January 16, 1951.
Passed on File.

House File 71
By McFARLANE.

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

A BILL FOR

An Act to repeal chapter two hundred fifty (250), Code 1950, relating to relief for soldiers, sailors and marines, and creating in lieu thereof the county war veterans commissions of Iowa.

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

1 Section 1. Chapter two hundred fifty (250), Code 1950,
2 is hereby repealed and the following enacted in lieu thereof.
1 Sec. 2. There is hereby created the county war veterans
2 commissions of Iowa with powers and duties as herein provided.
1 Sec. 3. A tax not exceeding one mill on the dollar
2 may be levied by the board of supervisors upon all taxable
3 property within the county to be collected at the time and in
4 the same manner as other taxes, to create a fund for the
5 assistance of, and to pay the funeral expenses of honorably
6 discharged men and women of the United States who served in
7 the military or naval forces of the United States in any war,
8 and their wives, widows and minor children not over eighteen
9 years of age, having a legal residence in the county. No
10 person shall be furnished financial assistance under this
11 chapter until such person has been a resident of this state

12 for the preceding year. No financial assistance shall be
13 granted until the need is first determined.

1 Sec. 4. Such fund shall be disbursed by the county war
2 veterans commission which shall consist of three persons
3 all of whom shall be honorably discharged men or women of
4 the United States in any war. Said membership shall at all
5 times, as near as possible, be equally divided among the men
6 and women who served in the Spanish-American War, World War I
7 and World War II.

1 Sec. 5. Members of said commission shall be appointed
2 by the board of supervisors at the regular meeting in June,
3 and shall assume office at the regular meeting of the commission
4 in July. The first appointees shall hold their offices for
5 one, two or three years, respectively, and until their successors
6 shall be appointed each year for a term of three years. Any
7 appointee may be removed at any time by said board for neglect
8 of duty or maladministration. Vacancies shall be filled by
9 appointment by the board.

1 Sec. 6. The members of said commission shall be paid for
2 their services the sum of two dollars ($2.00) per day for
3 each day actually employed in the work of said commission,
4 and also the same mileage that is paid to the members of the
5 board of supervisors. Said per diem and mileage shall be paid
6 out of the taxes raised under the provisions of section three (3)
7 of this act. In event the commission employs administrative
8 or clerical assistants, the members of the commission shall

9 receive compensation of five dollars ($5.00) per day for
10 attendance at the annual and monthly meetings only. The
11 commission is hereby authorized to pay from said fund not to
12 exceed five dollars ($5.00) per day for expenses and mileage
13 at the same rate paid the board of supervisors, for the attendance
14 of the administrative assistant at the schools of instruction.

1 Sec. 7. Each member of the commission shall qualify by
2 taking the usual oath of office and give bond in the sum of
3 five hundred dollars ($500.00) with sureties to be approved
4 by the county auditor, conditioned for the faithful discharge
5 of their duties. The bond premium shall be paid from the fund
6 provided in section three (3) of this act. The commission
7 shall organize by the selection of one of their number as
8 chairman and one as secretary. The commission shall have the
9 power to employ administrative and clerical assistants when
10 needed, but no member of the commission shall be so employed.

1 Sec. 8. The commission shall have the power to administer
2 financial, medical, service, information, advice and other
3 assistance necessary to the welfare of those veterans and their
4 families who are residents of the county of such commission.
5 The commission may vest the powers herein provided, in an
6 administrative assistant who shall accurately record any
7 action taken and report thereon to the commission as hereinafter
8 provided.

1 Sec. 9. The commission shall meet monthly on the first
2 Monday of each month and at such other times as may be

3 necessary. At the monthly meeting it shall review the work
4 of any administrative assistant and the expenditures of the
5 office. The commission shall meet annually on the last Monday
6 in June. At such annual meeting it shall prepare an estimated
7 budget for all expenditures to be made in the next calendar
8 year and transmit said budget to the board of supervisors
9 who shall levy a sufficient tax to raise the amount of the
10 estimated budget. At the monthly meeting in January it shall
11 submit to the board of supervisors an annual report showing
12 those to whom financial assistance has been granted together
13 with other expenditures made, and the sum paid to each person
14 or family during the preceding calendar year.

1 Sec. 10. The state auditor shall prepare sample copies
2 of a system of accounting and case record for the use of all
3 commissions, and this uniform system of accounting and case
4 record shall be used by the several commissions.

1 Sec. 11. On the first day of each month after the fund
2 is available the county auditor shall issue his warrant to
3 the commission for the sums requested by it, and the commission
4 shall disburse the same to the parties entitled thereto, or
5 disbursement may be made in any other manner the commission
6 may direct. Receipts shall be taken for all payments.

1 Sec. 12. The commission of each county shall obtain
2 for and transmit to the state bonus board, at such time and
3 in such manner as the said board shall specify, such information
4 as said board may request concerning any person having or

5 claiming to have any right to award from the additional
6 bonus and disability fund.

1 Sec. 13. It shall be unlawful for the board of supervisors
2 of any county or the war veterans commission of any county
3 to place the administration of the duties of said commission
4 under any relief agency of any county, or to publish the names
5 of the veterans or their families who receive assistance under
6 the provisions of this chapter. Any commission or commissioner
7 guilty of placing their duties in the hands of any other
8 relief agency or publishing the names of the veterans or
9 their families who receive assistance, shall be guilty of
10 maladministration and may be removed from office therefor.

1 Sec. 14. The commission shall cause the body of any
2 honorably discharged man or woman who served in the military
3 or naval forces of the United States during any war, or his
4 wife, widow or minor child, to be suitably interred, but not
5 in any cemetery or part thereof used exclusively for the
6 burial of the pauper dead, provided such person has died
7 without leaving sufficient means to defray the funeral
8 expenses, but the commission shall not expend for such purpose
9 in any case to exceed the sum of one hundred fifty dollars ($150.00).

1 Sec. 15. If a stone or marker is not otherwise furnished
2 the commission shall mark the grave of each soldier, sailor,
3 marine or nurse with a headstone or marker furnished by the
4 federal government, and such stone or marker shall be installed
5 at the expense of the commission.

1 Sec. 16. The expenses of such burial shall be paid by
2 the commission of the county in which such person is buried.
3 If such person is a resident of a different county at the time
4 of death, the latter county shall reimburse the commission
5 of the county wherein he is buried, for the cost of such
6 burial.

1 Sec. 17. The commission in any county shall furnish
2 and install an appropriate metal marker to permanently
3 designate for memorial purposes, the grave of each honorably
4 discharged person who served in the military or naval forces
5 of the United States during any war and who is buried in
6 said county, but the cost of each such marker shall not exceed
7 the sum of three dollars ($3.00).

1 Sec. 18. The board of supervisors of the several
2 counties in this state shall each year, out of the general
3 fund of their respective counties, appropriate and pay to the
4 owners of, or to the public board or officers having control
5 of cemeteries within the state in which any such deceased
6 service man or woman of the United States is buried, a sum
7 sufficient to pay for the care and maintenance of the lots
8 on which they are so buried, in any and all cases in which
9 provision for such care is not otherwise made. Such payment
10 shall be made at the rate charged for like care and maintenance
11 of other lots of similar size in the same cemetery, upon the
12 affidavit of the superintendent or other person in charge of
13 such cemetery that the same has not been otherwise paid or

14 provided for.

1 Sec. 19. The commission of each county shall be charged
2 with securing the information requested by the adjutant general's
3 office of every person having a service record buried in that
4 county. Such information shall be secured from the undertaker
5 in charge of the burial and shall be transmitted by him to
6 the commission of the county where burial is made and shall
7 be recorded alphabetically and by description of location in
8 the cemetery where buried, in a book as prescribed by the
9 adjutant general and kept for that purpose in the office of
10 the commission.

1 Sec. 20. Upon the effective date of this act, all records,
2 data and information heretofore made and kept under the
3 provisions of chapter two hundred fifty (250), Code 1950, and
4 the corresponding chapters and sections of previous codes
5 published during the existence of the soldier's relief commissions
6 of Iowa, shall be deemed records of the county war veterans
7 commissions hereby created. The commissions are charged with
8 the care, custody and preservation of such records, data and
9 information, and forthwith upon such effective date and the
10 qualifying of the war veterans commission, the soldier's relief
11 commission of each county shall transfer and deliver to the
12 county war veterans commission, the foregoing records, data
13 and information.

EXPLANATION OF H. F. 71

Because of the many questions arising regarding Chapter 250, Code 1950—"Relief for Soldiers, Sailors and Marines"—this bill repeals the entire chapter and rewrites

same. Existing Attorney Generals' opinions, under which the county commissions are working today, are incorporated in the bill.

This Bill renames the county commissions in order that their title shall embrace all members of the armed forces; raises the burial benefit from $100.00 to $150.00; defines the duties and time of meeting of the county commissions.

Millage levy remains the same.

This bill does not change the existing operations of county commissions, but merely incorporates Attorney Generals' opinions under which they are now functioning.