

HOUSE BILL REPORT

ESHB 2701

As Passed Legislature

Title: An act relating to the definition of veteran.

Brief Description: Addressing the definition of veteran.

Sponsors: House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Bergquist, Holy, Klippert, Stonier, Lytton, Maycumber, Muri, McDonald and Ortiz-Self; by request of LEOFF Plan 2 Retirement Board).

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 1/24/18, 1/25/18 [DPS];
Appropriations: 2/6/18 [DPS(CDHT)].

Floor Activity:

Passed House: 2/13/18, 98-0.
Passed Senate: 3/2/18, 48-0.
Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Includes within the definition of a combat veteran periods of service that would qualify for a campaign badge or medal.
- Designates the end of the Persian Gulf War, for purposes of the combat veteran definition, as February 28, 1991, or November 30, 1995, if a campaign badge or medal was issued for that period.
- Includes certain specific campaigns within the combat veteran definition.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Ryu, Chair; Macri, Vice Chair; Barkis, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Jenkin and Reeves.

Staff: Sean Flynn (786-7124).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Community Development, Housing & Tribal Affairs be substituted therefor and the substitute bill do pass. Signed by 32 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Caldier, Cody, Condotta, Fitzgibbon, Graves, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Pettigrew, Pollet, Sawyer, Schmick, Senn, Stanford, Sullivan, Taylor, Tharinger, Vick, Volz and Wilcox.

Staff: David Pringle (786-7310).

Background:

Veteran Status. The state provides certain recognition benefits to persons based on their status as a military service veteran. Veteran status generally is recognized for a service member who received an honorable discharge, or other excusable discharge. Benefits for such general service status include, among others: free license plate decals; admission to state soldiers' and veterans' homes; veterans' scoring preference on civil service exams; veteran homeownership down payment assistance programs; and certain services administered by the state Department of Veterans Affairs.

A separate status is recognized for veterans who served in a period of war or conflict. Such combat veterans are eligible to receive additional benefits, including, but not limited to: higher scoring preference on civil service exams; participation in a designated shared leave pool program; special designated license plates; and property tax relief for senior widows of veterans. In addition, the state-sponsored retirement systems provide credit for interruptive military service, for up to five years of service. The employee's contributions are waived if the interruptive service occurred during a period of a war or conflict that qualifies under the state definition for combat veteran status.

Veteran Definition. The definition for a combat veteran includes a veteran who received an honorable discharge, or is actively serving honorably and has either: (1) served in a period of war; or (2) received the Armed Forces Expeditionary Medal (AFEM) for combat in a foreign territory. The Department of Defense has designated certain conflicts under which service qualifies for the AFEM. In addition to the AFEM, certain conflicts also qualify for specific medals of participation.

A period of war includes World Wars I and II, the Korean conflict, the Vietnam era, the Persian Gulf War, and any future period that includes a congressional declaration of war. A period of war also covers certain armed conflicts where the participant has been awarded a campaign badge or medal. Such conflicts include: the crisis in Lebanon; the invasion of Grenada; Operation Just Cause (Panama); Operation Restore Hope (Somalia); Operation Uphold Democracy (Haiti); Operation Joint Endeavor (Bosnia); Operation Noble Eagle; Operation Enduring Freedom (southern or central Asia); and Operation Iraqi Freedom (Persian Gulf).

2017 Veteran Definition Study. In 2017 the Legislature directed the Law Enforcement Officers' and Firefighters' Plan 2 Retirement Board (LEOFF 2 Board) to study extending the interruptive service credit for employees whose interruptive service occurred during a qualifying period of war or conflict, but who did not receive a campaign badge or medal. Based on the study, the LEOFF 2 Board recommended legislation to amend the qualifying periods of war or conflict within the definition of a combat veteran.

Summary of Engrossed Substitute Bill:

For purposes of service during a period of war, the combat veteran definition includes service that would otherwise qualify for a badge or medal, except that the member already received a badge or medal for prior service during the same conflict. In addition, the period of war designated for the end of the Persian Gulf War is February 28, 1991; or November 30, 1995, if the veteran received any badge or medal for that period. Finally, certain conflicts are added to the listed conflicts that qualify as a period of war, including Operation Inherent Resolve (Iraq and Syria), and Operation Freedom's Sentinel (Afghanistan).

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Community Development, Housing & Tribal Affairs):

(In support) The changes in this bill make sure that a veteran is recognized for his or her entire period of service during a war. All veterans receive credit for interruptive service, but only veterans who serve in a period of war get waiver from their contributions for such period of service. This benefit specifically recognizes the special service and sacrifice of persons who serve in combat.

While the bill was drafted only to apply to the LEOFF 2, it could be amended to cover other retirement systems as well. No retirement beneficiary has yet qualified under the new periods of conflict added in the bill, so there is no immediate fiscal impact.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) The Law Enforcement Officers' and Firefighters' Plan 2 Retirement Board (LEOFF 2 Board) recommended this bill to the Legislature. The LEOFF 2 Board staff prepared a report on the subject and would be happy to respond to questions about the bill.

(Opposed) None.

Persons Testifying (Community Development, Housing & Tribal Affairs): Representative Bergquist, prime sponsor; and Julie Salvi, Washington Education Association; and Steve Nelson, Law Enforcement Officers' and Firefighters' Plan 2 Retirement Board.

Persons Testifying (Appropriations): Representative Bergquist, prime sponsor.

Persons Signed In To Testify But Not Testifying (Community Development, Housing & Tribal Affairs): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.