

# SENATE BILL REPORT

## SHB 2544

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As of February 28, 2020

**Title:** An act relating to the definition of veteran.

**Brief Description:** Concerning the definition of veteran.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Paul, Dufault, Leavitt, Graham, Smith, Volz and Ormsby).

**Brief History:** Passed House: 2/13/20, 98-0.

**Committee Activity:** Ways & Means: 2/26/20.

### Brief Summary of Bill

- Expands the definition of "period of war" for veterans' benefits in state pension systems, legal assistance, scoring criteria on civil service exams, and other programs, to include any armed conflicts where a campaign medal was awarded, rather than listing specific conflicts.
- Requires the Select Committee on Pension Policy and the Law Enforcement Officers' and Firefighters' Plan 2 Retirement Board to study the provision of free military service credit to members awarded an expeditionary medal, but not a campaign medal.

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Amanda Cecil (786-7460)

**Background:** The state provides certain recognition benefits to people 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 Washington 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:

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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 surviving spouses of veterans.

The federal Uniform Services Employment and Reemployment Rights Act (USERRA) requires employers to determine a reemployed service member's eligibility for participation in a pension plan and the vesting and accrual of the service member's pension benefits as if the service member had not left for military service. Consistent with USERRA, members of the state's retirement systems who leave employment to enter the armed forces of the United States may be eligible for interruptive military service credit. Interruptive military service credit applies to all Washington state retirement systems. A member qualifies for this benefit when a leave of absence is taken from a Department of Retirement System (DRS) covered position to serve in the United States military. When this occurs, membership in the retirement system is considered to be interrupted.

There are two types of pension benefits for interruptive military service—fully subsidized or no cost interruptive military service credit, and partially subsidized where the member pays the employee portion of contributions for that period and in some cases interest. A member can qualify for up to five years of no-cost interruptive military service credit. The employer and state pay their contributions plus interest and the system subsidizes the member contributions and interest.

To qualify for no-cost interruptive military service credit the member must meet the definition of “veteran” under RCW 41.04.005. The statute limits veterans to persons serving during a “period of war” defined as:

- World War I, World War II, the Korean conflict, the Vietnam era, the Persian Gulf War, and any future period of war declared by Congress; and
- the following specified military operations where the member earned a campaign badge or medal:
  - the crisis in Lebanon;
  - the invasion of Grenada;
  - Panama, Operation Just Cause;
  - Somalia, Operation Restore Hope;
  - Haiti, Operation Uphold Democracy;
  - Bosnia, Operation Joint Endeavor;
  - Operation Noble Eagle;
  - Southern or central Asia, Operation Enduring Freedom;
  - Persian Gulf, Operation Iraqi Freedom;
  - Iraq and Syria, Operation Inherent Resolve; and
  - Afghanistan, Operation Freedom's Sentinel.

The Department of Defense (DOD) awards campaign, expeditionary, deployed service, and individual service badges or medals. Campaign medals recognize deployed participation in large-scale or long-duration combat operations. Campaign medals are associated with the highest level of personal risk and hardship. They are awarded to service members who are deployed to the geographic areas where the combat is actually occurring. Expeditionary medals are also awarded to members deployed in support of combat operations, but who are not in the geographic area where the actual combat is occurring.

**Summary of Bill:** The definition of "period of war" is expanded for veterans' benefits in state pension systems, legal assistance, scoring criteria on civil service exams, and other programs, to include any armed conflicts where a campaign medal was awarded. The list of specific conflicts that would qualify if campaign medal was awarded is removed.

The Select Committee on Pension Policy and the Law Enforcement Officers' and Firefighters' Plan 2 Retirement Board, with the assistance of the Office of the State Actuary, the Department of Retirement Systems, the Washington State Military Department, and the Washington State Department of Veterans Affairs, are directed to study the provision of military service credit to members of the retirement systems, in particular the cost of expanding no cost military service credit to members who received an expeditionary medal. The report is due to the Legislature on January 2, 2021.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: There are public employees that are veterans, some of whom served in the war on terror. Currently the law lists specific conflicts in order to be eligible for certain benefits. As new medals are awarded that list does not keep pace and has to be amended. This will allow that to stay current. This also provides for a study of extending these benefits to those that received an expeditionary medal. The Department of Defense does not distinguish between a campaign and expeditionary medal for benefits so this would look at what it would cost if the state did the same thing.

**Persons Testifying:** PRO: Representative Dave Paul, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying:** No one.