

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 448

February 27, 1947.
Military and Veterans Affairs.

By PRANGE, KRUSE and FIMMEN.

A BILL FOR

An Act to authorize the state of Iowa to make suitable provisions for the payment of a bonus for veterans of World War II.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Every person, male or female, who served in
2 the armed forces of the United States at any time between
3 September 16, 1940, and September 2, 1945, both dates inclusive,
4 and who at the time of entering such service was a legal resident
5 of the state of Iowa and who had maintained such residence for
6 a period of at least six (6) months immediately prior thereto,
7 and who is honorably separated or discharged from such service,
8 or who is still in active service, or has been retired, or has
9 been furloughed to a reserve, and who was in such service for a
10 period of at least one hundred twenty days shall be entitled to
11 receive from the Iowa bonus fund of the state treasury compen-
12 sation of twenty-five dollars for each quarter year that such
13 person was in active domestic service and fifty dollars for each
14 quarter that such person was in active foreign service, all prior
15 to December 31, 1946, not to exceed a total sum of five hundred
16 dollars (\$500.00); provided, that the minimum compensation payable

17 under this act shall be fifty dollars (\$50.00). Compensation for
18 a fraction of a quarter year of service shall be paid on the basis
19 of one-ninetieth (1/90) of the above quarter year amounts for each
20 day of such service. No person shall be entitled to such payment
21 or allowance who received from another state a bonus or
22 compensation of a like nature provided for by this act, or who
23 being in such service, received civilian pay for civilian work.
24 The husband or wife, child or children, mother, father, person
25 standing in loco parentis, brothers and sisters, if first of
26 surviving beneficiaries in the order named, of any deceased
27 person shall be paid the sum or allowance that such deceased
28 person would be entitled to under this act, if living; but in
29 lieu thereof, if any person died while serving in the military
30 or naval forces of the United States on or after September 16,
31 1940, and such death was service-connected, the first of
32 survivors as hereinafter designated and in the order named shall
33 be paid five hundred dollars (\$500.00), regardless of the length
34 of such service. Domestic service means service within the
35 continental limits of the United States (and excluding Alaska);
36 foreign service means all other service. No person shall be
37 entitled to such payment or allowance who being in the military
38 or naval service of the United States, subsequent to September
39 16, 1940, refused on conscientious, political, religious, or
40 other grounds to subject himself to military discipline or to
41 render unqualified service.

1 Sec. 2. Before receiving any bonus under the provisions of

2 this act, the veteran, or his successor in interest, shall file
3 with the soldiers' bonus board, application on forms provided by
4 said board; such applications must be so filed on or before
5 December 31, 1950. Such application shall state facts sufficient
6 to establish the status of such applicant within a class as
7 defined in section 1 of this act, and shall be duly verified.

1 Sec. 3. Whoever knowingly makes a false statement, oral
2 or written, relating to a material fact in supporting a claim
3 under the provisions of this act, shall be punished by a fine
4 of not more than one thousand dollars (\$1,000.00) or be
5 imprisoned for not more than one year, or both, and shall for-
6 feit all benefits he or she might have been entitled to under
7 this act.

1 Sec. 4. Section four hundred twenty-two point forty-three
2 (422.43), Code 1946, is hereby amended by inserting after the
3 word "percent" in line three (3) a comma (,) and adding "and
4 beginning the first day of April, 1949, an additional tax of one
5 percent,"

1 Sec. 5. Section four hundred twenty-three point two (423.2),
2 Code 1946, is hereby amended by inserting a comma (,) after the
3 word "percent" in line five (5), and adding "and beginning the
4 first day of April, 1949, an additional tax of one percent".

1 Sec. 6. The funds and monies collected by the taxes
2 imposed by sections four (4) and five (5) shall be imposed,
3 collected and paid into the Iowa bonus fund until the sum of
4 not less than eighty million dollars (\$80,000,000.00) has been

5 paid into said fund by said taxes. At the time said fund has
6 received from said taxes the sum of eighty million dollars
7 (\$80,000,000.00) the taxes imposed by this act shall automat-
8 ically be repealed.

1 Sec. 7. The funds and monies collected by the additional
2 taxes imposed by this act shall be paid into the treasury of
3 the state of Iowa and shall constitute a separate fund which
4 shall be known as the "Iowa bonus fund". Said fund shall be
5 expended for the payment of a bonus to the persons defined in
6 sections one and fourteen of this act, and for the expenses
7 incurred in carrying out the provisions of this act.

1 Sec. 8. The funds and monies collected by the taxes imposed
2 by this act shall be, as collected, invested in United States
3 government bonds, or in such bonds and other securities as may
4 be approved by the executive council of the state of Iowa. The
5 interest or other proceeds received from the investment of said
6 monies shall be paid to, and become a part of the Iowa bonus
7 fund.

1 Sec. 9. There is hereby appropriated from said Iowa bonus
2 fund the sum of eighty million dollars (\$80,000,00.00) together
3 with all interest or proceeds received from the investment of
4 said monies for the purpose of carrying out the provisions of
5 this act including the expense of the administration of this
6 act. All monies, if any, remaining in said Iowa bonus fund
7 after the payment of the bonus herein prescribed and the expenses
8 of the administration of this act shall be paid to the general

9 fund of the state of Iowa.

1 Sec. 10. It shall be the duty of the soldiers' bonus
2 board of the state of Iowa to administer the provisions of
3 this act. Said board shall examine all applications and
4 approve or disapprove the same. When any application has been
5 approved by said board, it shall be its duty to issue
6 immediately to the applicant a non-interest bearing non-
7 negotiable, non-assignable certificate showing the amount of
8 bonus to which the applicant is entitled, and shall be paid,
9 under the provisions of this act.

1 Sec. 11. The certificates of bonus due issued to the
2 applicant shall be called by said board immediately upon the
3 Iowa bonus fund receiving eighty million dollars (\$80,000,000.00)
4 from the collection of the taxes imposed by this act. The board
5 upon receiving a certificate shall forthwith deliver the
6 certificate to the treasurer of the state of Iowa who shall
7 immediately pay the certificate holder the amount shown due
8 by said certificate from said Iowa bonus fund.

1 Sec. 12. On or before June 30, 1951, the board shall
2 ascertain and determine the total sum of money represented by
3 all certificates issued by said board; in the event that the
4 total face value of said certificate exceeds eighty million
5 dollars (\$80,000,000.00), then said funds shall remain invested
6 until such time that the Iowa bonus fund with interest thereon
7 amounts to a sum equal to pay in full all outstanding certificates
8 and the administrative expenses paid and reasonably anticipated.

1 Sec. 13. No certificate shall be honored or paid if not
2 surrendered or delivered to said board within two (2) years after
3 said board has publicly called for the surrender of outstanding
4 certificates.

1 Sec. 14. The husband or wife, child or children, mother,
2 father, person standing in loco parentis, brother and sister,
3 if first of surviving beneficiaries in the order named of any
4 veteran entitled to the benefits of this act shall be paid the
5 sum of the bonus that such deceased veteran would have been
6 entitled to, if living, providing such beneficiary or benefi-
7 ciaries comply with the provisions of this act as to time of
8 filing applications and surrender of certificates of bonus due.

1 Sec. 15. The soldiers' bonus board is hereby empowered
2 to employ such assistants and to incur such other expenses as
3 may be necessary for the administration and carrying out of
4 the provisions of this act; and the funds necessary for such
5 administration and carrying out of the provisions of this act
6 shall be expended from said compensation fund; such assistants
7 as said board may determine shall give bond in such amount as
8 may be fixed by said board, and shall, whenever practicable, be
9 persons within the classes as defined in section four (4) of this
10 act.

1 Sec. 16. All payments and allowances made under this act
2 shall be exempt from all taxation, and from levy and sale on
3 execution, and all bonds issued hereunder shall be exempt from
4 taxation.

1 Sec. 17. The soldiers' bonus board is hereby empowered to
2 make, adopt and promulgate such rules and regulations for the
3 carrying out of the provisions of this act as it deems necessary
4 and expedient and which are not inconsistent with any provision
5 of this act.

1 Sec. 18. If any clause, sentence, paragraph or part of
2 this act shall for any reason be adjudged by any court of
3 competent jurisdiction to be invalid, such judgment shall not
4 affect, impair or invalidate the remainder of the act, but shall
5 be confined in its operation to the clause, sentence, paragraph,
6 or part thereof directly involved in the controversy in which
7 such judgment has been rendered.

1 Sec. 19. This law, after legal publication, shall be
2 submitted to the people of this state at the general election
3 to be held in November, nineteen hundred forty-eight, and shall
4 not take effect unless at such election it shall receive a
5 majority of all votes cast for and against it. Separate ballots
6 shall be provided for the electors which shall be in substan-
7 tially the following form:

8 (Notice to Voters: For an affirmative vote upon any
9 question submitted upon this ballot, make a cross mark in
10 the square after the word "Yes". For a negative vote, make a
11 similar mark in the square following the word "No".)

1 Sec. 20. This act shall take effect immediately upon its
2 adoption and approval at such election.

EXPLANATION OF H. F. 448

The purpose of this act is to pay a bonus to veterans of World War II after the funds to pay the bonus have been first raised by an additional tax of one per cent upon the gross sales of personal property and an additional tax of one per cent on the purchase price of property used within the state of Iowa, the act to be administered by the Soldiers' Bonus Board. A bonus was paid to the veterans of Iowa after World War I.

It provides for a minimum compensation of \$50 and a maximum compensation of \$500 graduated in amounts dependent upon the individual's length of actual service.

It also provides that the law be submitted to the people of the state at the November, 1948, general election and that the law shall not take effect unless a majority of the voters favor it.