

SENATE BILL REPORT

SB 5391

As Amended by House, 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: State Government: 2/03/17, 2/17/17 [DP].

Floor Activity:

Passed Senate: 2/28/17, 49-0.

Passed House: 4/07/17, 96-0.

Brief Summary of Bill

- Clarifies and updates a variety of statutes relating to the duties and responsibilities of the Washington Department of Veterans' Affairs.
- 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.

SENATE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass.

Signed by Senators Miloscia, Chair; Zeiger, Vice Chair; Hunt, Ranking Minority Member; Kuderer and Pearson.

Staff: Samuel Brown (786-7470)

Background: The Washington Department of Veterans' Affairs (WDVA) was created in 1975. Many powers, duties, and functions vested with the Department of Social and Health

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.

Services related to veterans and veteran affairs were transferred to WDVA. Powers, duties, and functions were also transferred from the State Treasurer, including cooperation with local and federal governments, particularly relating to federal grants-in-aid programs.

WDVA provides many services and benefits to veterans and their families, including counseling, employment, education, training, burial, and relief programs.

Counseling Services. 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, particularly for cases intensifying or emerging due to the war in the Middle East;
- an educational program for primary care professionals about the effects of the war-related stress and trauma;
- informational and counseling services to establish and foster peer support networks for families of deployed members of the reserves and National Guard; and
- a referral network of community mental health providers skilled in treating deployment stress, combat stress, and post-traumatic stress.

Veterans Conservation Corps (VCC). The VCC provides veterans with opportunities to work on projects restoring Washington's natural habitat. WDVA markets the VCC to agencies, and assists veterans enrolled in the VCC with obtaining employment in conservation programs and projects. WDVA also seeks to enter agreements with federal agencies for employment of VCC enrollees in maintenance, restoration, and stewardship programs.

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. 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. WDVA may provide certain funding towards veteran participation in federal projects, including training.

Veteran-Owned Businesses. An executive order requires state agencies to set a target of awarding at least 5 percent of all procurement contracts to certified veteran-owned businesses. WDVA maintains a current list of certified veteran-owned businesses on its website. A business must be a Washington enterprise at least 51 percent owned and controlled by a qualifying veteran or veterans to be certified.

Washington State Veterans' Cemeteries. 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 the county Veterans' Assistance Program and burial and cremation assistance to indigent veterans and their families. A veteran for the purpose of 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: Counseling Services. State veterans with military-related mental health needs qualify for professional counseling services, regardless of whether the needs are war-related. Treatment services are expanded to include treatment for combat-related stress. WDVA's educational program must train primary care professionals in traumatic brain injury. WDVA must provide a referral network of community health providers who are skilled in traumatic brain injury to veterans' families.

The VCC. WDVA must also consult with the Department of Agriculture and conservation districts to market the VCC to agencies and natural resource partners, rather than local sponsors of habitat restoration projects. WDVA must incorporate ecotherapy into the VCC and may enter into agreements with conservation districts to provide internships as part of the VCC enrollee benefits from the program. WDVA may also enter into agreements with the Bureau of Land Management and other federal agencies managing lands and waterways in Washington to employ VCC enrollees in maintenance, restoration, and stewardship programs.

Veteran-Owned Businesses. A person who is in receipt of disability compensation or pension from WDVA qualifies as a veteran used to determine eligibility for a certified veteran-owned business.

Washington State Veterans' Cemeteries. The criteria used to determine eligibility for internment in the eastern Washington State Veterans' Cemetery are changed to correspond to the federal requirements for burial in a national cemetery.

Relief Programs. Members of the Armed Forces Reserve or National Guard who do not have over 179 days of active duty service, but have completed 20 years of total service, are eligible for veterans' relief programs.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill brings statutes into line with practices and current federal laws. Expanding mental health services for any combat-related stress and increasing access to providers for traumatic brain injury issues are needed changes. Ecotherapy helps veterans by getting them working outside.

Persons Testifying: PRO: Senator Hans Zeiger, Prime Sponsor; Ted Wicorek, Veterans Legislative Coalition; Heidi Audette, WA State Department of Veterans Affairs.

Persons Signed In To Testify But Not Testifying: No one.

EFFECT OF HOUSE AMENDMENT(S):

- Corrects a typographical error.