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HOUSE BILL 1189

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State of Washington

59th Legislature

2005 Regular Session

**By** Representatives Moeller, Bailey, McCoy, Armstrong, Williams, Newhouse, Fromhold, McCune, Springer, Ericks, Flannigan, Curtis, Cody, Condotta, Appleton, Hinkle, Morrell, Campbell, Pearson, Chase, Dickerson, Linville, Woods, Kenney, O'Brien, Conway, Lantz, Sells, Kagi, Ormsby, Haigh, Upthegrove, Hasegawa and Kilmer

Read first time 01/18/2005. Referred to Committee on Local Government.

1 AN ACT Relating to veterans' relief; amending RCW 73.08.010,  
2 73.08.070, 73.08.080, and 41.04.007; adding new sections to chapter  
3 73.08 RCW; creating a new section; repealing RCW 73.08.030, 73.08.040,  
4 73.08.050, and 73.08.060; and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature that  
7 each county establish veterans' assistance programs funded by a  
8 veterans' assistance fund to benefit indigent veterans and their  
9 families. The legislature intends for each county to establish a  
10 veterans' advisory board to allow the veterans' community to advise the  
11 county legislative authority on appropriate and needed assistance  
12 programs for local indigent veterans and their families. It is the  
13 policy of the state of Washington that bias shall not play a role in  
14 the distribution of the veterans' assistance fund.

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

17 The definitions in this section apply throughout this chapter  
18 unless the context clearly requires otherwise.

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

5 (2) "Family" means the spouse, widow, widower, and minor children  
6 of a living or deceased veteran.

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

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

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

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

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

29 (5) "Veteran" has the same meaning as defined in RCW 41.04.005 and  
30 41.04.007.

31 (6) "Veterans' advisory board" means a board established by a  
32 county legislative authority as required by section 4 of this act.

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

37 (8) "Veterans' assistance program" means a program approved by the

1 county legislative authority under the authority of RCW 73.08.010, and  
2 funded by the veterans' assistance fund.

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

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

27 (2) The county legislative authority may authorize other entities  
28 to administer veterans' assistance programs through grants, contracts,  
29 or interlocal agreements. If the county legislative authority  
30 authorizes another entity to administer a veterans' assistance program,  
31 the terms of the grant, contract, or interlocal agreement must specify:

32 (a) The details of the program;

33 (b) The responsibilities of all parties;

34 (c) The duration of the program;

35 (d) The costs and sources of funding;

36 (e) Any insurance or bond requirements;

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

1        (g) Any other information deemed necessary or appropriate by either  
2 party.

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

5        The legislative authority for each county must establish a  
6 veterans' advisory board to advise the county legislative authority on  
7 the needs of local indigent veterans, the resources available to local  
8 indigent veterans, and potential programs that could serve the needs of  
9 local indigent veterans and their families. The county legislative  
10 authority must solicit representatives from local veterans' service  
11 organizations and the veterans' community at large to serve on the  
12 veterans' advisory board. Service on the veterans' advisory board is  
13 voluntary. The county legislative authority may provide for  
14 reimbursement for expenses incurred.

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

17        ~~((It shall be the duty of))~~ The legislative authority ~~((in each of~~  
18 ~~the counties in this state to))~~ for each county must designate ~~((some))~~  
19 a proper authority ~~((other than the one designated by law for the care~~  
20 ~~of paupers and the custody of criminals who shall cause to be~~  
21 ~~interred))~~ to be responsible, at the expense of the county ~~((the body~~  
22 ~~of any honorably discharged veterans as defined in RCW 41.04.007 and~~  
23 ~~the wives, husbands, minor children, widows or widowers of such~~  
24 ~~veterans, who shall hereafter die)),~~ for the burial or cremation of any  
25 deceased indigent veteran or deceased family member of an indigent  
26 veteran who died without leaving means sufficient to defray funeral  
27 expenses~~((; and when requested so to do by the commanding officer of~~  
28 ~~any post, camp or chapter of any national organization of veterans now,~~  
29 ~~or which may hereafter be, chartered by an act of congress or the~~  
30 ~~relief committee of any such posts, camps or chapters: PROVIDED,~~  
31 ~~HOWEVER, That such interment)).~~ Such a burial or cremation shall ~~((not~~  
32 ~~cost more than))~~ neither exceed the limit established by the county  
33 legislative authority nor be less than three hundred dollars. If the  
34 deceased has relatives or friends who desire to conduct the burial or  
35 cremation of such deceased person, then ~~((upon request of said~~  
36 ~~commander or relief committee))~~ a sum not to exceed the limit

1 established by the county legislative authority (~~((not))~~) or be less than  
2 three hundred dollars shall be paid to (~~((said))~~) the relatives or  
3 friends by the county (~~((treasurer))~~) auditor, or by the chief financial  
4 officer in a county operating under a charter, upon due proof of the  
5 death (~~((and))~~), burial (~~((of any person provided for by this section and~~  
6 ~~proof of expenses incurred))~~) or cremation, and expenses incurred.  
7 Expenses incurred for the burial or cremation of a deceased indigent  
8 veteran or the deceased family member of an indigent veteran shall be  
9 paid from the veterans' assistance fund authorized by RCW 73.08.080.

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

12 (1) The legislative (~~((authorities of the several counties in this~~  
13 ~~state))~~) authority in each county shall levy, in addition to the taxes  
14 now levied by law, a tax in a sum equal to the amount which would be  
15 raised by not less than one and one-eighth cents per thousand dollars  
16 of assessed value, and not greater than twenty-seven cents per thousand  
17 dollars of assessed value against the taxable property of their  
18 respective counties, to be levied and collected as now prescribed by  
19 law for the assessment and collection of taxes, for the purpose of  
20 creating (~~((the veteran's))~~) a veterans' assistance fund (~~((for the relief~~  
21 ~~of honorably discharged veterans as defined in RCW 41.04.005 and the~~  
22 ~~indigent wives, husbands, widows, widowers and minor children of such~~  
23 ~~indigent or deceased veterans, to be disbursed for such relief by such~~  
24 ~~county legislative authority: PROVIDED, That if))~~). Expenditures from  
25 the veterans' assistance fund are limited to the veterans' assistance  
26 programs authorized by RCW 73.08.010, the burial or cremation of a  
27 deceased indigent veteran or deceased family member of an indigent  
28 veteran as authorized by RCW 73.08.070, and the direct and indirect  
29 costs incurred in the administration of the fund as authorized by  
30 subsection (2) of this section.

31 (2) If the funds on deposit (~~((, less outstanding warrants,~~  
32 ~~residing))~~) in the (~~((veteran's))~~) veterans' assistance fund, less  
33 outstanding warrants, on the first Tuesday in September exceed the  
34 expected yield of one and one-eighth cents per thousand dollars of  
35 assessed value against the taxable property of the county, the county  
36 legislative authority may levy a lesser amount (~~((: PROVIDED FURTHER,~~  
37 ~~That the))~~). The direct and indirect costs incurred in the

1 administration of (~~said veteran's~~) the veterans' assistance fund  
2 shall be computed by the county (~~treasurer~~) auditor, or the chief  
3 financial officer in a county operating under a charter, not less than  
4 annually and such amount may then be transferred from the (~~veteran's~~)  
5 veterans' assistance fund (~~as herein provided for~~) to the county  
6 current expense fund.

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

10 **Sec. 7.** RCW 41.04.007 and 2002 c 292 s 2 are each amended to read  
11 as follows:

12 "Veteran" includes every person, who at the time he or she seeks  
13 the benefits of RCW 72.36.030, 41.04.010, 73.04.090, 73.04.110,  
14 73.08.010, (~~73.08.060,~~) 73.08.070, or 73.08.080 has received an  
15 honorable discharge or received a discharge for medical reasons with an  
16 honorable record, where applicable, and who has served in at least one  
17 of the following capacities:

18 (1) As a member in any branch of the armed forces of the United  
19 States, including the national guard and armed forces reserves, and has  
20 fulfilled his or her initial military service obligation;

21 (2) As a member of the women's air forces service pilots;

22 (3) As a member of the armed forces reserves, national guard, or  
23 coast guard, and has been called into federal service by a presidential  
24 select reserve call up for at least one hundred eighty cumulative days;

25 (4) As a civil service crewmember with service aboard a U.S. army  
26 transport service or U.S. naval transportation service vessel in  
27 oceangoing service from December 7, 1941, through December 31, 1946; or

28 (5) As a member of the Philippine armed forces/scouts during the  
29 period of armed conflict from December 7, 1941, through August 15,  
30 1945.

31 NEW SECTION. **Sec. 8.** The following acts or parts of acts are each  
32 repealed:

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

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

4 (3) RCW 73.08.050 (Performance bond may be required) and 1983 c 295  
5 s 3, 1947 c 180 s 4, 1945 c 144 s 4, 1921 c 41 s 4, 1907 c 64 s 4, &  
6 1888 p 209 s 4; and

7 (4) RCW 73.08.060 (Restrictions on sending veterans or families to  
8 almshouses, etc.) and 2002 c 292 s 8, 1983 c 295 s 4, 1947 c 180 s 5,  
9 1945 c 144 s 5, 1919 c 83 s 5, 1907 c 64 s 5, & 1888 p 209 s 5.

10 NEW SECTION. **Sec. 9.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 immediately.

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