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**SUBSTITUTE HOUSE BILL 2781**

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**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Basich, Regala, Conway, Reams, Grant, Elliot, Quall, Linville, Chandler, Hatfield, D. Sommers, Scheuerman, Stevens, McMahan, Buck, Sheldon, Tokuda, Poulsen, Cole, Chopp, Kessler, Costa, Thompson, D. Schmidt, Robertson and Cooke)

Read first time 02/05/96.

1 AN ACT Relating to veterans' benefits; and amending RCW 41.04.005  
2 and 41.04.010.

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

4 **Sec. 1.** RCW 41.04.005 and 1991 c 240 s 1 are each amended to read  
5 as follows:

6 (1) As used in RCW 41.04.005, ~~((41.04.010))~~ 41.16.220, and  
7 41.20.050 "veteran" includes every person, who at the time he or she  
8 seeks the benefits of RCW ~~((28B.40.361))~~ 41.04.005, 41.04.010,  
9 41.16.220, 41.20.050, 41.40.170, 73.04.110, or 73.08.080 has received  
10 an honorable discharge or received a discharge for physical reasons  
11 with an honorable record and who meets at least one of the following  
12 ~~((two))~~ criteria:

13 ~~((+1))~~ (a) The person has served between World War I and World War  
14 II or during any period of war, as defined in subsection (2) of this  
15 section, as either ~~((+a))~~:

16 (i) A member in any branch of the armed forces of the United  
17 States~~((+b))~~;

18 (ii) A member of the women's air forces service pilots~~((+or+c))~~;

1        (iii) A U.S. documented merchant mariner with service aboard an  
2 oceangoing vessel operated by the war shipping administration, the  
3 office of defense transportation, or their agents, during the period of  
4 armed conflict, December 7, 1941, to August 15, 1945~~((τ))~~; or

5        (iv) A civil service crewmember with service aboard a U.S. army  
6 transport service or U.S. naval transportation service vessel in  
7 oceangoing service during the period of armed conflict~~((τ,τ))~~, December  
8 7, 1941, to August 15, 1945; or

9        ~~((τ))~~ (b) The person has received the armed forces expeditionary  
10 medal, or marine corps and navy expeditionary medal, for opposed action  
11 on foreign soil, for service ~~((τ))~~:

12        (i) In any branch of the armed forces of the United States; or

13        ~~((τ))~~ (ii) As a member of the women's air forces service pilots.

14        (2) A "period of war" includes:

15        (a) World War I~~((τ))~~;

16        (b) World War II~~((τ))~~;

17        (c) The Korean conflict~~((τ))~~;

18        (d) The Vietnam era, ~~((and))~~ which was the period beginning August  
19 5, 1964, and ending on May 7, 1975;

20        (e) The Persian Gulf War, which was the period beginning August 2,  
21 1990, and ending on the date prescribed by presidential proclamation or  
22 law;

23        (f) The period beginning on the date of any future declaration of  
24 war by the congress and ending on the date prescribed by presidential  
25 proclamation or concurrent resolution of the congress~~((—The "Vietnam~~  
26 ~~era" means the period beginning August 5, 1964, and ending on May 7,~~  
27 ~~1975))~~; and

28        (g) The following armed conflicts, if the participant was awarded  
29 the respective campaign badge or medal: The crisis in Lebanon; the  
30 invasion of Grenada; Panama, Operation Just Cause; Somalia, Operation  
31 Restore Hope; and Haiti, Operation Uphold Democracy.

32        **Sec. 2.** RCW 41.04.010 and 1974 ex.s. c 170 s 1 are each amended to  
33 read as follows:

34        ~~((In all competitive examinations, unless otherwise provided~~  
35 ~~herein, to determine the qualifications of applicants for public~~  
36 ~~offices, positions or employment, the state, and all of its political~~  
37 ~~subdivisions and all municipal corporations, shall give a preference~~  
38 ~~status to all veterans as defined in RCW 41.04.005, by adding to the~~

1 ~~passing mark, grade or rating only, based upon a possible rating of one~~  
2 ~~hundred points as perfect a percentage in accordance with the~~  
3 ~~following:)) For purposes of this section only, "veteran" is defined to~~  
4 ~~include veterans as defined in RCW 41.04.005(1) and to include every~~  
5 ~~person who, at the time the person seeks the benefits of this section,~~  
6 ~~has served more than one hundred eighty days of active duty not for~~  
7 ~~training, or if less than one hundred eighty days, must be receiving~~  
8 ~~compensation for a service-connected disability, in any branch of the~~  
9 ~~armed forces of the United States and who was discharged or released~~  
10 ~~under conditions other than dishonorable.~~

11 A veteran participating in all competitive and certain designated  
12 promotional examinations with the state or any of its political  
13 subdivisions and all municipal corporations shall receive a veteran's  
14 preference. To receive a veteran's preference, the veteran must  
15 receive a passing examination mark, grade, or rating. The veteran's  
16 preference shall be a percentage of the passing examination mark,  
17 grade, or rating as follows:

18 (1) Ten percent to a veteran who served in a combat zone during a  
19 period of war as defined in RCW 41.04.005 and who is not receiving  
20 ((any veterans)) military retirement ((payments and said)). The  
21 percentage shall be ((utilized in said veteran's)) added to the passing  
22 mark, grade, or rating of competitive examinations ((and not in any  
23 promotional examination)) until ((one of such examinations results in  
24 said)) the veteran's first appointment((: PROVIDED, That said)). The  
25 percentage shall not be utilized in ((any)) promotional examinations  
26 unless the veteran was called to active military service from  
27 employment with the state or any of its political subdivisions or  
28 municipal corporations, then the percentage shall be added to the first  
29 promotional examination only, after compliance with RCW 73.16.035;

30 (2) Five percent to a veteran who did not serve in a combat zone  
31 during a war period as defined in RCW 41.04.005 or who is receiving  
32 ((any veterans retirement payments and said percentage shall be  
33 utilized in said veteran's)) military retirement. The percentage shall  
34 be added to the mark, grade, or rating of competitive examinations  
35 ((only and not in any promotional examination)) until ((one of such  
36 examinations results in said)) the veteran's first appointment((: PROVIDED, That said)). The percentage shall not be utilized in ((any))  
37 promotional examination((: PROVIDED, That said)).  
38 promotional examination((: PROVIDED, That said)).

1       ~~(3) Five percent to a veteran who, after having previously~~  
2 ~~received)) unless the veteran was called to active military service~~  
3 ~~from employment with the state or any of its political subdivisions or~~  
4 ~~municipal corporations((, shall be called, or recalled, to active~~  
5 ~~military service for a period of one year, or more, during any period~~  
6 ~~of war, for his)). Then the percentage shall be added to the first~~  
7 ~~promotional examination only((, upon)) after compliance with RCW~~  
8 ~~73.16.035 ((as it now exists or may hereafter be amended));~~

9       ~~((4) There shall be no examination preferences other than those~~  
10 ~~which have been specifically provided for above and all)) (3) A~~  
11 ~~veteran's preference((s above)) specified in subsections (1)((7)) and~~  
12 ~~(2) ((and (3))) of this section must be claimed ((by a veteran)) within~~  
13 ~~((eight)) ten years of the date of ((his)) release from active military~~  
14 ~~service.~~

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