S-4285.1

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**SENATE BILL 6310**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senators Lovick, Nobles, and Valdez

AN ACT Relating to including members of the space force and uniformed services as part of state benefits and programs for service members; amending RCW 38.04.010, 38.42.010, 41.18.150, 41.20.050, 43.24.130, 41.04.010, 41.44.120, 73.16.031, 73.16.010, and 73.16.051; and reenacting and amending RCW 41.40.170, 41.44.030, and 46.18.200.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 38.04.010 and 1991 c 43 s 1 are each amended to read as follows:

When used in this title, the following words, terms, phrases shall have the following meaning:

The word "militia" shall mean the military forces provided for in the Constitution and laws of the state of Washington.

The term "organized militia" shall be the general term to include both state and national guard and whenever used applies equally to all such organizations.

The term "national guard" shall mean that part of the military force of the state that is organized, equipped and federally recognized under the provisions of the national defense act of the United States, and, in the event the national guard is called into federal service or in the event the state guard or any part or individual member thereof is called into active state service by the commander-in-chief, the term shall also include the "Washington state guard" or any temporary organization set up in times of emergency to replace either the "national guard" or "state guard" while in actual service of the United States.

The term "state guard" shall mean that part of the military forces of the state that is organized, equipped, and recognized under the provisions of the State Defense Forces Act of the United States (32 U.S.C. Sec. 109, as amended).

The term "active state service" or "active training duty" shall be construed to be any service on behalf of the state, or at encampments whether ordered by state or federal authority or any other duty requiring the entire time of any organization or person except when called or drafted into the federal service by the president of the United States.

The term "inactive duty" shall include periods of drill and such other training and service not requiring the entire time of the organization or person, as may be required under state or federal laws, regulations, or orders, including travel to and from such duty.

The terms "in service of United States" and "not in service of United States" as used herein shall be understood to mean the same as such terms when used in the national defense act of congress and amendments thereto.

The term "military" refers to any or all of the armed forces.

The term "armory" refers to any state-owned building, warehouse, vehicle storage compound, organizational maintenance shop or other facility and the lands appurtenant thereto used by the Washington national guard for the storage and maintenance of arms or military equipment or the administration or training of the organized militia.

The term "member" refers to a soldier ((~~or~~)), airman, or guardian of the organized militia.

**Sec.**  RCW 38.42.010 and 2018 c 197 s 1 are each amended to read as follows:

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

(1) "Attorney general" means the attorney general of the state of Washington or any person designated by the attorney general to carry out a responsibility of the attorney general under this chapter.

(2) "Business loan" means a loan or extension of credit granted to a business entity that: (a) Is owned and operated by a service member, in which the service member is either (i) a sole proprietor, or (ii) the owner of at least fifty percent of the entity; and (b) experiences a material reduction in revenue due to the service member's military service.

(3) "Dependent" means:

(a) The service member's spouse;

(b) The service member's minor child; or

(c) An individual for whom the service member provided more than one-half of the individual's support for one hundred eighty days immediately preceding an application for relief under this chapter.

(4) "Financial institution" means an institution as defined in RCW 30A.22.041.

(5) "Judgment" does not include temporary orders as issued by a judicial court or administrative tribunal in domestic relations cases under Title 26 RCW, including but not limited to establishment of a temporary child support obligation, creation of a temporary parenting plan, or entry of a temporary protective or restraining order.

(6) "Military service" means a service member:

(a) Under a call to active service authorized by the president of the United States or the secretary of defense for a period of more than thirty consecutive days; or

(b) Under a call to active service authorized by the governor under RCW 38.08.040 for a period of more than thirty consecutive days.

(7) "National guard" has the meaning in RCW 38.04.010.

(8) "Service member" means an active member of the United States armed forces, a member of a military reserve component, ((~~or~~)) a member of the national guard who is either stationed in or a resident of Washington state, or a member of the United States public health service commissioned corps or national oceanic and atmospheric administration commissioned officer corps.

**Sec.**  RCW 41.18.150 and 2007 c 218 s 55 are each amended to read as follows:

(1) Every person who was a member of the fire department at the time he or she entered and served in the armed forces or uniformed services of the United States in time of war, whether as a draftee, or inductee, and who shall have been discharged from such armed forces or uniformed services under conditions other than dishonorable, shall have added and accredited to his or her period of employment as a firefighter his or her period of war or peacetime service in the armed forces or uniformed services: PROVIDED, That such added and accredited service shall not as to any individual exceed five years.

(2) As used in this section, "uniformed services" includes the United States public health service commissioned corps and the national oceanic and atmospheric administration commissioned officer corps.

**Sec.**  RCW 41.20.050 and 2012 c 117 s 22 are each amended to read as follows:

(1) Whenever a person has been duly appointed, and has served honorably for a period of twenty-five years, as a member, in any capacity, of the regularly constituted police department of a city subject to the provisions of this chapter, the board, after hearing, if one is requested in writing, may order and direct that such person be retired, and the board shall retire any member so entitled, upon his or her written request therefor. The member so retired hereafter shall be paid from the fund during his or her lifetime a pension equal to fifty percent of the amount of salary at any time hereafter attached to the position held by the retired member for the year preceding the date of his or her retirement: PROVIDED, That, except as to a position higher than that of captain held for at least three calendar years prior to date of retirement, no such pension shall exceed an amount equivalent to fifty percent of the salary of captain, and all existing pensions shall be increased to not less than three hundred dollars per month as of April 25, 1973: PROVIDED FURTHER, That a person hereafter retiring who has served as a member for more than twenty-five years, shall have his or her pension payable under this section increased by two percent of his or her salary per year for each full year of such additional service to a maximum of five additional years.

(2) Any person who has served in a position higher than the rank of captain for a minimum of three years may elect to retire at such higher position and receive for his or her lifetime a pension equal to fifty percent of the amount of the salary at any time hereafter attached to the position held by such retired member for the year preceding his or her date of retirement: PROVIDED, That such person make the said election to retire at a higher position by September 1, 1969 and at the time of making the said election, pay into the relief and pension fund in addition to the contribution required by RCW 41.20.130: ((~~(1) an~~)) (a) An amount equal to six percent of that portion of all monthly salaries previously received upon which a sum equal to six percent has not been previously deducted and paid into the police relief and pension fund; ((~~(2)~~)) (b) and such person agrees to continue paying into the police relief and pension fund until the date of retirement, in addition to the contributions required by RCW 41.20.130, an amount equal to six percent of that portion of monthly salary upon which a six percent contribution is not currently deducted pursuant to RCW 41.20.130.

(3) Any person affected by this chapter who at the time of entering the armed services was a member of such police department and is a veteran as defined in RCW 41.04.005, or at the time of entering the uniformed services was a member of such police department and has served during a period of war and received an honorable discharge, is actively serving honorably, or received a discharge for physical reasons with an honorable record, shall have added to his or her period of employment as computed under this chapter, his or her period of war service in the armed forces or uniformed services, but such credited service shall not exceed five years and such period of service shall be automatically added to each member's service upon payment by him or her of his or her contribution for the period of his or her absence at the rate provided in RCW 41.20.130.

(4) As used in this section, "uniformed services" includes the United States public health service commissioned corps and the national oceanic and atmospheric administration commissioned officer corps.

**Sec.**  RCW 41.40.170 and 2005 c 247 s 2 and 2005 c 64 s 1 are each reenacted and amended to read as follows:

(1) A member who has served or shall serve on active federal service in the military ((~~or~~)), naval forces, or uniformed services of the United States and who left or shall leave an employer to enter such service shall be deemed to be on military leave of absence if he or she has resumed or shall resume employment as an employee within one year from termination thereof.

(2) If he or she has applied or shall apply for reinstatement of employment, within one year from termination of the military service, and is refused employment for reasons beyond his or her control, he or she shall, upon resumption of service within ten years have such service credited to him or her.

(3) In any event, after completing twenty-five years of creditable service, any member may have service in the armed forces or uniformed services credited to him or her as a member whether or not he or she left the employ of an employer to enter the armed service or uniformed service: PROVIDED, That in no instance, described in this section, shall military service in excess of five years be credited: AND PROVIDED FURTHER, That in each instance the member must restore all withdrawn accumulated contributions, which restoration must be completed within five years of membership service following the first resumption of employment or complete twenty-five years of creditable service: AND PROVIDED FURTHER, That this section will not apply to any individual, not a veteran within the meaning of RCW 41.04.005 or a member of the uniformed services who has served during a period of war and received an honorable discharge, is actively serving honorably, or received a discharge for physical reasons with an honorable record.

(4)(a) A member, after completing twenty-five years of creditable service, who would have otherwise become eligible for a retirement benefit as defined under this chapter while serving honorably in the armed forces as referenced in RCW 41.04.005 or uniformed services as described in subsection (3) of this section, shall, upon application to the department, be eligible to receive credit for this service without returning to covered employment.

(b) Service credit granted under (a) of this subsection applies only to veterans as defined in RCW 41.40.005 or members of the uniformed services as described in subsection (3) of this section.

(5) The surviving spouse or eligible child or children of a member who left the employ of an employer to enter the armed forces or uniformed services of the United States and died while serving in the armed forces or uniformed services may, on behalf of the deceased member, apply for retirement system service credit under this subsection up to the date of the member's death in the armed forces or uniformed services. The department shall establish the deceased member's service credit if the surviving spouse or eligible child or children:

(a) Provides to the director proof of the member's death while serving in the armed forces or uniformed services; and

(b) Provides to the director proof of the member's honorable service in the armed forces or uniformed services prior to the date of death.

(6) A member who leaves the employ of an employer to enter the armed forces or uniformed services of the United States and becomes totally incapacitated for continued employment by an employer while serving in the armed forces or uniformed services is entitled to retirement system service credit under this subsection up to the date of discharge from the armed forces or uniformed services if:

(a) The member obtains a determination from the director that he or she is totally incapacitated for continued employment due to conditions or events that occurred while serving in the armed forces or uniformed services; and

(b) The member provides to the director proof of honorable discharge from the armed forces or uniformed services.

(7) As used in this section, "uniformed services" includes the United States public health service commissioned corps and the national oceanic and atmospheric administration commissioned officer corps.

**Sec.**  RCW 43.24.130 and 2012 c 45 s 1 are each amended to read as follows:

(1) Notwithstanding any provision of law to the contrary, the license of any person licensed by the director of licensing, or the boards and commissions listed in chapter 18.235 RCW, to practice a profession or engage in an occupation, if valid and in force and effect at the time the licensee entered service in the armed forces, the United States public health service commissioned corps, the national oceanic and atmospheric administration commissioned officer corps, or the merchant marine of the United States, shall continue in full force and effect so long as such service continues, unless sooner suspended, canceled, or revoked for cause as provided by law. The director, board, or commission shall renew the license of every such person who applies for renewal thereof within six months after being honorably discharged from service upon payment of the renewal fee applicable to the then current year or other license period.

(2) If requested by the licensee, the license of a spouse or registered domestic partner of a service member in the United States armed forces, including the United States public health service commissioned corps and the national oceanic and atmospheric administration commissioned officer corps, if valid and in force and effect at the time the service member is deployed or stationed in a location outside Washington state, must be placed in inactive military spouse or registered domestic partner status so long as such service continues, unless sooner suspended, canceled, or revoked for cause as provided by law. The director, board, or commission shall return to active status the license of every such person who applies for activation within six months after returning to Washington state, upon payment of the current renewal fee and meeting the current renewal conditions of the respective license.

(3) The director, board, or commission may adopt any rules necessary to implement this section.

**Sec.**  RCW 41.04.010 and 2017 c 97 s 2 are each amended to read as follows:

(1) In all competitive examinations, unless otherwise provided in this section, to determine the qualifications of applicants for public offices, positions, or employment, either the state, and all of its political subdivisions and all municipal corporations, or private companies or agencies contracted with by the state to give the competitive examinations shall give a scoring criteria status to all veterans as defined in RCW 41.04.007 and members of the uniformed services as defined in this section, by adding to the passing mark, grade or rating only, based upon a possible rating of one hundred points as perfect a percentage in accordance with the following:

((~~(1)~~)) (a) Ten percent to a veteran or member of the uniformed services who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not receive military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's or uniformed services member's first appointment. The percentage shall not be utilized in promotional examinations;

((~~(2)~~)) (b) Five percent to a veteran or member of the uniformed services who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's or uniformed services member's first appointment. The percentage shall not be utilized in promotional examinations;

((~~(3)~~)) (c) Five percent to a veteran or member of the uniformed services who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations. The percentage shall be added to promotional examinations until the first promotion only;

((~~(4)~~)) (d) All veterans' scoring criteria may be claimed:

((~~(a)~~)) (i) Upon release from active military service with an honorable discharge or a discharge for medical reasons with an honorable record, where applicable; or

((~~(b)~~)) (ii) Upon receipt of a United States department of defense discharge document DD form 214, NGB form 22, or their equivalent or successor discharge paperwork, that characterizes his or her service as honorable.

(2) As used in this section, "member of the uniformed services" or "uniformed services member" means a person serving or who has served in the United States public health service commissioned corps or the national oceanic and atmospheric administration commissioned officer corps who received an honorable discharge, is actively serving honorably, or received a discharge for physical reasons with an honorable record.

**Sec.**  RCW 41.44.030 and 2012 c 117 s 61 are each reenacted and amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Accumulated additional contributions" means the sum of all "additional contributions" made by a member standing to the credit of the individual account, together with regular interest thereon.

(2) "Accumulated normal contributions" means the sum of all normal contributions, deducted from the compensation of a member, standing to the credit of his or her individual account, together with regular interest thereon.

(3) "Actuarial equivalent" means a benefit of equal value when computed at regular interest upon the basis of such mortality tables as shall be adopted by the board of trustees.

(4) "Additional contributions" means contributions made pursuant to ((~~subsection (6) of~~)) RCW 41.44.130(6).

(5) "Annuity" means payments derived from contributions made by a member as provided herein.

(6) "Beneficiary" means any person in receipt of a pension, annuity, retirement allowance, disability allowance, or any other benefit herein.

(7) "Board" means the "board of trustees" provided for herein.

(8) "City" or "cities" includes town or towns.

(9) "Compensation" means the compensation payable in cash, plus the monetary value, as determined by the board of trustees, of any allowance in lieu thereof (but for the purposes of this chapter such "compensation" shall not exceed three hundred dollars per month, except as to those employees of any member city the legislative body of which shall not later than July 1, 1953, have irrevocably elected by resolution or ordinance to increase the limitation herein contained, effective as to all of its employees, from three hundred dollars to four hundred dollars, commencing on said date, or which shall so elect prior to January 1st of any succeeding year, effective as of January 1st of any such succeeding year, and as to such employees shall, commencing on the specified date, not exceed four hundred dollars or an amount equal to such increased limitation established by such ordinance or resolution per month): PROVIDED HOWEVER, That the foregoing limitation shall not apply to uniformed personnel.

(10) "Compensation earnable" means the full rate of compensation that would be payable to an employee if he or she worked the full normal working time (but for the purposes of this chapter, such "compensation earnable" shall not exceed three hundred dollars per month, except as to those employees of any member city the legislative body of which shall not later than July 1, 1953, have irrevocably elected by resolution or ordinance to increase the limitation herein contained, effective as to all of its employees, from three hundred dollars to four hundred dollars, commencing on said date, or which shall so elect prior to January 1st of any succeeding year, effective as of January 1st of any such succeeding year, and as to such employees shall, commencing on the specified date, not exceed four hundred dollars or an amount equal to such increased limitation established by such ordinance or resolution per month): PROVIDED, HOWEVER, That the foregoing limitation shall not apply to uniformed personnel: PROVIDED FURTHER, That after January 1, 1968, this term shall mean the full rate of compensation payable to an employee if he or she worked the full normal working time.

(11) "Creditable service" means such service as is evidenced by the record of normal contributions, plus prior service as evidenced by prior service certificate.

(12) "Current service" means service after the employee has become a member of the system.

(13) "Effective date" when used with regard to employees means the date on which any individual or group of employees became members of any retirement system and when used with regard to any city or town shall mean the date on which it became a participant.

(14) "Employee" means any appointive officer or employee and shall include elective officials to the extent specified herein.

(15) "Excess interest income" means that interest income earned and received from investments in excess of the interest income on investments required to meet actuarial funding requirements.

(16) "Final compensation" means the highest average annual compensation earnable in any five consecutive years of actual service rendered during the ten years immediately preceding retirement, or where the employee has less than five consecutive years of actual service, the earnable compensation for the last five years preceding his or her retirement.

(17) "Fiscal year" means any year commencing with January 1st and ending with December 31st next following.

(18) "Matching contribution" means the contribution of the city deposited in an amount equal to the normal contributions of the employee.

(19) "Member" means any person included in the membership of the retirement system as provided herein.

(20) "Miscellaneous personnel" means officers and employees other than those in the uniformed police or fire service: PROVIDED, Those members of the fire department who are ineligible to the benefits of a firefighters' pension system established by or pursuant to any other state law, are also included in the miscellaneous personnel.

(21) "Normal contributions" means the contributions at the rate provided for in RCW 41.44.130, excluding those referred to in ((~~subsection~~)) RCW 41.44.130(6).

(22) "Part time employees" means those employees who, although regularly and continuously employed, do not regularly perform their duties the full number of hours required of other regular employees, including but not confined to such employees as police judges, city attorneys, and other officers and employees who are also engaged in outside employment or occupations.

(23) "Pension" means payments derived from contributions made by the city as provided herein.

(24) "Persons having an insurable interest in his or her life" means and includes only such persons who, because of relationship from ties of blood or marriage, have reason to expect some benefit from the continuation of the life of the member.

(25) "Prior service" means the service of a member for compensation rendered a city prior to the effective date and shall include service in the armed forces of the United States to the extent specified herein and service specified in RCW 41.44.120(5).

(26) "Regular interest" means interest compounded annually at such rate as shall have been adopted by the board of trustees in accordance with the provisions of this chapter.

(27) "Released matching contributions" means such "matching contributions" as are no longer held for the benefit of the employee.

(28) "Retirement allowance" means the pension plus annuity.

(29) "Retirement fund" means "statewide city employees retirement fund" provided for herein.

(30) "Retirement system" means the statewide city employees retirement system provided for herein.

(31) "Service" means service rendered to a city for compensation; and for the purpose of this chapter a member shall be considered as being in service only while he or she is receiving compensation from the city for such service or is on leave granted for service in the armed forces or uniformed services of the United States as contemplated in RCW 41.44.120.

(32) "Uniformed personnel" means any employee who is a police officer in service or who is subject to call to active service or duty as such.

(33) "Uniformed services" includes the United States public health service commissioned corps and the national oceanic and atmospheric administration commissioned officer corps.

**Sec.**  RCW 41.44.120 and 2012 c 117 s 65 are each amended to read as follows:

(1) Subject to subsections (4) and (5) of this section the following members shall be entitled to prior service credit:

(a) Each member in service on the effective date.

(b) Each member entering after the effective date if such entry is within one year after rendering service prior to the effective date.

(c) Each member entering in accordance with the provisions and subject to the conditions and limitations prescribed in subsection (5) of this section.

As soon as practicable, the board shall issue to each member entitled to prior service credit a certificate certifying the aggregate length of service rendered prior to the effective date. Such certificate shall be final and conclusive as to his or her prior service unless hereafter modified by the board, upon application of the member.

(2) Each city joining the system shall have the privilege of selecting the rate at which prior service pensions shall be calculated for its employees and may select any one of the three rates set forth below:

(a) 1.33% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "full prior service credit."

(b) 1.00% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "full prior service credit."

(c) .667% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "one-half prior service credit."

(3) The above rates shall apply at the age of sixty-two or over for members included in the miscellaneous personnel and at age sixty or over for members in the uniformed personnel: PROVIDED, That if a member shall retire before attaining either of the ages above referred to, the total prior service pension shall be reduced to the percentages computed and established in accordance with the following tables, to wit:

| Miscellaneous Personnel  Percent of Full Prior Service Allowable | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | Male |  |  |  |  | Female | |  |
| Age |  | Factor | |  | Age |  | Factor | |
| 45 |  | 65.48 | |  | 45 |  | 66.78 | |
| 46 |  | 66.86 | |  | 46 |  | 67.91 | |
| 47 |  | 68.29 | |  | 47 |  | 69.09 | |
| 48 |  | 69.77 | |  | 48 |  | 70.34 | |
| 49 |  | 71.28 | |  | 49 |  | 71.67 | |
| 50 |  | 72.82 | |  | 50 |  | 73.10 | |
| 51 |  | 74.43 | |  | 51 |  | 74.71 | |
| 52 |  | 76.13 | |  | 52 |  | 76.41 | |
| 53 |  | 77.93 | |  | 53 |  | 78.21 | |
| 54 |  | 79.84 | |  | 54 |  | 80.11 | |
| 55 |  | 81.86 | |  | 55 |  | 82.12 | |
| 56 |  | 84.00 | |  | 56 |  | 84.24 | |
| 57 |  | 86.28 | |  | 57 |  | 86.50 | |
| 58 |  | 88.69 | |  | 58 |  | 88.89 | |
| 59 |  | 91.26 | |  | 59 |  | 91.42 | |
| 60 |  | 94.00 | |  | 60 |  | 94.11 | |
| 61 |  | 96.90 | |  | 61 |  | 96.96 | |
| 62 |  | 100.00 | |  | 62 |  | 100.00 | |

| Percent of Full Prior Service Allowable  Uniformed Personnel | | |
| --- | --- | --- |
| Age |  | Factor |
| 45 |  | 69.66 |
| 46 |  | 71.13 |
| 47 |  | 72.65 |
| 48 |  | 74.22 |
| 49 |  | 75.83 |
| 50 |  | 77.47 |
| 51 |  | 79.18 |
| 52 |  | 80.99 |
| 53 |  | 82.91 |
| 54 |  | 84.93 |
| 55 |  | 87.09 |
| 56 |  | 89.37 |
| 57 |  | 91.79 |
| 58 |  | 94.36 |
| 59 |  | 97.09 |
| 60 |  | 100.00 |

(4) If sickness, injury, or service in the armed forces or uniformed services of the United States during the national emergency identified with World War I or World War II and/or service in the armed forces or uniformed services of the United States of America for extended active duty by any employee who shall have been regularly granted a leave of absence from the city service by reason thereof, prevents any regular employee from being in service on the effective date, the board shall grant prior service credit to such person when he or she is again employed. The legislative authority in each participating city shall specify the amount of prior service to be granted or current service credit to be made available to such employees: PROVIDED, That in no case shall such service credit exceed five years. Certificate of honorable discharge from or documentary evidence of such service shall be submitted to the board before any such credit may be granted or made available. Prior or current service rates, or both, for such employees shall not exceed the rates established for fellow employees.

(5) There shall be granted to any person who was an employee of a private enterprise or a portion thereof which shall be hereafter acquired by a city as a matter of public convenience or necessity, where it is in the public interest to retain the trained personnel of such enterprise or portion thereof, credit for prior service for the period such person was actually employed by such private enterprise, except that this shall apply only to those persons who shall be employees of such enterprise or portion thereof at the time of its acquisition by the city and who remain in the service of such city until the effective date of membership of such person under this chapter.

There shall be granted to any person who was an employee of any state association of cities and towns, which association elects to participate in the retirement system established by this chapter, credit for prior service for the period such person was actually employed by such association, except that this shall apply only to those persons who shall be employees of such association on May 21, 1971.

Credit for such prior service shall be given only if payment for the additional cost of including such service has been made or if payment of such additional cost or reimbursement therefor has been otherwise provided for to the satisfaction of the board or if such person be entitled to any private pension or retirement benefits as a result of such service with such private enterprise, credit will be given only if he or she agrees at the time of his or her employment by the municipality to accept a reduction in the payment of any benefits payable under this chapter that are based in whole or in part on such added and accredited service by the amount of these private pension or retirement benefits received. The conditions and limitations provided for in this subsection (5) shall be embodied in any certificate of prior service issued or granted by the board where any portion of the prior service credited under this subsection is included therein.

The city may receive payments for these purposes from a third party and shall make from such payments contributions with respect to such prior service as may be necessary to enable the fund to assume its obligations.

**Sec.**  RCW 46.18.200 and 2022 c 239 s 2 and 2022 c 117 s 2 are each reenacted and amended to read as follows:

(1) Special license plate series reviewed and approved by the department:

(a) May be issued in lieu of standard issue or personalized license plates for vehicles required to display one and two license plates unless otherwise specified;

(b) Must be issued under terms and conditions established by the department;

(c) Must not be issued for vehicles registered under chapter 46.87 RCW; and

(d) Must display a symbol or artwork approved by the department.

(2) The department approves and shall issue the following special license plates, subject to subsection (5) of this section:

|  |  |
| --- | --- |
| LICENSE PLATE | DESCRIPTION, SYMBOL, OR ARTWORK |
| 4-H | Displays the "4-H" logo. |
| Armed forces collection | Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes ((~~six~~)) seven separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, space force, marine corps, coast guard, and national guard. |
| Breast cancer awareness | Displays a pink ribbon symbolizing breast cancer awareness. |
| Endangered wildlife | Displays a symbol or artwork symbolizing endangered wildlife in Washington state. |
| Fred Hutch | Displays the Fred Hutch logo. |
| Gonzaga University alumni association | Recognizes the Gonzaga University alumni association. |
| Helping kids speak | Recognizes an organization that supports programs that provide no-cost speech pathology programs to children. |
| Keep kids safe | Recognizes efforts to prevent child abuse and neglect. |
| Law enforcement memorial | Honors law enforcement officers in Washington killed in the line of duty. |
| Music matters | Displays the "Music Matters" logo. |
| Patches pal, or alternative name as designated by the department under RCW 46.04.383 | Displays the likenesses of the J.P. Patches and Gertrude characters from the J.P. Patches show, or characters otherwise identified in accordance with RCW 46.04.383. |
| Professional firefighters and paramedics | Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters. |
| San Juan Islands | Displays a symbol or artwork recognizing the San Juan Islands. |
| Seattle Mariners | Displays the "Seattle Mariners" logo. |
| Seattle NHL hockey | Displays the logo of the Seattle NHL hockey team. |
| Seattle Seahawks | Displays the "Seattle Seahawks" logo. |
| Seattle Sounders FC | Displays the "Seattle Sounders FC" logo. |
| Seattle Storm | Displays the "Seattle Storm" logo. |
| Seattle University | Recognizes Seattle University. |
| Share the road | Recognizes an organization that promotes bicycle safety and awareness education. |
| Ski & ride Washington | Recognizes the Washington snowsports industry. |
| State flower | Recognizes the Washington state flower. |
| Volunteer firefighters | Recognizes volunteer firefighters. |
| Washington apples | Displays the Washington apple logo that recognizes the state's apple industry, the growers and shippers who produce and pack the world famous apples, and the tree fruit community. |
| Washington farmers and ranchers | Recognizes farmers and ranchers in Washington state. |
| Washington lighthouses | Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs. |
| Washington state aviation | Displays a Stearman biplane in the foreground with an image of Mount Rainier in the background. |
| Washington state parks | Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources. |
| Washington state wrestling | Promotes and supports college wrestling in the state of Washington. |
| Washington tennis | Builds awareness and year-round opportunities for tennis in Washington state. Displays a symbol or artwork recognizing tennis in Washington state. |
| Washington wine | Displays a landscape of Washington's wine regions. |
| Washington's fish collection | Recognizes Washington's fish. |
| Washington's national park fund | Builds awareness of Washington's national parks and supports priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks. |
| Washington's wildlife collection | Recognizes Washington's wildlife. |
| We love our pets | Recognizes an organization that assists local member agencies of the federation of animal welfare and control agencies to promote and perform spay/neuter surgery on Washington state pets to reduce pet overpopulation. |
| Wild on Washington | Symbolizes wildlife viewing in Washington state. |

(3) Applicants for initial and renewal professional firefighters and paramedics special license plates must show proof of eligibility by providing a certificate of current membership from the Washington state council of firefighters.

(4) Applicants for initial volunteer firefighters special license plates must (a) have been a volunteer firefighter for at least ten years or be a volunteer firefighter for one or more years and (b) have documentation of service from the district of the appropriate fire service. If the volunteer firefighter leaves firefighting service before ten years of service have been completed, the volunteer firefighter shall surrender the license plates to the department on the registration renewal date. If the volunteer firefighter stays in service for at least ten years and then leaves, the license plate may be retained by the former volunteer firefighter and as long as the license plate is retained for use the person will continue to pay the future registration renewals. A qualifying volunteer firefighter may have no more than one set of license plates per vehicle, and a maximum of two sets per applicant, for their personal vehicles. If the volunteer firefighter is convicted of a violation of RCW 46.61.502 or a felony, the license plates must be surrendered upon conviction.

(5) The department shall not issue the Seattle NHL hockey special license plate until the department receives signature sheets satisfying the requirements identified in RCW 46.18.110(2)(f).

**Sec.**  RCW 73.16.031 and 2001 c 133 s 3 are each amended to read as follows:

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

(1) "Attorney general" means the attorney general of the state of Washington or any person designated by the attorney general to carry out a responsibility of the attorney general under this chapter.

(2) "Benefit," "benefit of employment," or "rights and benefits" means any advantage, profit, privilege, gain, status, account, or interest (other than wages or salary for work performed) that accrues by reason of an employment contract or agreement or an employer policy, plan, or practice and includes rights and benefits under a pension plan, a health plan, an employee stock ownership plan, insurance coverage and awards, bonuses, severance pay, supplemental unemployment benefits, vacations, and the opportunity to select work hours or location of employment.

(3) "Employee" means a person in a position of employment.

(4) "Employer" means the person, firm, or corporation, the state, or any elected or appointed public official currently having control over the position that has been vacated.

(5) "Health plan" means an insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or other arrangement under which health services for individuals are provided or the expenses of such services are paid.

(6) "Notice" means any written or verbal notification of an obligation or intention to perform service in the uniformed services provided to an employer by the employee who will perform such service or by the uniformed service in which such service is to be performed.

(7) "Position of employment" means any position (other than temporary) wherein a person is engaged for a private employer, company, corporation, or the state.

(8) "Qualified," with respect to an employment position, means having the ability to perform the essential tasks of the position.

(9) "Rejectee" means a person rejected because he or she is not, physically or otherwise, qualified to enter the uniformed service.

(10) "Resident" means any person residing in the state with the intent to remain other than on a temporary or transient basis.

(11) "Seniority" means longevity in employment together with any benefits of employment which accrue with, or are determined by, longevity in employment.

(12) "Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full‑time national guard duty (including state-ordered active duty), and a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty.

(13) "State" means the state of Washington, including the agencies and political subdivisions thereof.

(14) "Temporary position" means a position of short duration which, after being vacated, ceases to exist and wherein the employee has been advised as to its temporary nature prior to his or her engagement.

(15) "Undue hardship," in the case of actions taken by an employer, means actions requiring significant difficulty or expense when considered in light of:

(a) The nature and cost of the action needed under this chapter;

(b) The overall financial resources of the facility or facilities involved in the provision of the action; the number of persons employed at such facility; the effect on expenses and resources; or the impact otherwise of such action upon the operation of the facility; and

(c) The type of operation or operations of the employer, including the composition, structure, and functions of the workforce of such employer, the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the employer.

(16) "Uniformed services" means the armed forces, the army national guard, and the 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 commissioned corps of the public health service, the national oceanic and atmospheric administration commissioned officer corps, the coast guard, and any other category of persons designated by the president of the United States in time of war or national emergency.

**Sec.**  RCW 73.16.010 and 1975 1st ex.s. c 198 s 1 are each amended to read as follows:

In every public department, and upon all public works of the state, and of any county thereof, honorably discharged soldiers, sailors, ((~~and~~)) guardians, marines, and other members of the uniformed services who are veterans of any war of the United States, or of any military campaign for which a campaign ribbon shall have been awarded, and their widows or widowers, shall be preferred for appointment and employment. Age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the capacity necessary to discharge the duties of the position involved: PROVIDED, That spouses of honorably discharged veterans who have a service connected permanent and total disability shall also be preferred for appointment and employment.

**Sec.**  RCW 73.16.051 and 2001 c 133 s 7 are each amended to read as follows:

Any person who is entitled to be restored to a position in accordance with this chapter shall be considered as having been on furlough or leave of absence, from his or her position of employment, during his or her period of active military duty or service, or period of service in any of the other uniformed services, and he or she shall be so restored without loss of seniority. He or she shall further be entitled to participate in insurance, vacations, retirement pay, and other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was ordered into the service; and he or she shall not be discharged from such position without cause within one year after restoration.

**--- END ---**