

SENATE BILL REPORT

SB 5112

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, February 2, 2005

Title: An act relating to veterans of the Afghanistan conflict and the Persian Gulf War II.

Brief Description: Providing public employment retirement credits and education fee waivers for veterans of the Afghanistan conflict and the Persian Gulf War II.

Sponsors: Senators Shin, Schmidt, Rockefeller, Rasmussen, Kline, Sheldon, Keiser, Doumit, Berkey, Kastama, Haugen, McAuliffe, Franklin, Johnson, Kohl-Welles, Benson and Oke.

Brief History:

Committee Activity: Early Learning, K-12 & Higher Education: 1/28/05, 2/2/05 [DPS].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: That Substitute Senate Bill No. 5112 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Schmidt, Ranking Minority Member; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Mulliken, Pflug, Pridemore, Rasmussen, Rockefeller, Schoesler, Shin and Weinstein.

Staff: Heather Lewis-Lechner (786-7448)

Background: Individuals who meet the statutory definition of "veteran" are eligible for certain state benefits. One benefit is that if the individual is in the Public Employees' Retirement System Plan 1 (PERS 1) with at least 25 years of creditable service, he or she is eligible to receive credit for up to five years of qualifying military service. Qualifying military service is service within one of a number of specific periods of war as defined in statute.

An additional state benefit available to veterans is eligibility for tuition and fee waivers from the public baccalaureate institutions and community colleges. The state higher education institutions are granted the authority by the legislature to waive all or a portion of tuition and fees for veterans. All waiver programs are permissive for the institutions. Currently, there are three separate statutes that provide tuition waiver authority for veterans.

Veterans of the first Persian Gulf war may be exempted from any increase in student tuition or fees that occurred after the 1990-91 academic year. To qualify for the exemption the veteran must be a resident student and must have served in the Persian Gulf combat zone as designated by executive order of the President of the United States during 1991.

Veterans of the Vietnam conflict are eligible for a waiver of tuition increases that have occurred since October 1977. To qualify for the waiver the veteran must be a resident student and must have been on active federal service in the armed forces during the period August 5, 1964 through May 7, 1975.

Veterans enrolled in an institution on or before 1977, including veterans of both World Wars and the Korean conflict, are also eligible under statute for a full or partial tuition waiver if he or she is no longer eligible for federal education or vocational benefits.

Summary of Substitute Bill: Veterans of Operation Iraqi Freedom and Operation Enduring Freedom are added to the list of periods of war used to determine whether or not an individual qualifies as a veteran for the purpose of eligibility for PERS 1 service credits.

The governing boards of the state's public higher education institutions are given the authority to exempt veterans of the Afghanistan conflict, or veterans who served in the second Persian Gulf combat zone, from all or a portion of the increases in tuition and fees that have occurred since the time of the conflict in which the veteran served. The Afghanistan conflict is defined in the bill to include all persons who served on active duty in the armed forces during or after any portion of the 2001 calendar year in southern or central Asia as part of Operation Enduring Freedom. The second Persian Gulf combat zone is defined in the bill to include all persons who served on active duty in the armed forces of the United States during or after the 2002-03 academic year in Operation Iraqi Freedom.

Substitute Bill Compared to Original Bill: In the original bill veterans of the Afghanistan conflict and the second Persian Gulf war could have tuition and fee increases that have occurred since the time of the first Persian gulf war, 1990, waived. The substitute version amends that language to treat veterans of the Afghanistan conflict and second Persian Gulf war the same as all other veterans with respect to what tuition increases can be waived. Under the substitute bill, tuition increases that have occurred since the time of the conflict in which the veteran served may be waived. Language is added to include veterans of the Afghanistan conflict and the second Persian Gulf war, along with veterans of the first Persian Gulf war, in the intent and findings section of the current tuition waiver law.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: These young people go where they are sent and sometimes sacrifice their lives. This bill is the least we can do for the veterans who have fought for this country and done their duty. We owe them this. Veterans have had to come back and sometimes start their lives over and that sometimes means going back to school. This waiver would help these veterans get the retraining they need so that they can have a future, rebuild their lives, and contribute. While budget issues are a concern because of the number of people this would impact, that was also the case with Vietnam veterans.

Testimony Against: None.

Concerns: While not opposed to the bill, the community and technical colleges do want to offer words of caution. This could have a large financial impact on the community and technical college system. The deployment for these conflicts was substantial and it will have an impact. Even though these waivers are permissive, we are not going to turn down one

group of veterans while we have waived tuition for others. It will end up having an impact and basically being a budget cut. We believe that we need to look at this issue more holistically. There is currently a bill in the House that would look at veterans waivers as a whole and treat all veterans alike that might be a better vehicle.

Who Testified: PRO: Senator Paull Shin, prime sponsor; Timothy Boyce, citizen.
CONCERNS: Chris Reykdal, SBCTC.