

HOUSE BILL REPORT

SB 5391

As Passed House - Amended:
April 7, 2017

Title: An act relating to clarifying the powers, duties, and functions of the department of veterans affairs.

Brief Description: Clarifying the powers, duties, and functions of the department of veterans affairs.

Sponsors: Senators Zeiger, Hobbs, O'Ban, Conway, Chase and Hunt; by request of Department of Veterans Affairs.

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 3/14/17, 3/15/17 [DP].

Floor Activity:

Passed House - Amended: 4/7/17, 96-0.

**Brief Summary of Bill
(As Amended by House)**

- Expands certain counseling services and employment opportunities available for veterans and their families.
- Changes the definition of "veteran" used to qualify veterans for veteran-owned businesses, burial, and relief services.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 7 members: Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin, Reeves and Sawyer.

Staff: Kirsten Lee (786-7133).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Washington State Department of Veterans Affairs (WDVA) was created in 1975, and the Department of Social and Health Services' powers, duties, and functions related to veterans and veterans affairs were transferred to the WDVA, except where expressly directed elsewhere by law. The Bonus Division of the Treasurer's Office also transferred its powers, duties, and functions to the WDVA. These powers, duties, and functions include cooperation with local and federal governments, particularly relating to federal grants-in-aid programs. The WDVA provides many services and benefits to veterans and their families, including counseling, employment, education, training, burial, and relief programs.

Counseling Services.

The WDVA, subject to available funds, must contract with professional counseling specialists to provide:

- direct treatment services to war-affected state veterans, National Guard members and reservists who served in the Middle East, and their family members;
- additional treatment services to Washington Vietnam veterans for post-traumatic stress disorder (PTSD), particularly for those veterans whose PTSD intensified or initially emerged due to the war in the Middle East;
- an educational program, designed to train primary care professionals, including mental health professionals, about the effects of war-related stress and trauma;
- informational and counseling services for the purpose of establishing and fostering peer support networks through the state for families of deployed members of the reserves and the Washington National Guard; and
- veterans' families with a referral network of community mental health providers who are skilled in treating deployment stress, combat stress, and PTSD.

Employment Opportunities for Veterans Conservation Corps.

The Washington Veterans Conservation Corps (VCC) provides veterans with opportunities to volunteer by working on projects to restore Washington's natural habitat. The WDVA must consult with the Salmon Recovery Board, the Recreation and Conservation Funding Board, the Department of Natural Resources, the Department of Fish and Wildlife, and the Parks and Recreation Commission to market the VCC to agencies. The WDVA must assist veterans enrolled in the VCC with obtaining employment in conservation programs and projects. The WDVA must also seek to enter agreements with the National Park Service, the United States Forest Service, the United States Fish and Wildlife Service, and other federal agencies managing lands in Washington for employment of VCC enrollees in maintenance, restoration, and stewardship programs.

The WDVA must consult with participating state agencies administering VCC programs to incorporate training, education, and certification in environmental restoration and management fields into the program. The WDVA may enter into agreements with educational institutions, state and local entities, or other entities to provide training and educational courses as part of the VCC program benefits. The WDVA may provide certain funding towards veteran participation in the federal projects, including training.

Veteran-Owned Businesses.

The Governor has issued an executive order requiring state agencies to set a target of awarding at least 5 percent of all procurement contracts to certified veteran-owned

businesses. The WDVA maintains a current list of certified veteran-owned businesses on its website.

To qualify as a certified veteran-owned business, the business must:

- be at least 51 percent owned and controlled by a veteran with honorable veteran status, defined as every person who, at the time he or she seeks certification, has received a discharge with an honorable characterization or received a discharge for medical reasons with an honorable record, and has served in certain capacities or as an active reserve member in any branch of the Armed Forces of the United States; and
- is a Washington enterprise.

Washington State Veterans' Cemeteries.

The WDVA maintains the Tahoma National Cemetery in western Washington and the Washington State Veterans Cemetery in eastern Washington for the internment of veterans who are honorably discharged or receive a discharge for medical reasons with an honorable record, their spouses, or state registered domestic partners. The definition of "veteran," for the purpose of burial eligibility at a National cemetery, includes any veteran who died in the active military, naval, or air service, and their parents and children under certain circumstances.

Relief Programs.

Counties provide indigent veterans with a number of relief services, including County Veterans' Assistance Program and burial and cremation assistance, which provide funding to assist the needs of indigent veterans and their families. A veteran, for the purpose of qualifying for these relief programs, includes a former member of the Armed Forces Reserve or National Guard who was released before their term ended and was released with an honorable discharge.

Summary of Bill:

The Federal grants-in-aid programs with whom the WDVA must cooperate must relate to veterans and veterans affairs.

Counseling Services.

Counseling services are no longer limited to only war-affected veterans and members of the National Guard or reservists who served in the Middle East. Instead, state veterans, including National Guard members and reservists with military-related mental health needs, qualify for professional counseling services. Treatment services are expanded to include treatment for combat-related stress. The WDVA must also provide an educational program designed to train primary care professionals in traumatic brain injury and must provide a referral network of community health providers to veterans' families who are skilled in traumatic brain injury.

Employment Opportunities for Veterans Conservation Corps.

The WDVA must also consult with the Department of Agriculture and conservation districts to determine the most effective ways to market the VCC to agencies and natural resource partners, instead of local sponsors of habitat restoration projects. The WDVA must

incorporate ecotherapy into the program and may enter into agreements with conservation districts to provide internships as part of the VCC enrollee benefits from the program. Agreements may also be entered into with the Bureau of Land Management and other federal agencies managing both lands and waterways in Washington for employment of VCC enrollees in maintenance, restoration, and stewardship programs. References to outdated reporting and funding requirements for the WDVA are eliminated.

Veteran-Owned Businesses.

The definition of "veteran," used to determine eligibility for a certified veteran-owned business, is expanded to include a person who is in receipt of disability compensation or pension from the WDVA.

Washington State Veterans' Cemeteries.

The definition of "veteran," used to determine eligibility for internment in the eastern Washington State Veterans' Cemetery, is changed to be consistent with the federal requirements for burial in a national cemetery.

Relief Programs.

The definition of "veteran," used for veterans' relief programs, is changed. The new definition includes a former member of the Armed Forces Reserve or National Guard who does not have over 179 days of active duty service, but meets the federal definition of "veteran" having completed 20 years of service, instead of someone who was released before their term ended and was released with an honorable discharge.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This proposal is meant to clarify and update several laws that have not been addressed since the inception of the WDVA. The updates include an expansion of mental health services for veterans and aligning veteran eligibility requirements with federal requirements.

(Opposed) None.

Persons Testifying: Senator Zeiger, prime sponsor; and Alfie Alvarado, Washington Department of Veterans Affairs.

Persons Signed In To Testify But Not Testifying: None.