
**Technology, Economic Development, &
Veterans Committee**

HB 1738

Brief Description: Ensuring access to state benefits and opportunities for veterans, uniformed service members, and military spouses.

Sponsors: Representatives Shavers and Nance.

Brief Summary of Bill

- Modifies eligibility for pension and retirement benefits based on military service for fire fighters, police, Public Employees' Retirement System Plan 1, and city employees.
- Expands eligibility for veterans' benefits based on military service for licensing moratoria, veterans' scoring criteria, and veterans' employment.
- Adds definition of uniformed services to include federal commissioned corps.
- Expands type of military service that qualifies military spouses and dependents for pension and retirement benefits, license moratoria, and veterans' employment.

Hearing Date: 2/12/25

Staff: Martha Wehling (786-7067).

Background:

Washington's state-sponsored retirement services provide credit for interruptive military service, and some plans provide military service credit for non-interruptive military service. Certain state

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benefits are available for certain types of military service, and in some cases, available to military spouses or dependents.

Pension and Retirement Benefits.

Fire Fighter.

A member of a fire department who enters and serves in the United States armed forces has his or her period of service added to the period of fire department employment for purposes of calculating pension and retirement benefits. The additional service cannot exceed five years.

Police.

A member of a city police department receives a specified pension after 25 years of service. A member who enters the armed services, is honorably discharged or discharged for physical reasons, and whose military service was during a Period of War, has his or her period of service added to the period of city police department service for purposes of calculating pension and retirement benefits. The additional service cannot exceed five years, and the member must pay the six percent monthly salary contribution into the city's police relief and pension fund for his or her period of absence.

Public Employees, Plan "1".

A public employee included in the Public Employees' Retirement System Plan 1 who served in the military or naval forces is on military leave of absence if the employment is resumed within one year. The public employee may have armed forces service credited towards his or her retirement benefits, but the additional service cannot exceed five years, and the employee must prove that the military service was during a Period of War.

If a public employee would have been eligible for retirement benefits, but is serving honorably in the armed forces during a Period of War, the employee is eligible for the service credit without returning to public employment.

If the public employee becomes totally incapacitated during uniformed service, the employee is entitled to retirement system service credit until the date of discharge if the Director of the Department of Retirement Services provides a determination of total incapacitation and the employee proves his or her discharge was honorable.

The surviving spouse, eligible child, or children of a public employee who died during uniformed service may apply on behalf of the deceased employee for retirement service credit up to the employee's date of death.

City Employee.

A member is in service only while receiving compensation from the city, or on leave for service in the armed forces. Service means service rendered to a city for compensation. The Board of Trustees is required to grant prior service credit to an employee who would have been granted a leave of absence for sickness, injury, or service in the armed forces during World War I, World

War II, or extended active duty. Service credit may not exceed five years, and the Board of Trustees must receive a certificate of honorable discharge.

Other State Benefits.

Department of Licensing Moratorium.

A license remains in full force and effect for any person licensed by the Director of Licensing or certain boards and commissions who enters service in the armed forces, the United States Public Health Service Commissioned Corps (PHSCC), or the Merchant Marines. A spouse or registered domestic partner's license must be placed in inactive status, if requested by the licensee.

Veterans' Scoring Criteria in Examinations.

Veteran applicants for public offices, positions, or employment with the state, political subdivisions, municipal corporations, and private companies or agencies contracting with the state receive a scoring criteria status of five to ten percent, depending on the service.

Veterans' Employment.

Soldiers, sailors, guardians, marines, and other members of the uniformed services who are veterans of any war, any military campaign with a ribbon and qualifying discharge, and widows or widowers receive preferential appointment and employment for every public department and all public works of the state and each county.

A person is entitled to be restored to an employment position after his or her period of active military duty or service as if on furlough or leave of absence.

The "uniformed services" for purposes of veterans employment are defined as the armed forces, Army National Guard, and Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the PHSCC, the Coast Guard, and any other category designated by the President in time of war or national emergency.

A permissive private employment preference is available for honorably discharged soldiers, sailors, and marines who are veterans of any war or any campaign for which a ribbon has been awarded, and their widows.

Spouses of veterans with a qualifying discharge and who have a service connected permanent and total disability also receive preferential appointment and employment. In private employment, spouses of honorably discharged veterans who have a service connected permanent and total disability may also be preferred for employment.

Federal Commissioned Corps.

The United States Public Health Service Commissioned Corps (PHSCC) is the uniformed service branch of the Public Health Service and one of eight uniformed services of the United States.

The mission of the PHSCC is to protect, promote, and advance the health and safety of the general public. The National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA COC) is another of the uniformed services. Its purpose is to monitor oceanic conditions, support major waterways, and monitor atmospheric conditions. The PHSCC and the NOAA COC are the two branches of uniformed services that have only commissioned officers and no enlisted or warrant officer ranks. They may be directed to serve as part of the federal military by the President.

Definitions.

For purposes of the militia and military affairs, a "member" is a soldier or airman of the organized militia.

For purposes of service members' civil relief, a "service member" is an active member of the United States armed forces, a member of a military reserve component, or a member of the National Guard stationed in or a resident of Washington.

"Veteran" includes a person who has received a qualifying discharge and meets at least one of the following criteria:

- served between World War I and World War II;
- served during any "Period of War" as:
 - a member in any branch of the armed forces;
 - a member of the Women Air Force Service Pilots;
 - a merchant mariner with service on an oceangoing vessel between 1941 and 1946;
or
 - a civil service crewmember between 1941 and 1946;
- received the armed forces expeditionary medal or Marine Corps and Navy expeditionary medal for service in the armed forces or the Women Air Force Service Pilots.

A "Period of War" is World War I, World War II, the Korean conflict, the Vietnam Era, the Persian Gulf War, any future declaration of war, or any armed conflict where the participant was awarded the respective campaign or expeditionary badge or medal.

Summary of Bill:

Pension and Retirement Benefits.

Fire Fighter.

A member of a fire department who enters and serves in the uniformed services has his or her period of service added to the period of fire department employment for purposes of calculating pension and retirement benefits. "Uniformed services" means the United States Public Health Service Commissioned Corps (PHSCC) and the National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA COC).

Police.

A member of a city police department who enters and serves in the uniformed services during a Period of War, and who received an honorable discharge, is actively serving honorably, or received a discharge for physical reasons has his or her period of service added to the period of city police department employment for purposes of calculating his or her pension. "Uniformed services" means the PHSCC and the NOAA COC.

Public Employees, Plan "1".

A public employee who serves in the uniformed services may be on military leave of absence if the employment is resumed within one year. A public employee with 25 years of service who serves in the uniformed services during a Period of War and received an honorable discharge, is actively serving honorably, or received a discharge for physical reasons may have his or her period of service added to the period of public employment for purposes of calculating retirement benefits.

If a public employee would have been eligible for retirement benefits, but is serving honorably in the uniformed services during a Period of War, the employee is eligible for the service credit without returning to public employment.

If the public employee becomes totally incapacitated during service in the armed forces, the employee is entitled to retirement system service credit until the date of discharge if the Director of the Department of Retirement Services provides a determination of total incapacitation and the employee proves his or her discharge was honorable. "Uniformed services" means the PHSCC and the NOAA COC.

The surviving spouse, eligible child, or children of a public employee who died during service in the armed forces may apply on behalf of the deceased employee for retirement service credit up to the employee's date of death.

City Employee.

A member is in service while on leave for service in the uniformed services. "Uniformed services" means the PHSCC and the NOAA COC. The Board of Trustees is required to grant prior service credit to an employee who would have been granted a leave of absence for sickness, injury, or service in the uniformed services during World War I, World War II, or extended active duty.

Other State Benefits.

Department of Licensing Moratorium.

Service in the NOAA COC requires the member's license to remain in effect during service, or the spouse or domestic partner's inactive status.

Veterans' Scoring Criteria in Examinations.

Members of the uniformed services receive the scoring status. "Uniformed services" means service in the PHSCC or the NOAA COC with a qualifying discharge or who is actively serving

honorably.

Veterans' Employment.

The definition of "uniformed services" is expanded to include the NOAA COC. The requirement that a person is a veteran of any war or campaign for which a ribbon was awarded are removed as qualifications for preferential appointment and employment.

A person is entitled to be restored to an employment position after his or her period of uniformed service as if on furlough or leave of absence.

A permissive private employment preference is available for guardians and uniformed service members. The requirement that the person is a veteran of any war or any campaign for which a ribbon has been awarded is removed as a required qualification for preferential private employment.

Spouses of active duty service members receive preferential appointment and employment. In private employment, spouses of active duty service members and honorably discharged veterans who have a service connected permanent and total disability may also be preferred for employment.

Definitions.

For the militia and military affairs, the definition of "member" is expanded to include a guardian.

For service members' civil relief, the definition of "service member" is expanded to include a member of the PHSCC or the NOAA COC.

Appropriation: None.

Fiscal Note: Requested on February 5, 2025.

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