
Local Government Committee

HB 1189

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

Sponsors: 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.

Brief Summary of Bill

- Modifies or repeals veterans' relief provisions.
- Requires each county to establish veterans' assistance programs to address the needs of local indigent veterans and their families.
- Allows counties to authorize other entities to administer veterans' assistance programs if specified criteria are met.
- Requires each county to establish a veterans' advisory board to advise the county legislative authority on relief related matters.
- Includes an emergency clause.

Hearing Date: 1/27/05

Staff: Ethan Moreno (786-7386).

Background:

Veterans' Relief - General Provisions

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' organizations (organization officials). "Veteran," for the purposes of this relief provision, is defined, in part, to include every person who, at the time he or she seeks specific benefits, has received an honorable discharge or a discharge for physical reasons with an honorable record, and who has served in specified capacities.

If a post, camp, or chapter of a qualified national veterans' organization does not exist in any precinct in which it should be granted, the legislative authority of the county in which the precinct is located may, if certain criteria are met, accept and pay the orders drawn upon by organization officials located in the nearest city or town.

The commander of any post, camp, or chapter of a qualifying national veterans' organization (commander) must file, prior to relief acts becoming operative, notice with the county auditor that the post, camp, or chapter intends to undertake veterans' relief actions. The notice, which must be filed annually with the county auditor, must contain specific information, including a detailed statement of the amount of relief furnished during the preceding year.

The county legislative authority may require that the organization officials post a bond with sufficient and satisfactory sureties for the faithful and honest discharge of veterans' relief duties.

County legislative authorities are prohibited from sending qualifying indigent or disabled veterans or family members to any almshouse or orphan asylum without obtaining approval, including the concurrence and consent of the commander. Other statutory provisions specify, in part, that indigent veterans must, whenever practicable, be provided for and relieved in the city, town, or precinct in which they reside.

Interment Provisions

The legislative authority in each county must designate a proper authority who must be responsible for causing the interment of, at the request of a commander, qualifying veterans and family members who die without leaving sufficient means to defray funeral expenses. The interment must not cost more than a county established limit, nor less than three hundred dollars. Relatives or friends of the deceased may receive the defrayal funds from the county treasurer if specified requirements are met.

Taxation Provisions

County legislative authorities must levy a tax for the purpose of creating the veteran's assistance fund for the relief of qualifying veterans (a term defined differently than in the general provisions above) and the indigent wives, husbands, widows, widowers and minor children of such indigent or deceased veterans. The funds are to be disbursed by the county legislative authority. The levy rate is generally not to be less than one and one-eighth cents per thousand dollars of assessed value against taxable property of the county, but may not exceed 27 cents per thousand dollars of assessed value. The costs incurred in the administration of the fund must be computed by the county treasurer at least annually and such amount may then be transferred from the relief fund to the county current expense fund.

Summary of Bill:

All veterans' relief provisions are modified or repealed and new provisions are specified. A summary of the new, amended, and repealed provisions is as follows.

Veterans' Relief - General Provisions

Each county legislative authority must establish veterans' assistance programs to address the relief needs of qualifying local indigent veterans and their families. The county legislative authority must consult the applicable veterans' advisory board to determine the appropriate services needed for local indigent veterans. Veterans' assistance programs must be funded, at least partially, by the veterans' assistance fund established in the county.

The county legislative authority may authorize other entities to administer veterans' assistance programs through grants, contracts, or interlocal agreements. If this authorization is exercised, the terms of the grant, contract, or interlocal agreement must specify certain provisions, including the details of the program, the costs and sources of funding, insurance or bond requirements, and the format and frequency of reports.

Veterans' Advisory Board

The legislative authority of each county must establish a veterans' advisory board to advise the authority on the needs of local indigent veterans, the resources available to such veterans, and potential programs that could serve the needs of these veterans and their families. The legislative authority must solicit representation for the voluntary board from local veterans' service organizations and the veterans' community at large. The legislative authority may provide for the reimbursement for expenses incurred.

Burial and Cremation Provisions

The legislative authority of each county must designate a proper authority to be responsible, at the expense of the county, for the burial or cremation of any qualifying deceased indigent veteran or family member who died without leaving sufficient means to defray funeral expenses. The burial or cremation must not exceed the limit established by the county nor be less than three hundred dollars. Relatives or friends of the of the deceased may be the recipients of the defrayal funds from the county auditor or qualifying chief financial officer if specified requirements are met. Expenses incurred for the burial or cremation of a qualifying deceased veteran or family member must be paid from the veterans' assistance fund.

Taxation Provisions & Direct and Indirect Costs

The legislative authority in each county must levy a tax for the purpose of creating a veterans' assistance fund. The levy rate is generally not to be less than one and one-eighth cents per thousand dollars of assessed value against taxable property of the county, but may not exceed 27 cents per thousand dollars of assessed value. Expenditures from the fund are limited to authorized veterans' assistance programs, the burial or cremation of a qualifying veteran or family member, and the direct and indirect costs incurred in the administration of the fund. These direct and indirect costs must be computed by the county auditor or qualifying chief financial officer not less than annually and such an amount may then be transferred from the relief fund to the county current expense fund.

"Direct costs" are defined, in part, to include those allowable costs that can be readily assigned to veterans' relief objectives, consistent with cost principles for state, local, and tribal governments promulgated by the federal office of management and budget (OMB). "Indirect costs" are defined, in part, to include those allowable costs that are generally associated with relief objectives, but the identification and tracking of those costs cannot be readily assigned to an objective without an effort that is disproportionate to the benefit received. A county legislative authority may allocate allowable indirect costs to its veterans' assistance fund if it is accomplished in a manner consistent with OMB cost principles.

Repealed Provisions

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.

Definitions

Definitions of terms pertaining to veterans' relief are specified or modified. Examples include:

- "Veteran" is defined by referencing an existing definition specifying, in part, that the term includes every person who, at the time he or she seeks specific benefits, has received an honorable discharge or a discharge for physical reasons with an honorable record, and who has served in specified capacities;
- "Family" is defined as the spouse, widow, widower, and minor children of a living or deceased veteran; and
- "Indigent" is defined, in part, as a person who is defined as such by the county legislative authority in accordance with specified criteria.

A technical amendment of a separate statutory definition of "veteran" is included.

Appropriation: None.

Fiscal Note: Requested on January 26, 2005.

Effective Date: The bill contains an emergency clause and takes effect immediately.