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SENATE BILL 6142

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State of Washington

58th Legislature

2004 Regular Session

By Senators Winsley, Kastama, Oke, Franklin, Swecker, Rasmussen, Keiser, Schmidt and Shin

Read first time 01/12/2004. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to veterans' relief; amending RCW 73.04.080,  
2 73.08.010, 73.08.050, 73.08.070, and 73.08.080; adding new sections to  
3 chapter 73.08 RCW; creating a new section; and repealing RCW 73.08.030,  
4 73.08.040, and 73.08.060.

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 develop programs or procedures that are consistent with the  
8 welfare of the indigent and suffering veteran and eligible family  
9 members and that adequately include the veterans' community at large  
10 and provide for the public good.

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

13 The definitions in this section apply throughout this chapter  
14 unless the context clearly requires otherwise.

15 (1) "Basic living costs" means the average monthly amount spent by  
16 a veteran for reasonable payments toward living costs, such as shelter,  
17 food, utilities, and basic transportation.

1 (2) "Direct costs" includes those allowable costs that can be  
2 readily assigned to the statutory objectives of this chapter.

3 (3) "Indigent" includes a person who is:

4 (a) Receiving one of the following types of public assistance:  
5 Temporary assistance for needy families, general assistance, poverty-  
6 related veterans' benefits, food stamps or food stamp benefits  
7 transferred electronically, refugee resettlement benefits, medicaid, or  
8 supplemental security income; or

9 (b) Receiving an annual income, after taxes, of one hundred fifty  
10 percent or less of the current federally established poverty level, or  
11 at a level established by the legislative authorities of the county; or

12 (c) Unable to pay basic living costs because his or her available  
13 funds are insufficient.

14 (4) "Indirect costs" includes those allowable costs that are  
15 generally associated with carrying out the statutory objectives of this  
16 chapter, but those costs cannot be readily assigned to a specific  
17 statutory objective without an effort that is disproportionate to the  
18 benefit received.

19 **Sec. 3.** RCW 73.04.080 and 1985 c 181 s 1 are each amended to read  
20 as follows:

21 Any post(~~(, camp)~~) or chapter of any (~~(national organization of~~  
22 ~~veterans now, or which may hereafter be, chartered by an act of~~  
23 ~~congress which)~~) veterans' service organizations nationally recognized  
24 by the United States department of veterans affairs that has qualified  
25 to accept relief from the veteran's assistance fund of any county may  
26 draw upon said county fund for the payment of the rent of its regular  
27 meeting place(~~(: PROVIDED, That)~~). However, no post(~~(, camp)~~) or  
28 chapter shall be allowed to draw on such fund for this purpose to  
29 exceed a reasonable amount approved by the county legislative authority  
30 in any one year, or in any amount for hall rental where (~~said~~) the  
31 ~~post~~(~~(, camp)~~) or chapter is furnished quarters by the state or by any  
32 municipality.

33 Before such claims are ordered paid by the county legislative  
34 authority, the commander or authorized disbursing officer of such  
35 posts(~~(, camps)~~) or chapters shall file a proper claim each month with  
36 the county auditor (~~(for such rental)~~) or other authority designated by  
37 the county legislative authority.

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

3       For the relief of indigent and suffering veterans as defined in RCW  
4 41.04.007 and their families or the families of those deceased, who  
5 need assistance (~~((in any city, town or precinct in this state))~~), the  
6 legislative authority of the county (~~((in which the city, town or  
7 precinct is situated))~~) shall provide such sum or sums of money (~~((as may  
8 be necessary, to be drawn upon by the commander and quartermaster, or  
9 commander and adjutant or commander and service officer of any post,  
10 camp or chapter of any national organization of veterans now, or which  
11 may hereafter be, chartered by an act of congress in the city or town  
12 upon recommendation of the relief committee of said post, camp or  
13 chapter:—PROVIDED, Said))~~) provided by authorized tax levy under RCW  
14 73.08.080 to establish, operate, and maintain a veterans' program to  
15 address the needs of indigent veterans. It is incumbent upon the  
16 county legislative authority to achieve a program that serves the needs  
17 of the veterans in the county. This program shall be administered by  
18 the county. The program may be operated by: (1) The county; or (2)  
19 the county through an interlocal agreement under chapter 39.34 RCW with  
20 (a) local veterans' service organizations; (b) veterans' coalitions; or  
21 (c) a nonprofit organization as authorized by the local legislative  
22 authority. However, the veteran or the families of those deceased  
23 ((are and have been residents of the state for at least twelve months,  
24 and the orders of said commander and quartermaster, or commander and  
25 adjutant or commander and service officer shall be the proper voucher  
26 for the expenditure of said sum or sums of money)) must be a resident  
27 of the county and must have been a resident of the state for at least  
28 twelve months immediately prior to application.

29       NEW SECTION. **Sec. 5.** A new section is added to chapter 73.08 RCW  
30 to read as follows:

31       (1) A county legislative authority must create a veterans' advisory  
32 board to represent indigent and suffering veterans and their family  
33 members within the county. The county legislative authority must  
34 determine the membership of the veterans' advisory board and its  
35 policies and procedures. However, members must be broadly  
36 representative of the veterans' community and consist of at least  
37 fifty-one percent veterans, as that term is defined in RCW 41.04.007.

1 For the purposes of this subsection, "veteran" includes a family member  
2 of an eligible deceased veteran. Further, members must be current  
3 residents of the county and must have been residents of the state for  
4 at least twelve months immediately prior to becoming members of the  
5 veterans' advisory board. The membership of the veterans' advisory  
6 board must be composed of at least fifty-one percent veterans, as that  
7 term is defined in RCW 41.04.007.

8 (2) Veterans' service organizations, veterans' coalitions, and  
9 nonprofit organizations, as authorized by the local legislative  
10 authority that are active within the county, are encouraged to submit  
11 the name of one representative per organization to the county  
12 legislative authority for purposes of determining the membership of the  
13 veterans' advisory board.

14 (3) County policies and procedures governing a veterans' assistance  
15 program authorized in this chapter must be developed in collaboration  
16 with a veterans' advisory board, the county legislative authority, and  
17 the veterans' assistance program management staff where such a program  
18 exists.

19 NEW SECTION. **Sec. 6.** A new section is added to chapter 73.08 RCW  
20 to read as follows:

21 It is the responsibility of the county, veterans' service  
22 organizations, veterans' coalitions, or not-for-profit organizations  
23 administering or operating the veterans' assistance program under this  
24 chapter to submit reports to the county legislative authority on the  
25 operation of the program. These reports must be in a format agreed  
26 upon by the veterans' assistance program administrators and the county  
27 and submitted by the date required by the county. The frequency of  
28 these reports must be determined by agreement between the veterans'  
29 assistance program administrators and the county, but the required  
30 frequency may be no greater than annually. The veterans' assistance  
31 program administrator must ensure that the required data for the  
32 reports is collected and provided to the county and that no relevant  
33 data is withheld from the county.

34 **Sec. 7.** RCW 73.08.050 and 1983 c 295 s 3 are each amended to read  
35 as follows:

36 The county legislative authority may require (~~of the commander and~~

1 ~~quartermaster, or commander and adjutant or commander and service~~  
2 ~~officer, of any post, camp or chapter of any national organization of~~  
3 ~~veterans now, or which may hereafter be, chartered by an act of~~  
4 ~~Congress undertaking to distribute relief)) an entity fulfilling duties~~  
5 under this chapter to post a bond with sufficient and satisfactory  
6 sureties for the faithful and honest discharge of their duties under  
7 this chapter.

8 **Sec. 8.** RCW 73.08.070 and 2002 c 292 s 9 are each amended to read  
9 as follows:

10 ~~((It shall be the duty of))~~ The county legislative authority ~~((in~~  
11 ~~each of the counties in this state to))~~ must designate some proper  
12 authority, other than the one designated by law for the care of  
13 ~~((paupers and))~~ indigent persons or the custody of criminals, who  
14 ~~((shall cause to be interred))~~ is responsible for the burial or  
15 cremation at the expense of the county of the body of any honorably or  
16 general discharge under honorable conditions discharged veteran~~((s))~~ as  
17 defined in RCW 41.04.007 and the wives, husbands, minor children,  
18 widows, or widowers of such veteran~~((s))~~, who are indigent as defined  
19 in section 2 of this act, and who shall hereafter die without leaving  
20 means sufficient to defray ~~((funeral))~~ burial or cremation expenses~~((~~  
21 ~~and when requested so to do by the commanding officer of any post, camp~~  
22 ~~or chapter of any national organization of veterans now, or which may~~  
23 ~~hereafter be, chartered by an act of Congress or the relief committee~~  
24 ~~of any such posts, camps or chapters: PROVIDED,))~~. However, ~~((That~~  
25 ~~such interment))~~ the burial or cremation shall not cost more than the  
26 limit established by the county legislative authority nor less than  
27 three hundred dollars. If the deceased has relatives or friends who  
28 desire to conduct the burial or cremation of such deceased person, then  
29 upon request ~~((of said commander or relief committee))~~ a sum not to  
30 exceed the limit established by the county legislative authority nor  
31 less than three hundred dollars shall be paid to ~~((said))~~ the relatives  
32 or friends by the county treasurer, upon due proof of the death and  
33 burial or cremation of any person provided for by this section and  
34 proof of expenses incurred.

35 **Sec. 9.** RCW 73.08.080 and 1985 c 181 s 2 are each amended to read  
36 as follows:

1       The legislative authorities in each of the (~~several~~) counties in  
2 this state shall levy, in addition to the taxes now levied by law, a  
3 tax in a sum equal to the amount which would be raised by not less than  
4 one and one-eighth cents per thousand dollars of assessed value, and  
5 not greater than twenty-seven cents per thousand dollars of assessed  
6 value against the taxable property of their respective counties, to be  
7 levied and collected as now prescribed by law for the assessment and  
8 collection of taxes, for the purpose of creating the veteran's  
9 assistance fund for the relief of any honorably or general discharge  
10 under honorable conditions discharged veterans as defined in RCW  
11 (~~41.04.005~~) 41.04.007 and the indigent wives, husbands, widows,  
12 widowers, and minor children of such indigent or deceased veterans, to  
13 be disbursed for such relief by such county legislative authority:  
14 PROVIDED, That if the funds on deposit, less outstanding warrants,  
15 residing in the veteran's assistance fund on the first Tuesday in  
16 September exceed the expected yield of one and one-eighth cents per  
17 thousand dollars of assessed value against the taxable property of the  
18 county, the county legislative authority may levy a lesser amount:  
19 PROVIDED FURTHER, That the direct and indirect costs incurred in the  
20 administration of (~~said~~) the veteran's assistance fund shall be  
21 (~~computed by the county treasurer not less than annually and such~~  
22 ~~amount may then be transferred~~) expended from the veteran's assistance  
23 fund (~~as herein provided for to the county current expense fund~~).

24       The amount of a levy allocated to the purposes specified in this  
25 section may be reduced in the same proportion as the regular property  
26 tax levy of the county is reduced by chapter 84.55 RCW.

27       NEW SECTION. Sec. 10. The following acts or parts of acts are  
28 each repealed:

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

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

35       (3) RCW 73.08.060 (Restrictions on sending veterans or families to

1 almshouses, etc.) and 2002 c 292 s 8, 1983 c 295 s 4, 1947 c 180 s 5,  
2 1945 c 144 s 5, 1919 c 83 s 5, 1907 c 64 s 5, & 1888 p 209 s 5.

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