

2SHB 1009 - S COMM AMD
By Committee on Ways & Means

ADOPTED 04/10/2023

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

3 "NEW SECTION. **Sec. 1.** This act may be known and cited as the
4 military spouse employment act.

5 NEW SECTION. **Sec. 2.** The legislature finds that the lives of
6 military spouses are dominated by frequent deployments and
7 relocations, and one-third of military families move each year. Many
8 military families depend on two incomes, and military spouses tend to
9 be better educated than the civilian population, with approximately
10 34 to 50 percent working in fields that require a professional
11 license. The length of time to credential after a move is a
12 significant employment barrier, with one study finding 20 percent of
13 military spouses waited at least 10 months for a license after moving
14 to a new state. This wait contributes to higher rates of unemployment
15 or underemployment for military spouses when compared to their
16 civilian counterparts. Given the fiscal and economic constraints of
17 military families and the readiness considerations of the department
18 of defense, the legislature intends to help alleviate the career
19 turmoil military spouses face while serving in our state.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.340
21 RCW to read as follows:

22 The definitions in this section apply throughout this chapter
23 unless the context clearly requires otherwise.

24 (1) "Authority" means any agency, board, commission, or other
25 authority for issuance of a license, certificate, registration, or
26 permit under this title. "Authority" does not include the department
27 of labor and industries, or the department of financial institutions
28 with respect to escrow agent licensure under chapter 18.44 RCW.

29 (2) "License" means a license, certificate, registration, or
30 permit to perform professional services.

1 **Sec. 4.** RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each
2 amended to read as follows:

3 (1) ~~((For the purposes of this section, "authority" means any~~
4 ~~board, commission, or other authority for issuance of a license,~~
5 ~~certificate, registration, or permit under this title.~~

6 ~~(2) To the extent resources are available:))~~

7 (a) Each authority shall establish procedures to expedite the
8 issuance of a license(~~(, certificate, registration, or permit to~~
9 ~~perform professional services)) regulated by each such authority to a
10 person:~~

11 (i) Who is ~~((certified or))~~ licensed, certified, or registered,
12 or has a permit in another state to perform professional services in
13 that state; and

14 (ii) Whose spouse is the subject of a military transfer to
15 Washington(~~(; and~~

16 ~~(iii) Who left employment in the other state to accompany the~~
17 ~~person's spouse to Washington)).~~

18 (b) The procedure must include a process for issuing the person a
19 license(~~(, certificate, registration, or permit, if, in the opinion~~
20 ~~of the authority, the requirements for licensure, certification,~~
21 ~~registration, or obtaining a permit of such other state are~~
22 ~~substantially equivalent to that required in Washington)) within 30
23 days of receiving a completed application. A completed application
24 means that the authority has received all supporting materials,
25 related application fees, fingerprints, and required documentation
26 associated with a criminal background check.~~

27 ~~((e))~~ (2) Each authority in this title shall develop a method
28 and adopt rules to authorize a person who meets the criteria in
29 ~~((a)(i) through (iii) of))~~ this ~~((subsection))~~ section to perform
30 services regulated by the authority in Washington by issuing the
31 person a temporary license(~~(, certificate, registration, or permit))~~
32 within 30 days of receiving a completed application. A completed
33 application means that the authority has received a copy of the
34 certificate issued by the other state for a certificated education
35 professional, related application fees, fingerprints, and required
36 documentation associated with a criminal background check. The
37 license may be issued for a limited period of time of no less than
38 180 days to allow the person to perform services regulated by the
39 authority while completing any specific additional requirements in
40 Washington that are not related to training or practice standards of

1 the profession that were not required in the other state in which the
2 person is licensed, certified, or registered, or has a permit.

3 (3) Nothing in this section requires the authority to issue a
4 ~~((temporary))~~ license(~~(, certificate, registration, or permit)~~) if
5 the standards of the other state are substantially unequal to
6 Washington standards.

7 ~~((d))~~ (4) An applicant must state in the application that ~~((he~~
8 ~~or she))~~ the applicant:

9 ~~((i))~~ (a) Has requested verification from the other state or
10 states that the person is currently licensed, certified, registered,
11 or has a permit; and

12 ~~((ii))~~ (b) Is not subject to any pending investigation,
13 charges, or disciplinary action by the regulatory body of the other
14 state or states.

15 ~~((e))~~ (5) If the authority finds reasonable cause to believe
16 that an applicant falsely affirmed or stated either of the
17 requirements under ~~((d)(i) or (ii) of this))~~ subsection (4)(a) or
18 (b) of this section, the authority may summarily suspend the
19 license(~~(, certificate, registration, or permit)~~) pending an
20 investigation or further action to discipline or revoke the
21 license(~~(, certificate, registration, or permit)~~).

22 NEW SECTION. Sec. 5. A new section is added to chapter 18.340
23 RCW to read as follows:

24 (1) Each authority must identify a contact or coordinator within
25 the authority to assist military spouse applicants and licensees.

26 (2) Each authority must provide training to each board or
27 commission member on the culture of military spouses, the military
28 spouse experience, and issues related to military spouse career
29 paths. Board or commission members appointed on or before October 1,
30 2023, must complete the training by January 1, 2024. Board or
31 commission members appointed after October 1, 2023, must complete the
32 training within 90 days after appointment. The department of veterans
33 affairs shall create an internet-based training that may be used by
34 each authority to satisfy this requirement.

35 (3) Each authority is encouraged to:

36 (a) Appoint a military spouse to serve on its licensing board or
37 commission;

1 (b) Conduct a review of the authority's licensing application
2 process for military spouses and identify barriers to military spouse
3 employment; and

4 (c) Review licensing fees and related expenses and identify
5 possible ways to reduce costs for military spouses.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.340
7 RCW to read as follows:

8 (1) The employment security department, the department of health,
9 the department of licensing, and the department of veterans affairs
10 shall each maintain a military spouse assistance web page containing,
11 at a minimum:

12 (a) Each authority's rules and procedures, including any required
13 fees, related to the licensing of military spouses;

14 (b) Contact information for each authority's military spouse
15 contact or coordinator; and

16 (c) Links to the military spouse assistance web pages of other
17 agencies.

18 (2) A direct link to the agency's military spouse assistance web
19 page must be displayed on the agency's home page.

20 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.410
21 RCW to read as follows:

22 The agency responsible for educator certification shall, as set
23 forth in chapter 18.340 RCW:

24 (1) Adopt rules for expedited professional certification for
25 military spouses;

26 (2) Identify a contact or coordinator to assist military spouse
27 applicants and licensees;

28 (3) Provide training to each board member on the culture of
29 military spouses, the military spouse experience, and issues related
30 to military spouse career paths; and

31 (4) Maintain a military spouse assistance web page.

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.60A
33 RCW to read as follows:

34 (1) The department, the employment security department, and the
35 department of commerce shall consult local chambers of commerce,
36 associate development organizations, and businesses to initiate a
37 demonstration campaign to increase military spouse employment. This

1 campaign may include partnerships with chambers of commerce that
2 result in business owners sharing, with the local chamber of
3 commerce, information on the number of military spouses employed and
4 the local chambers of commerce providing this information to the
5 department.

6 (2) Participants in the campaign are encouraged to work with the
7 Washington state military transition council and county veterans'
8 advisory boards under RCW 73.08.035.

9 (3) Funding for the campaign shall be established from existing
10 resources.

11 (4) For the purposes of this section, "military spouse" means any
12 person married or previously married to a military service member,
13 irrespective of the length of the marriage, during the military
14 service member's service in any branch of the United States armed
15 forces as an active duty service member, reservist, or national guard
16 member.

17 NEW SECTION. **Sec. 9.** A new section is added to chapter 38.42
18 RCW to read as follows:

19 (1) The spouse of a service member may terminate an employment
20 contract without penalty at any time after the service member
21 receives military service orders for a permanent change of station
22 if:

23 (a) The spouse provides written notice, including email, to the
24 employer of the termination under this section; and

25 (b) The spouse provides written proof to the employer of the
26 official orders showing that the service member has received military
27 orders for a permanent change of station.

28 (2) Termination of an employment contract under this section is
29 effective on the day notice is given under subsection (1) of this
30 section or on a date mutually agreed to by the parties to the
31 employment contract.

32 (3) An employer may not impose any penalty for termination of an
33 employment contract under this section.

34 (4) For purposes of this section:

35 (a) "Employment contract" means a contract that establishes the
36 terms of employment or other professional relationship with the
37 spouse of a service member. "Employment contract" does not include an
38 independent contractor agreement.

1 (b) "Penalty" means any fee or cost or liability for breach of
2 contract or any other adverse consequence imposed by the employer.
3 "Penalty" does not include any requirements established by state or
4 federal law.

5 (5) This section applies prospectively only and not
6 retroactively. It applies only to employment contracts entered into
7 on or after the effective date of this section.

8 (6) Nothing in this section shall be construed as altering the
9 terms, conditions, or practices contained in any collective
10 bargaining agreement in effect on the effective date of this section
11 until the expiration date of such agreement.

12 **Sec. 10.** RCW 73.04.150 and 2017 c 184 s 1 are each amended to
13 read as follows:

14 (1) There is hereby created a joint committee on veterans' and
15 military affairs. The committee shall consist of: (a) Eight members
16 of the senate appointed by the president of the senate, four of whom
17 shall be members of the majority party and four of whom shall be
18 members of the minority party; and (b) eight members of the house of
19 representatives appointed by the speaker, four of whom shall be
20 members of the majority party and four of whom shall be members of
21 the minority party. Members of the committee shall be appointed
22 before the close of the 2005 legislative session, and before the
23 close of each regular session during an odd-numbered year thereafter.

24 (2) Each member's term of office shall run from the close of the
25 session in which he or she was appointed until the close of the next
26 regular session held in an odd-numbered year. If a successor is not
27 appointed during a session, the member's term shall continue until
28 the member is reappointed or a successor is appointed. The term of
29 office for a committee member who does not continue as a member of
30 the senate or house of representatives shall cease upon the convening
31 of the next session of the legislature during an odd-numbered year
32 after the member's appointment, or upon the member's resignation,
33 whichever is earlier. Vacancies on the committee shall be filled by
34 appointment in the same manner as described in subsection (1) of this
35 section. All such vacancies shall be filled from the same political
36 party and from the same house as the member whose seat was vacated.

37 (3) The committee shall establish an executive committee of four
38 members, two of whom are members of the senate and two of whom are
39 members of the house of representatives. The executive committee

1 shall appoint one cochair from the two executive committee members
2 who are senators and one cochair from the two executive committee
3 members who are representatives. The two cochairs shall be from
4 different political parties and their terms of office shall run from
5 the close of the session in which they are appointed until the close
6 of the next regular session in an odd-numbered year. The executive
7 committee is responsible for performing all general administrative
8 and personnel duties assigned to it in the rules and procedures
9 adopted by the joint committee, as well as other duties delegated to
10 it by the joint committee.

11 (4) The joint committee on veterans' and military affairs has the
12 following powers and duties:

13 (a) To study veterans' issues, active military forces issues, and
14 national guard and reserve component issues, and make recommendations
15 to the legislature; and

16 (b) To study structure and administration of the department of
17 veterans affairs and the military department, and make
18 recommendations to the legislature.

19 (5) The joint committee shall adopt rules and procedures for its
20 orderly operation. The joint committee may create subcommittees to
21 perform duties under this section.

22 (6) The regulating authorities for the department of licensing
23 ~~((and)), the department of health, and the professional educator~~
24 standards board shall file reports to the legislature ~~((biennially~~
25 ~~and the Washington state military transition council))~~ annually
26 beginning January 1, ~~((2018))~~ 2024, and appear annually before the
27 joint committee on veterans' and military affairs, to provide updates
28 on progress in their efforts to implement the requirements of chapter
29 18.340 RCW, chapter 32, Laws of 2011, ~~((and))~~ chapter 351, Laws of
30 2011 ~~((By January 1, 2018, the department of labor and industries~~
31 ~~and the professional educator standards board must each submit a~~
32 ~~report to the legislature, including an assessment on how its~~
33 ~~licensing, certification, and apprenticeship programs apply training~~
34 ~~and experience acquired by military members and their spouses outside~~
35 ~~of Washington, and recommendations about whether such programs should~~
36 ~~be included in the reporting schedule within this subsection)), and~~
37 section 6 of this act.

38 NEW SECTION. **Sec. 11.** Section 4 of this act takes effect
39 October 1, 2023."

ADOPTED 04/10/2023

1 On page 1, line 1 of the title, after "employment;" strike the
2 remainder of the title and insert "amending RCW 18.340.020 and
3 73.04.150; adding new sections to chapter 18.340 RCW; adding a new
4 section to chapter 28A.410 RCW; adding a new section to chapter
5 43.60A RCW; adding a new section to chapter 38.42 RCW; creating new
6 sections; and providing an effective date."

EFFECT: Provides that a complete application for a temporary license includes a copy of the certificate issued by the other state for a certificated education professional. Renumbers and reletters certain subsections.

--- END ---