

SHB 1189 - S COMM AMD

By Committee on Government Operations & Elections

ADOPTED 04/07/2005

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) It is the intent of the legislature  
4 that each county establish a veterans' assistance program to benefit  
5 indigent veterans and their families. These programs must be funded,  
6 at least in part, by veterans' assistance funds. The legislature  
7 intends also for each county to establish a veterans' advisory board  
8 responsible for advising the county legislative authority on needed and  
9 appropriate assistance programs for local indigent veterans and their  
10 families. Recognizing the valuable insight and perspectives that  
11 veterans offer, it is the intent of the legislature that each board be  
12 comprised entirely of veterans.

13 (2) The legislature recognizes that ongoing veterans' relief or  
14 assistance programs in some areas of the state have provided meaningful  
15 assistance to indigent veterans and family members. The legislature  
16 further recognizes that veterans' service organizations have  
17 traditionally been the initial point of contact for indigent veterans  
18 and family members seeking assistance. In recognition of these  
19 factors, the legislature intends to authorize, upon the satisfaction of  
20 certain administrative requirements, existing veterans' relief or  
21 assistance programs to continue providing needed and effective  
22 assistance to indigent veterans and their families.

23 (3) The legislature recognizes that counties respond to the needs  
24 of indigent veterans and family members in the manner most appropriate  
25 to the needs and resources of the county. The legislature intends for  
26 the provisions of this act to facilitate the effective use of  
27 assistance funds through efficient model programs that benefit veterans  
28 and family members experiencing financial hardships.

29 (4) It is the policy of the state of Washington that bias shall not  
30 play a role in the distribution of the veterans' assistance fund.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 73.08 RCW  
2 to read as follows:

3        The definitions in this section apply throughout this chapter  
4 unless the context clearly requires otherwise.

5        (1) "Direct costs" includes those allowable costs that can be  
6 readily assigned to the statutory objectives of this chapter,  
7 consistent with the cost principles promulgated by the federal office  
8 of management and budget in circular No. A-87, dated May 10, 2004.

9        (2) "Family" means the spouse, widow, widower, and dependent  
10 children of a living or deceased veteran.

11        (3) "Indigent" means a person who is defined as such by the county  
12 legislative authority using one or more of the following definitions:

13        (a) Receiving one of the following types of public assistance:  
14 Temporary assistance for needy families, general assistance, poverty-  
15 related veterans' benefits, food stamps or food stamp benefits  
16 transferred electronically, refugee resettlement benefits, medicaid, or  
17 supplemental security income;

18        (b) Receiving an annual income, after taxes, of up to one hundred  
19 fifty percent or less of the current federally established poverty  
20 level, or receiving an annual income not exceeding a higher qualifying  
21 income established by the county legislative authority; or

22        (c) Unable to pay reasonable costs for shelter, food, utilities,  
23 and transportation because his or her available funds are insufficient.

24        (4) "Indirect costs" includes those allowable costs that are  
25 generally associated with carrying out the statutory objectives of this  
26 chapter, but the identification and tracking of those costs cannot be  
27 readily assigned to a specific statutory objective without an  
28 accounting effort that is disproportionate to the benefit received. A  
29 county legislative authority may allocate allowable indirect costs to  
30 its veterans' assistance fund if it is accomplished in a manner  
31 consistent with the cost principles promulgated by the federal office  
32 of management and budget in circular No. A-87, dated May 10, 2004.

33        (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and  
34 41.04.007.

35        (6) "Veterans' advisory board" means a board established by a  
36 county legislative authority under the authority of section 4 of this  
37 act.

1 (7) "Veterans' assistance fund" means an account in the custody of  
2 the county auditor, or the chief financial officer in a county  
3 operating under a charter, that is funded by taxes levied under the  
4 authority of RCW 73.08.080.

5 (8) "Veterans' assistance program" means a program approved by the  
6 county legislative authority under the authority of RCW 73.08.010 that  
7 is fully or partially funded by the veterans' assistance fund  
8 authorized by RCW 73.08.080.

9 **Sec. 3.** RCW 73.08.010 and 2002 c 292 s 7 are each amended to read  
10 as follows:

11 (1) For the relief of indigent ((and suffering)) veterans ((as  
12 defined in RCW 41.04.007 and)), their families ((or)), and the families  
13 of ((those)) deceased indigent veterans, ((who need assistance in any  
14 city, town or precinct in this state,)) the legislative authority of  
15 ((the)) each county ((in which the city, town or precinct is situated  
16 shall provide such sum or sums of money as may be necessary, to be  
17 drawn upon by the commander and quartermaster, or commander and  
18 adjutant or commander and service officer of any post, camp or chapter  
19 of any national organization of veterans now, or which may hereafter  
20 be, chartered by an act of congress in the city or town upon  
21 recommendation of the relief committee of said post, camp or chapter:  
22 PROVIDED, Said veteran or the families of those deceased are and have  
23 been residents of the state for at least twelve months, and the orders  
24 of said commander and quartermaster, or commander and adjutant or  
25 commander and service officer shall be the proper voucher for the  
26 expenditure of said sum or sums of money)) shall establish a veterans'  
27 assistance program to address the needs of local indigent veterans and  
28 their families. The county legislative authority shall consult with  
29 and solicit recommendations from the veterans' advisory board  
30 established under section 4 of this act to determine the appropriate  
31 services needed for local indigent veterans. Veterans' assistance  
32 programs shall be funded, at least in part, by the veterans' assistance  
33 fund created under the authority of RCW 73.08.080.

34 (2) The county legislative authority may authorize other entities  
35 to administer a veterans' assistance program or programs through  
36 grants, contracts, or interlocal agreements. If the county legislative

1 authority authorizes another entity to administer a veterans'  
2 assistance program or programs, the terms of the grant, contract, or  
3 interlocal agreement must, for each program, specify:

4 (a) The details of the program;

5 (b) The responsibilities of all parties;

6 (c) The duration of the program;

7 (d) The costs and sources of funding;

8 (e) Any insurance or bond requirements;

9 (f) The format and frequency of progress and final reports; and

10 (g) Any other information deemed necessary or appropriate by either  
11 party.

12 (3) If the county legislative authority authorizes another entity  
13 to administer a veterans' assistance program or programs, the  
14 authorized entity should, to the extent feasible and consistent with  
15 this chapter, ensure that a local branch of a nationally recognized  
16 veterans' service organization is the initial point of contact for a  
17 veteran or family member seeking assistance.

18 (4) Nothing in this section shall prohibit or be construed as  
19 prohibiting a county from authorizing the continued operation of a  
20 veterans' relief or assistance program or programs existing on January  
21 1, 2005, if the authorizing legislative authority:

22 (a) Solicits advice from the veterans' advisory board established  
23 in section 4 of this act; and

24 (b) Satisfies the grant, contractual, or interlocal agreement  
25 requirements of subsection (2) of this section.

26 NEW SECTION. Sec. 4. A new section is added to chapter 73.08 RCW  
27 to read as follows:

28 (1) The legislative authority for each county must establish a  
29 veterans' advisory board. Upon its establishment, the board shall  
30 advise the county legislative authority on the needs of local indigent  
31 veterans, the resources available to local indigent veterans, and  
32 programs that could benefit the needs of local indigent veterans and  
33 their families.

34 (2) The county legislative authority must solicit representatives  
35 from either local branches of nationally recognized veterans' service  
36 organizations or the veterans' community at large, or both, to serve on

1 the board. No fewer than a majority of the board members shall be  
2 members from nationally recognized veterans' service organizations and  
3 only veterans are eligible to serve as board members.

4 (3) Service on the board is voluntary. The county legislative  
5 authority may provide for reimbursement to board members for expenses  
6 incurred.

7 **Sec. 5.** RCW 73.08.070 and 2002 c 292 s 9 are each amended to read  
8 as follows:

9 ~~((It shall be the duty of))~~ (1) The legislative authority ~~((in each  
10 of the counties in this state to))~~ for each county must designate  
11 ~~((some))~~ a proper authority ~~((other than the one designated by law for  
12 the care of paupers and the custody of criminals who shall cause to be  
13 interred))~~ to be responsible, at the expense of the county ~~((the body  
14 of any honorably discharged veterans as defined in RCW 41.04.007 and  
15 the wives, husbands, minor children, widows or widowers of such  
16 veterans, who shall hereafter die)), for the burial or cremation of any  
17 deceased indigent veteran or deceased family member of an indigent  
18 veteran who died without leaving means sufficient to defray funeral  
19 expenses~~((; and when requested so to do by the commanding officer of  
20 any post, camp or chapter of any national organization of veterans now,  
21 or which may hereafter be, chartered by an act of congress or the  
22 relief committee of any such posts, camps or chapters: PROVIDED,  
23 HOWEVER, That such interment shall not cost more than))~~. The costs of  
24 such a burial or cremation may not exceed the limit established by the  
25 county legislative authority nor be less than three hundred dollars.~~

26 (2) If the deceased has relatives or friends who desire to conduct  
27 the burial or cremation of such deceased person, then ~~((upon request of  
28 said commander or relief committee))~~ a sum not to exceed the limit  
29 established by the county legislative authority nor less than three  
30 hundred dollars shall be paid to ~~((said))~~ the relatives or friends by  
31 the county ~~((treasurer, upon))~~ auditor, or by the chief financial  
32 officer in a county operating under a charter. Payment shall be made  
33 to the relatives or friends upon presenting to the auditor or chief  
34 financial officer due proof of the death ~~((and))~~, burial ~~((of any  
35 person provided for by this section and proof of expenses incurred))~~ or  
36 cremation, and expenses incurred.

1 (3) Expenses incurred for the burial or cremation of a deceased  
2 indigent veteran or the deceased family member of an indigent veteran  
3 as provided by this section shall be paid from the veterans' assistance  
4 fund authorized by RCW 73.08.080.

5 **Sec. 6.** RCW 73.08.080 and 1985 c 181 s 2 are each amended to read  
6 as follows:

7 (1) The legislative ((authorities of the several counties in this  
8 state)) authority in each county shall levy, in addition to the taxes  
9 now levied by law, a tax in a sum equal to the amount which would be  
10 raised by not less than one and one-eighth cents per thousand dollars  
11 of assessed value, and not greater than twenty-seven cents per thousand  
12 dollars of assessed value against the taxable property of their  
13 respective counties, to be levied and collected as now prescribed by  
14 law for the assessment and collection of taxes, for the purpose of  
15 creating ((the veteran's)) a veterans' assistance fund ((for the relief  
16 of honorably discharged veterans as defined in RCW 41.04.005 and the  
17 indigent wives, husbands, widows, widowers and minor children of such  
18 indigent or deceased veterans, to be disbursed for such relief by such  
19 county legislative authority: PROVIDED, That if)). Expenditures from  
20 the veterans' assistance fund, and interest earned on balances from the  
21 fund, may be used only for:

22 (a) The veterans' assistance programs authorized by RCW 73.08.010;

23 (b) The burial or cremation of a deceased indigent veteran or  
24 deceased family member of an indigent veteran as authorized by RCW  
25 73.08.070; and

26 (c) The direct and indirect costs incurred in the administration of  
27 the fund as authorized by subsection (2) of this section.

28 (2) If the funds on deposit((, less outstanding warrants,  
29 residing)) in the ((veteran's)) veterans' assistance fund, less  
30 outstanding warrants, on the first Tuesday in September exceed the  
31 expected yield of one and one-eighth cents per thousand dollars of  
32 assessed value against the taxable property of the county, the county  
33 legislative authority may levy a lesser amount((: PROVIDED FURTHER,  
34 That the)). The direct and indirect costs incurred in the  
35 administration of ((said veteran's)) the veterans' assistance fund  
36 shall be computed by the county ((treasurer)) auditor, or the chief  
37 financial officer in a county operating under a charter, not less than

1 annually ((~~and such amount~~)). Following the computation of these  
2 direct and indirect costs, an amount equal to these costs may then be  
3 transferred from the ((~~veteran's~~)) veterans' assistance fund ((~~as~~  
4 ~~herein provided for~~)) to the county current expense fund.

5 (3) The amount of a levy allocated to the purposes specified in  
6 this section may be reduced in the same proportion as the regular  
7 property tax levy of the county is reduced by chapter 84.55 RCW.

8 NEW SECTION. Sec. 7. A new section is added to chapter 73.08 RCW  
9 to read as follows:

10 The department of social and health services shall exempt payments  
11 provided under sections 2 and 4 of this act and RCW 73.08.010,  
12 73.08.070, and 73.08.080 when determining eligibility for public  
13 assistance.

14 NEW SECTION. Sec. 8. The following acts or parts of acts are each  
15 repealed:

16 (1) RCW 73.08.030 (Procedure where no veterans' organization in  
17 precinct) and 1983 c 295 s 2, 1947 c 180 s 2, 1945 c 144 s 2, 1921 c 41  
18 s 2, 1907 c 64 s 2, & 1888 p 208 s 2;

19 (2) RCW 73.08.040 (Notice of intention to furnish relief--Annual  
20 statement) and 1947 c 180 s 3, 1945 c 144 s 3, 1921 c 41 s 3, 1907 c 64  
21 s 3, & 1888 p 209 s 3; and

22 (3) RCW 73.08.050 (Performance bond may be required) and 1983 c 295  
23 s 3, 1947 c 180 s 4, 1945 c 144 s 4, 1921 c 41 s 4, 1907 c 64 s 4, &  
24 1888 p 209 s 4."

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25 On page 1, line 1 of the title, after "relief;" strike the  
26 remainder of the title and insert "amending RCW 73.08.010, 73.08.070,  
27 and 73.08.080; adding new sections to chapter 73.08 RCW; creating a new  
28 section; and repealing RCW 73.08.030, 73.08.040, and 73.08.050."

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