 17 section shall not be used to supplant funding provided by
4 18 other sources. The moneys may be expended ~~upon a majority~~
4 19 ~~vote of by~~ the ~~commission membership department~~ for the
4 20 benefit of veterans and the spouses and dependents of
4 21 veterans, for any of the following purposes:

4 22 Sec. 12. Section 35A.13, subsections 8 and 9, Code 2007,
4 23 are amended to read as follows:

4 24 8. If the ~~commission department~~ identifies other purposes
4 25 for which the moneys appropriated under this section may be
4 26 used for the benefit of veterans and the spouses and
4 27 dependents of veterans, the ~~commission department~~ shall submit

4 28 recommendations for the addition of such purposes to the
4 29 general assembly for review.

4 30 9. The ~~commission department~~ shall submit an annual report
4 31 to the general assembly by January 15 of each year concerning
4 32 the veterans trust fund created by this section. The annual
4 33 report shall include financial information concerning the
4 34 moneys in the trust fund and shall also include information on
4 35 the number, amount, and type of expenditures, if any, from the
5 1 fund during the prior calendar year for the purposes described
5 2 in subsection 7.

5 3 Sec. 13. Section 36.1, subsection 3, Code 2007, is amended
5 4 by striking the subsection.

5 5 Sec. 14. Section 36.8, Code 2007, is amended to read as
5 6 follows:

5 7 36.8 RULES.

5 8 The ~~commission department~~ shall adopt rules pursuant to
5 9 chapter 17A to implement this chapter.

5 10 Sec. 15. Section 36.9, Code 2007, is amended to read as
5 11 follows:

5 12 36.9 APPROPRIATIONS.

5 13 This chapter shall be implemented by the ~~commission~~
5 14 ~~department~~ each fiscal year that appropriations are made to
5 15 the ~~commission department~~ for the implementation.

5 16 Sec. 16. Section 135.20, subsection 2, unnumbered
5 17 paragraph 1, Code 2007, is amended to read as follows:

5 18 The information to be distributed shall be determined by
5 19 the department by rule, in consultation with the ~~commission~~
5 20 ~~department~~ of veterans affairs. The information shall, at a
5 21 minimum, contain statements indicating that:

5 22 Sec. 17. Section 135.20, subsection 2, unnumbered
5 23 paragraph 2, Code 2007, is amended to read as follows:

5 24 The information shall also present treatment options and
5 25 shall specify a procedure to be followed for veterans desiring
5 26 a medical consultation for screening and treatment purposes.
5 27 The department shall cooperate with the ~~state commission~~
5 28 ~~department~~ of veterans affairs regarding distribution of the
5 29 information to the veterans home, the county commissions of
5 30 veteran affairs, veterans hospitals, and other appropriate
5 31 points of distribution.

5 32 Sec. 18. VETERANS COUNSELING PROGRAM REPORT. The director
5 33 of the department of veterans affairs shall submit a report to
5 34 the members of the general assembly by January 15, 2008,
5 35 regarding the development and implementation of the veterans
6 1 counseling program established pursuant to section 35.12, as
6 2 enacted by this Act.

6 3 EXPLANATION

6 4 This bill makes several changes relative to veterans
6 5 affairs.

6 6 New Code section 35.12 requires the department of veterans
6 7 affairs to establish a veterans counseling program. The bill
6 8 provides that the program shall focus on reducing alcohol and
6 9 chemical dependency and suicide and providing mental health
6 10 counseling for veterans. The bill provides that the
6 11 department shall coordinate with U.S. veterans administration
6 12 hospitals, health care facilities, and clinics in this state
6 13 and the department of public health in establishing the
6 14 program. The bill provides that the program shall include
6 15 public education and awareness programs and referral services
6 16 to appropriate counseling and treatment relative to at-risk
6 17 veterans. The bill requires the department of veterans
6 18 affairs to submit a report to the general assembly by January
6 19 15, 2008, concerning the development and implementation of the
6 20 program.

6 21 New Code section 35A.6 establishes regional veterans
6 22 affairs offices. The bill provides that the offices shall be
6 23 colocated with workforce development centers and serve the
6 24 same regional area that the workforce development center
6 25 serves. The bill provides that the duties of each office are
6 26 to assist the department of veterans affairs in assisting,
6 27 advising, and training county commissions of veteran affairs
6 28 and the executive directors of the county commissions. In
6 29 addition, the bill provides that each regional office shall
6 30 provide assistance to veterans and their families in receiving
6 31 veterans benefits.

6 32 The bill also makes changes relative to the duties and
6 33 responsibilities of the department of veterans affairs and the
6 34 commission.

6 35 Code section 7E.5 is amended to eliminate the provision
7 1 that the commission of veterans affairs has primary
7 2 responsibility for state veterans affairs.

7 3 Code section 35A.2 is amended to provide that the executive

7 4 director of the department of veterans affairs is a nonvoting,
7 5 ex officio member of the commission of veterans affairs.
7 6 Code section 35A.3, concerning the duties of the
7 7 commission, is amended by striking the provision that the
7 8 commission is responsible for adopting rules and establishing
7 9 policy for the management and operation of the department and
7 10 the requirement that the commission prescribe the duties of an
7 11 executive director and other employees of the department. The
7 12 Code section is further amended to provide that a duty of the
7 13 commission is to advise and make recommendations to the
7 14 department, governor, and the general assembly on issues
7 15 involving veterans. The commission's current responsibility
7 16 relative to the Iowa veterans home is unchanged by the bill.
7 17 Code section 35A.5, concerning the duties of the department
7 18 of veterans affairs, is amended to require the department to
7 19 provide information to and assist veterans and their families
7 20 in receiving veterans benefits. In addition, the Code section
7 21 is amended to require that the department provide and maintain
7 22 regional veterans affairs offices, and adopt rules for the
7 23 management of the department.
7 24 The bill also provides that the department, and not the
7 25 commission, has primary responsibility for the veterans
7 26 license fee fund created in Code section 35A.11, the veterans
7 27 trust fund created in Code section 35A.13, programs relative
7 28 to exposure to chemicals by veterans under Code chapter 36,
7 29 and the hepatitis C awareness program for veterans created
7 30 under Code section 135.20.
7 31 LSB 2111YC 82
7 32 ec:nh/je/5.1