

FILED JAN 26 2005

SENATE FILE 75
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 30)

Passed Senate, Date 1-27-05 Passed House, Date 2-28-05
Vote: Ayes 49 Nays 0 Vote: Ayes 98 Nays 0
Approved 3/10/05

A BILL FOR

1 An Act allocating funding appropriated to assist individuals
2 assigned to active duty military service and providing
3 effective and applicability date provisions.

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

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SF 75

1 Section 1. 2003 Iowa Acts, chapter 179, section 21, as
2 amended by 2004 Iowa Acts, chapter 1175, section 274, is
3 amended to read as follows:

4 SEC. 21. MILITARY PAY DIFFERENTIAL.

5 1. There Notwithstanding section 8.56, subsection 4, there
6 is appropriated from the cash reserve fund to the department
7 of revenue and finance or its successor agency for the period
8 beginning March 19, 2003, and ending June 30, 2003, the
9 following amount, or so much thereof as is necessary, for the
10 purposes designated:

11 For a military pay differential program and health
12 insurance retention program for individuals activated for the
13 armed services of the United States, for employees on the
14 central payroll system and for the other military service-
15 related purposes designated in this section:

16 \$ 1,810,000

17 2. Of the funds appropriated in this section, up-to
18 \$10,000 is transferred to the Iowa department of public health
19 for allocation to community mental health centers to provide
20 counseling services to persons, whether or not employed by the
21 state, who are members of the national guard and or reservists
22 activated-but-as-yet-not-sent-to-combat-zones and who are
23 assigned to active duty service in the armed forces of the
24 United States and to the persons' family members. The
25 sessions shall be provided on a first come, first served basis
26 and shall be limited to three visits per family.

27 3. Of the funds appropriated in this section, \$100,000
28 shall be retained by the department of administrative services
29 to be used for the military pay differential and health
30 insurance retention programs for employees on the central
31 payroll system who are activated for the armed services of the
32 United States.

33 4. Of the funds appropriated in this section, \$650,000 is
34 transferred to the college student aid commission to be used
35 for the national guard educational assistance program

1 established pursuant to section 261.86.

2 5. The remainder of the funds appropriated in this section
3 are transferred to the Iowa finance authority to be used for a
4 home ownership assistance program for persons who are eligible
5 members of the armed forces of the United States. In the
6 event an eligible member is deceased, the surviving spouse of
7 the eligible member shall be eligible for a loan under the
8 program, subject to the surviving spouse meeting the program's
9 eligibility requirements other than the military service
10 requirement. For the purposes of this subsection, "eligible
11 member of the armed forces of the United States" means a
12 resident of this state who is a member of the national guard,
13 reserve, or regular component of the armed forces of the
14 United States who has served at least ninety days of active
15 duty service during the period beginning September 11, 2001,
16 and ending June 30, 2006.

17 6. The department or agency receiving funds under this
18 section shall report monthly to the fiscal committee of the
19 legislative council on the use of the funds.

20 7. Notwithstanding section 8.33, unencumbered or
21 unobligated funds remaining on June 30, 2003, from the
22 appropriation and transfers made in this section shall not
23 revert but shall remain available to be used for the purposes
24 designated until-the-end-of-the-fiscal-year-beginning-July-17
25 2004.--Funds-appropriated-in-this-section-remaining
26 unencumbered-or-unobligated-at-the-end-of-the-fiscal-year
27 beginning-July-17-2004, shall not revert but shall remain
28 available-to-be-used-for-the-purposes-designated-and-for-a
29 home-ownership-assistance-program-for-eligible-members-of-the
30 national-guard-and-reserves-of-the-armed-forces-of-the-United
31 States-and-the-members'-immediate-families until expended.

32 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
33 immediate importance, takes effect upon enactment and is
34 retroactively applicable to May 17, 2004.

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EXPLANATION

1 This bill makes allocations from an appropriation of \$1.81
2 million originally made in 2003 for a military pay
3 differential and health insurance retention program for state
4 employees who are on the central payroll system and are
5 activated for the armed services of the United States.

6 The bill includes language in regard to the original
7 appropriation made in 2003. The language makes inapplicable
8 the requirements in Code section 8.56 that a cash reserve
9 appropriation must be the only subject matter of the bill
10 making the appropriation, must state the reason the
11 appropriation is necessary, and must meet a supermajority
12 voting requirement if the appropriation would cause the
13 balance of the cash reserve fund to fall below a certain
14 level.

15 The language of an existing allocation to the Iowa
16 department of public health for counseling services is revised
17 to provide a specific amount of \$10,000, rather than a maximum
18 of \$10,000, to specify the services are available whether or
19 not a person is a state employee, and to make the services
20 available to all who are assigned to active duty service
21 regardless of whether being sent to combat zones and to the
22 person's family members.

23 The next \$100,000 is to be retained by the department of
24 administrative services to be used for the military pay
25 differential and health insurance retention programs for state
26 employees on the central payroll system who are activated for
27 the armed services of the United States.

28 The bill allocates the next \$650,000 to the college student
29 aid commission to be used for the national guard educational
30 assistance program.

31 Language providing for nonreversion of unexpended funds so
32 that the funds will be used for a home ownership assistance
33 program for members of the national guard and reserves and for
34 the members' immediate families is stricken and the remainder
35 of the appropriation is allocated to the Iowa finance

1 authority. The allocation language provides an initial
2 eligibility requirement limiting the program to Iowa residents
3 who are members of the national guard, reserve, or regular
4 component of the armed forces of the United States who have
5 served at least 90 days of active duty service during the
6 period beginning September 11, 2001, and ending June 30, 2006.
7 If an eligible member is deceased, the member's surviving
8 spouse is eligible for the program provided the surviving
9 spouse can meet the eligibility requirements other than
10 military service.

11 Nonreversion language is revised so that the funds remain
12 available indefinitely for the purposes for which appropriated
13 or transferred.

14 The bill takes effect upon enactment and is retroactively
15 applicable to May 17, 2004, which was the effective date of
16 the latest amendments to the appropriation.

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SENATE FILE 75

AN ACT

ALLOCATING FUNDING APPROPRIATED TO ASSIST INDIVIDUALS
ASSIGNED TO ACTIVE DUTY MILITARY SERVICE AND PROVIDING
EFFECTIVE AND APPLICABILITY DATE PROVISIONS.

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

Section 1. 2003 Iowa Acts, chapter 179, section 21, as amended by 2004 Iowa Acts, chapter 1175, section 274, is amended to read as follows:

SEC. 21. MILITARY PAY DIFFERENTIAL.

1. There Notwithstanding section 8.56, subsection 4, there is appropriated from the cash reserve fund to the department of revenue and finance or its successor agency for the period beginning March 19, 2003, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for the purposes designated:

For a military pay differential program and health insurance retention program for individuals activated for the armed services of the United States, for employees on the central payroll system and for the other military service-related purposes designated in this section:

..... \$ 1,810,000

2. Of the funds appropriated in this section, up-to \$10,000 is transferred to the Iowa department of public health for allocation to community mental health centers to provide counseling services to persons, whether or not employed by the state, who are members of the national guard and or reservists activated-but-as-yet-not-sent-to-combat-zones and who are assigned to active duty service in the armed forces of the United States and to the persons' family members. The

sessions shall be provided on a first come, first served basis and shall be limited to three visits per family.

3. Of the funds appropriated in this section, \$100,000 shall be retained by the department of administrative services to be used for the military pay differential and health insurance retention programs for employees on the central payroll system who are activated for the armed services of the United States.

4. Of the funds appropriated in this section, \$650,000 is transferred to the college student aid commission to be used for the national guard educational assistance program established pursuant to section 261.86.

5. The remainder of the funds appropriated in this section are transferred to the Iowa finance authority to be used for a home ownership assistance program for persons who are eligible members of the armed forces of the United States. In the event an eligible member is deceased, the surviving spouse of the eligible member shall be eligible for a loan under the program, subject to the surviving spouse meeting the program's eligibility requirements other than the military service requirement. For the purposes of this subsection, "eligible member of the armed forces of the United States" means a resident of this state who is a member of the national guard, reserve, or regular component of the armed forces of the United States who has served at least ninety days of active duty service during the period beginning September 11, 2001, and ending June 30, 2006.

6. The department or agency receiving funds under this section shall report monthly to the fiscal committee of the legislative council on the use of the funds.

7. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 2003, from the appropriation and transfers made in this section shall not revert but shall remain available to be used for the purposes designated until the end of the fiscal year beginning July 1,

~~2004.--Funds-appropriated-in-this-section-remaining unencumbered-or-unobligated-at-the-end-of-the-fiscal-year beginning-July-17-2004, shall-not-revert-but-shall-remain available-to-be-used-for-the-purposes-designated-and-for-a home-ownership-assistance-program-for-eligible-members-of-the national-guard-and-reserves-of-the-armed-forces-of-the-United States-and-the-members'-immediate-families until expended.~~

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to May 17, 2004.

JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 75, Eighty-first General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved 3/10, 2005

THOMAS J. VILSACK
Governor