

SENATE BILL REPORT

SB 5963

As Reported by Senate Committee On:
Governmental Operations, January 27, 2014

Title: An act relating to the composition of the officer promotion board.

Brief Description: Concerning the composition of the officer promotion board.

Sponsors: Senators Bailey, Rivers, Chase, Braun, Conway, Schoesler, Shin, Roach, Hobbs, Darneille and Tom; by request of Washington Military Department.

Brief History:

Committee Activity: Governmental Operations: 1/16/14, 1/27/14 [DP].

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Hasegawa, Ranking Member; Conway and McCoy.

Staff: Samuel Brown (786-7470)

Background: The Washington State militia is divided into three branches: the Army National Guard (ARNG), the Air National Guard (ANG), and the Washington State Guard. The State Guard is a temporary military organization available to serve the Governor in the event that the National Guard in the state of Washington is called into federal service. The Governor may call the State Guard into state service in other instances, such as in the wake of a natural disaster.

A commissioned officer must be promoted or appointed to fill a vacancy by an Officer Promotion Board (OPB). An act of an OPB must be supported by at least four members of the OPB. If the OPB has four or fewer members, the act must be unanimous.

The OPB for promotions of ARNG officers consists of:

- the Adjutant General;
- the Assistant Adjutant General Army; and
- the five commanders senior in grade and date of rank in that grade in the ARNG.

The OPB for promotions of ANG officers consists of:

- the Adjutant General;

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- the Assistant Adjutant General Air; and
- the five commanders senior in grade and date of rank in that grade in the ANG.

The OPB for promotions of State Guard officers consists of:

- the Adjutant General;
- the Assistant Adjutant General Army; and
- the five commanders senior in grade and date of rank in that grade in the State Guard.

Summary of Bill: The compositions of the OPBs for ARNG, ANG, and State Guard officers are modified. For each promotion board, the Adjutant General must appoint at least five voting members who are officers in the branch senior to those officers being considered by the OPB for promotion. Any officer appointed to an OPB who is not senior to an officer being considered for promotion must be recused from participating in consideration of the promotion of the senior officer. For consideration of an officer for promotion to the grade of O5—Lieutenant Colonel—and above, the OPB must include at least one general officer appointed by the Adjutant General as a voting member.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This is a very needed bill. The composition no longer complies with federal regulatory requirements. The Adjutant General should have the flexibility to appoint the officers who are best qualified to review and select officers for promotion. The promotion board should make recommendations to the Adjutant General using its independent judgment.

Persons Testifying: PRO: Senator Bailey, prime sponsor; Maj. Gen. Bret Daugherty, WA Military Dept.