

SSB 5834 - H COMM AMD

By Committee on Community Development, Housing & Tribal Affairs

NOT CONSIDERED

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

3 "Sec. 1. RCW 43.60A.010 and 2010 1st sp.s. c 7 s 117 and 2010 c 5
4 s 2 are each reenacted and amended to read as follows:

5 As used in this chapter the following words and phrases shall have
6 the following meanings unless the context clearly requires otherwise:

- 7 (1) "Committee" means the veterans affairs advisory committee.
8 (2) "Department" means the department of veterans affairs.
9 (3) "Director" means the director of the department of veterans
10 affairs.

11 (4) "Goods and services" includes professional services and all
12 other goods and services.

13 (5) "Procurement" means the purchase, lease, or rental of any goods
14 or services.

15 (6) "State agency" includes the state of Washington and all
16 agencies, departments, offices, divisions, boards, commissions, and
17 correctional and other types of institutions.

18 (7) "Veteran-owned business" means a business that is certified by
19 the department (~~(to be at least fifty one percent owned and controlled~~
20 ~~by:~~

21 ~~(a) A veteran as defined in RCW 41.04.007; or~~

22 ~~(b) An active or reserve member in any branch of the armed forces~~
23 ~~of the United States, including the national guard, coast guard, and~~
24 ~~armed forces reserves)) under RCW 43.60A.190.~~

25 "Sec. 2. RCW 43.60A.190 and 2008 c 187 s 1 are each amended to read
26 as follows:

27 (1) The department shall:

28 (a) Develop and maintain a current list of veteran-owned
29 businesses; and

1 (b) Make the list available on the department's public web site.

2 (2) To qualify as a veteran-owned business, the (~~business must be~~
3 ~~at least fifty one percent owned and controlled by~~) department must
4 certify that:

5 (a) (~~A veteran as defined in RCW 41.04.007; or~~

6 ~~An active or reserve member in any branch of the armed forces~~
7 ~~of the United States, including the national guard, coast guard, and~~
8 ~~armed forces reserves.~~) The business is at least fifty-one percent
9 owned and controlled:

10 (i) By a veteran as defined in this section; or

11 (ii) Jointly by a veteran and his or her spouse or domestic partner
12 if the veteran is involved in the day-to-day business operations; and

13 (b) The state of Washington is where:

14 (i) The principal office of the business is located;

15 (ii) The veteran owner is a resident; or

16 (iii) All corporate officers are residents if the business is a
17 corporation.

18 (3) To participate in the linked deposit program under chapter
19 43.86A RCW, a veteran-owned business qualified under this section must
20 be certified by the department as a business:

21 (a) In which the veteran owner possesses and exercises sufficient
22 expertise specifically in the business's field of operation to make
23 decisions governing the long-term direction and the day-to-day
24 operations of the business;

25 (b) That is organized for profit and performing a commercially
26 useful function; and

27 (c) That meets the criteria for a small business concern as
28 established under chapter 39.19 RCW.

29 (4) The department shall create a logo for the purpose of
30 identifying veteran-owned businesses to the public. The department
31 shall put the logo on an adhesive sticker or decal suitable for display
32 in a business window and distribute the stickers or decals to veteran-
33 owned businesses listed with the department.

34 (5)(a) Businesses may submit an application on a form prescribed by
35 the department for inclusion on the list or to apply for certification
36 under this section.

37 (b) The department must notify the state treasurer of veteran-owned
38 businesses that are no longer certified under this section. The

1 written notification to the state treasurer must contain information
2 regarding the reasons for the decertification and information on
3 financing provided to the veteran-owned business under RCW 43.86A.060.

4 (6) The department may adopt rules necessary to implement this
5 section.

6 (7) For purposes of this section, "veteran" means:

7 (a) A person who meets the definition in RCW 41.04.007; or

8 (b) An active or reserve member in any branch of the armed forces
9 of the United States, including the national guard, coast guard, and
10 armed forces reserves.

11 **Sec. 3.** RCW 43.60A.195 and 2010 c 5 s 3 are each amended to read
12 as follows:

13 (1) The department shall develop a procedure for certifying
14 veteran-owned businesses and maintain a list of veteran-owned
15 businesses (~~((on the department's public web site))~~) to be accessible for
16 all state agencies and educational institutions. The department shall
17 work with the department of enterprise services to provide access to a
18 centralized list of certified veteran-owned businesses.

19 (2) The department shall adopt rules necessary to implement chapter
20 5, Laws of 2010. The department shall consult agencies to determine
21 what specific information they must report to the department.

22 (3) The department (~~((shall collaborate with and may assist agencies~~
23 ~~in implementing outreach to veteran-owned businesses))~~) and the
24 department of enterprise services shall work together to develop a
25 comprehensive plan insuring that certified veteran-owned businesses are
26 provided an opportunity to participate in public contracts for public
27 works and goods and services.

28 **Sec. 4.** RCW 43.60A.200 and 2010 c 5 s 4 are each amended to read
29 as follows:

30 (1) State agencies are encouraged to award (~~((three))~~) five percent
31 of all procurement contracts (~~((that are exempt from competitive bidding~~
32 ~~requirements under RCW 43.19.1906(2))~~) under chapters 39.04, 39.26,
33 39.80, and 47.28 RCW to veteran-owned businesses certified by the
34 department under RCW 43.60A.195.

35 (2) State agencies shall:

1 (a) Perform outreach to veteran-owned businesses in collaboration
2 with the department to increase opportunities for veteran-owned
3 businesses to sell goods and services to the state; and

4 (b) (~~Work to match~~) Provide agency (~~procurement~~) contracting
5 records with the department's database of certified veteran-owned
6 businesses to establish how many procurement contracts are being
7 awarded to those businesses."

EFFECT: Removes the requirement that the Department of Veterans
Affairs must annually report on all state agencies contracting with
veteran-owned businesses.

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