

House Study Bill 538 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
VETERANS AFFAIRS BILL)

A BILL FOR

1 An Act concerning the department of veterans affairs relating
2 to membership on the commission of veterans affairs,
3 expenditures from the veterans trust fund, and providing an
4 appropriation to the state veterans cemetery account.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35A.2, subsections 1 and 2, Code 2018,
2 are amended to read as follows:

3 1. A commission of veterans affairs is created consisting
4 of ~~nine~~ eleven persons who shall be appointed by the governor,
5 subject to confirmation by the senate. Members shall be
6 appointed to staggered terms of four years beginning and
7 ending as provided in [section 69.19](#). The governor shall fill
8 a vacancy for the unexpired portion of the term. In addition
9 to the members appointed by the governor, the director of the
10 department and the commandant of the Iowa veterans home shall
11 serve as nonvoting, ex officio members of the commission.

12 2. ~~Eight~~ Ten commissioners shall be honorably discharged
13 members of the armed forces of the United States. The American
14 legion of Iowa, disabled American veterans department of Iowa,
15 veterans of foreign wars department of Iowa, American veterans
16 of World War II, Korea, and Vietnam, the Vietnam veterans
17 of America, and the military order of the purple heart,
18 the paralyzed veterans of America, and the Iowa association
19 of county commissioners and veteran service officers,
20 through their department commanders, shall submit two names
21 respectively from their organizations to the governor. The
22 adjutant general and the Iowa affiliate of the reserve officers
23 association shall submit names to the governor of persons to
24 represent the Iowa national guard and the association. The
25 governor shall appoint from the group of names submitted by
26 the adjutant general and reserve officers association two
27 representatives and from each of the other organizations
28 one representative to serve as a member of the commission,
29 unless the appointments would conflict with the bipartisan and
30 gender balance provisions of [sections 69.16](#) and [69.16A](#). In
31 addition, the governor shall appoint one member of the public,
32 knowledgeable in the general field of veterans affairs, to
33 serve on the commission.

34 Sec. 2. Section 35A.13, subsection 3, Code 2018, is amended
35 to read as follows:

1 3. Moneys credited to the trust fund shall not be
2 transferred, used, obligated, appropriated, or otherwise
3 encumbered, except as provided in [this section](#). Moneys in the
4 trust fund may be used for cash flow purposes during a fiscal
5 year provided that any moneys so allocated are returned to the
6 trust fund by the end of that fiscal year. Moneys in the trust
7 fund may also be used for cemetery grant development purposes
8 provided that any moneys so allocated, except for moneys used
9 for department of administrative services expenditures related
10 to the grant, are returned to the trust fund upon receipt of
11 federal funds received for such purposes.

12 Sec. 3. Section 35A.13, subsection 4, paragraph a, Code
13 2018, is amended to read as follows:

14 a. The minimum balance of the trust fund required prior
15 to expenditure of moneys from the trust fund is five million
16 dollars. Once the minimum balance is reached, the interest and
17 earnings on the fund and the first ~~three~~ five hundred thousand
18 dollars transferred each fiscal year pursuant to [section 99G.39](#)
19 from the lottery fund to the trust fund are appropriated to the
20 commission to be used to achieve the purposes of [subsection 6](#)
21 of [this section](#). Moneys appropriated to the commission that
22 remain unobligated or unexpended at the end of each fiscal year
23 shall revert to the trust fund. It is the intent of the general
24 assembly that the balance in the trust fund reach fifty million
25 dollars.

26 Sec. 4. Section 35A.13, subsection 6, paragraph 1, Code
27 2018, is amended by striking the paragraph.

28 Sec. 5. Section 35A.13, subsection 6, Code 2018, is amended
29 by adding the following new paragraphs:

30 NEW PARAGRAPH. o. Rental housing assistance for veterans
31 who meet the definition of homeless, as set out in 42 U.S.C.
32 §11302, for payment of rental deposits and rental application
33 fees and for reimbursement of costs associated with obtaining
34 records needed for obtaining rental housing.

35 NEW PARAGRAPH. p. Monetary assistance on a one-time basis

1 per recipient to be used to prevent homelessness in an amount
2 not to exceed two thousand five hundred dollars per recipient.

3 Sec. 6. Section 99G.39, subsection 3, Code 2018, is amended
4 to read as follows:

5 3. a. ~~Two~~ One million five hundred thousand dollars in
6 lottery revenues shall be transferred each fiscal year to the
7 veterans trust fund established pursuant to [section 35A.13](#)
8 prior to deposit of the lottery revenues in the general fund
9 pursuant to [section 99G.40](#). However, if the balance of the
10 veterans trust fund is fifty million dollars or more, the
11 moneys shall be appropriated to the department of revenue for
12 distribution to county directors of veteran affairs, with fifty
13 percent of the moneys to be distributed equally to each county
14 and fifty percent of the moneys to be distributed to each
15 county based upon the population of veterans in the county,
16 so long as the moneys distributed to a county do not supplant
17 moneys appropriated by that county for the county director of
18 veteran affairs.

19 b. One million dollars in lottery revenues shall be
20 transferred each fiscal year to the account for a state
21 veterans cemetery established pursuant to section 35A.5,
22 subsection 10, prior to deposit of the lottery revenues in the
23 general fund pursuant to section 99G.40.

24 Sec. 7. Section 99G.39, subsection 4, paragraph a, Code
25 2018, is amended to read as follows:

26 a. Notwithstanding [subsection 1](#), if gaming revenues under
27 sections 99D.17 and [99F.11](#) are insufficient in a fiscal year to
28 meet the total amount of such revenues directed to be deposited
29 in the vision Iowa fund during the fiscal year pursuant to
30 section 8.57, subsection 5, paragraph "e", the difference shall
31 be paid from lottery revenues prior to deposit of the lottery
32 revenues in the general fund and transfer of lottery revenues
33 to the veterans trust fund as provided in [subsection 3](#). If
34 lottery revenues are insufficient during the fiscal year to
35 pay the difference, the remaining difference shall be paid

1 from lottery revenues prior to deposit of lottery revenues
2 in the general fund and the transfer of lottery revenues to
3 the veterans trust fund and the account for a state veterans
4 cemetery as provided in subsection 3 in subsequent fiscal years
5 as such revenues become available.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill concerns the department of veterans affairs.
10 Code section 35A.2, concerning the commission of veterans
11 affairs, is amended to increase the membership on the
12 commission from 9 to 11 persons. The bill provides that
13 additional persons include a representative selected from names
14 submitted by the paralyzed veterans of America and by the
15 Iowa association of county commissioners and veteran service
16 officers.

17 Code section 35A.13, concerning the veterans trust fund, is
18 amended.

19 Code section 35A.13(3) is amended to provide that moneys
20 used by the department of administrative services for
21 expenditures related to cemetery grant development purposes
22 are not required to be returned to the veterans trust fund
23 upon receipt of federal funds received for cemetery grant
24 development purposes.

25 Code section 35A.13(4) is amended to provide that once the
26 minimum balance in the trust fund of \$5 million is reached,
27 interest and earnings on the fund and the first \$500,000,
28 instead of the first \$300,000, transferred to the fund from
29 the Iowa lottery authority from lottery revenues may be used
30 each fiscal year by the commission of veterans affairs for the
31 purposes provided within the Code section.

32 Code section 35A.13(6), concerning permissible uses for
33 moneys in the veterans trust fund, is amended. The bill
34 strikes the provision authorizing moneys in the trust fund to
35 be expended for matching funds to veterans organizations to

1 provide for accredited veteran service officers. The bill
2 provides that moneys in the trust fund may be expended, upon
3 a majority vote of the state commission of veterans affairs,
4 for rental housing assistance for homeless veterans for the
5 payment of rental deposits, rental application fees, and costs
6 associated with obtaining records needed to secure rental
7 housing, and for a one-time monetary assistance to prevent
8 homelessness in an amount not to exceed \$2,500 per recipient.
9 Code section 99G.39, concerning transfers of lottery
10 revenues, is amended. Currently, \$2.5 million is transferred
11 from lottery revenues to the veterans trust fund each fiscal
12 year until the balance in the veterans trust fund reaches
13 \$50 million and a different distribution of the revenues is
14 then provided for. The bill reduces the transfer of lottery
15 revenues to the veterans trust fund to \$1.5 million each
16 fiscal year and provides for the transfer of \$1 million each
17 fiscal year in lottery revenues to the state veterans cemetery
18 account.