

SENATE BILL REPORT

SB 5393

As Reported By Senate Committee On:
Government Operations & Elections, March 1, 2005

Title: An act relating to veterans' relief.

Brief Description: Providing relief for indigent veterans and their families.

Sponsors: Senators Kastama, Shin, Rockefeller, Schmidt, Kohl-Welles, Pridemore and Kline.

Brief History:

Committee Activity: Government Operations & Elections: 2/15/05, 3/1/05 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5393 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken and Pridemore.

Staff: Cindy Fazio (786-7405)

Background: The legislative authority of a county with a city, town, or precinct containing qualifying indigent and suffering veterans, or family members, must provide funds to be drawn upon for the relief of these veterans and family members. Eligibility and procedural criteria must be satisfied and the funds may only be drawn upon by certain officials of qualifying national veterans' organization.

If a qualifying national veterans' organization does not exist in a precinct, the legislative authority of that county may accept and pay requests for payment by the national veterans' organization located in the nearest town or city. A qualifying national veterans' organization must file annual notice with the county that it intends to undertake veterans' relief actions, including detailed information about the relief activities, and a detailed statement of the amount of relief furnished in the preceding year. The county legislative authority may require the organization to file a bond for the faithful and honest discharge of veterans' relief duties.

County legislative authorities are prohibited from sending indigent or disabled veterans or family members to any almshouse or orphan asylum without obtaining approval from the commander of the qualifying national veterans' organization. Whenever practicable, relief for indigent veterans must be provided for in the city, town, or precinct in which they live.

Summary of Substitute Bill: It is the intent of the legislature that each county establish veterans' assistance programs, funded by a veterans' assistance fund, to benefit indigent veterans and their families. The legislature intends for each county to establish a veterans' advisory board to allow the veterans' community to advise the county legislative authority on appropriate and needed assistance programs for local indigent veterans and their families. It is

the policy of the state of Washington that bias shall not play a role in the distribution of the veterans' assistance fund.

The legislative authority of each county must establish veterans' assistance programs. The authority must consult with a veterans' advisory board to determine the appropriate services needed for local indigent veterans. The programs must be funded, at least in part, by the county veterans' assistance fund. The county legislative authority may authorize other entities to administer veterans' assistance programs through grants, contracts or interlocal agreements.

Each county legislative authority must establish a veterans' advisory board to advise the authority in the needs of local indigent veterans, the resources available to them, and potential programs that could serve the needs of the veterans and their families. The county legislature must solicit board members from local veterans' service organizations and the veterans community at large.

The legislative authority of each county must designate a proper authority to be responsible, at the expense of the county, to be paid out of the veterans' assistance fund, for the burial or cremation of any qualifying deceased indigent veteran or family member who dies without leaving sufficient means to defray funeral expenses. Relatives or friends of the deceased may be the recipients of the defrayal funds from the county auditor or other qualified person. The burial or cremation must not exceed the limit established by the county nor be less than three hundred dollars.

The legislative authority in each county must levy, in addition to other taxes, a tax in a sum equal to the amount that would be raised by not less than one and one-eighth cents per thousand dollars of assessed value, and not greater than twenty-seven cents per thousand dollars of assessed value against the taxable property of their respective counties. This money goes into the newly created veterans' assistance fund. Expenditures from this fund are limited to veterans' assistance programs, burials or cremations, and the direct and indirect costs of administering the fund.

Statutory provisions pertaining to precincts without veterans' organizations, notifications of intentions to furnish veterans' relief, annual relief statements, performance bonds, and restrictions on sending veterans' to almshouses are repealed.

Substitute Bill Compared to Original Bill: Veterans' assistance programs must be funded, at least in part, by the veterans' assistance fund. The veterans' advisory board must be comprised entirely of veterans. Existing programs being run by veterans' service organizations can continue. Counties must use efficient model programs in disbursing funds from the veterans' assistance fund to veterans. Local county authorities must solicit recommendations from the veterans' advisory board as to programs to help veterans. Local service organizations are the initial contact for veterans for programs being operated by entities other than the service organizations. Only veterans can serve on the veterans' advisory board. Certain sections of the relief act will not be considered by the Department of Social and Health Services when determining a veterans' eligibility for public assistance. The emergency clause is removed.

Appropriation: None.

Fiscal Note: Requested January 26, 2005 for HB 1189.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This legislation allows the counties more flexibility in disbursing the program funds. The fund balance has been growing but the counties could not disburse it. This language has been work shopped with many veterans over a two year period. It was guided by the veterans. New concerns by veterans not involved in the original process are being discussed and may result in a proposed substitute. The bill from last year did not pass and this bill reflects the additional work that has been done to meet the concerns. It has passed out of the American Legion Convention. More changes may be appropriate, but we do not need to scrap what we have. Under this bill, the board will be 100 percent veterans. Local control remains with the veterans. This bill give the counties authority to expand the programs, for example, to a job hunting program. Minor changes may be needed and that can addressed but it is time to move this forward.

Testimony Against: This bill will take authority away from the veterans and the people who have worked to identify the veterans needing assistance. Now the legislative authority will appoint the board. The counties already have the authority to do everything they need to do. This legislation is completely duplicitous. Counties can expand their authority to use the existing money if they need to. They can pay rent and utilities. The existing law also allows them the authority to adjust the tax percentage down if appropriate. It is fiscally irresponsible to double up the laws. This bill tears the heart out of the program. We need to start completely over.

Who Testified: PRO: Representative Moeller; Doris Gross, American Legion, Washington; Dennis Primoli, Veteran's Legislative Coalition.

CON: Wendy Carolan, American Legion Post 101.