

# SENATE BILL REPORT

## SB 6578

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As Reported By Senate Committee On:  
Government Operations & Elections, February 6, 2004  
Ways & Means, February 26, 2004

**Title:** An act relating to military leaves of absence for certain public sector military reservists and national guard members.

**Brief Description:** Authorizing extended military leave for certain public employees.

**Sponsors:** Senators Roach, Berkey, Schmidt, Keiser, Murray, Shin, Oke, Rasmussen and Benton.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/4/04, 2/6/04 [DPS-WM].  
Ways & Means: 2/25/04, 2/26/04 [DP2S].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 6578 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Roach, Chair; Berkey, Fairley, Kastama and McCaslin.

**Staff:** Mac Nicholson (786-7445)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 6578 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Zarelli, Chair; Hewitt, Vice Chair; Parlette, Vice Chair; Carlson, Doumit, Fairley, Fraser, Hale, Honeyford, Johnson, Pflug, Prentice, Rasmussen, Regala, Roach, Sheahan and B. Sheldon.

**Staff:** Erik Sund (786-7454)

**Background:** Every officer and employee of the state who is a member of the Washington National Guard or of the armed forces reserves is entitled to military leave from such employment for up to 15 days per year when called up to active duty or to active training duty. The military leave is in addition to any vacation or sick leave to which the employee is otherwise entitled and during the period of leave, the employee receives his or her normal pay.

**Summary of Second Substitute Bill:** State employees who belong to the National Guard or armed forces reserves are eligible for up to two years of additional military leave when mobilized for a period exceeding 30 days under Title 10 or Title 32 active service. During the period of military leave, the employing agency must pay half of the difference between their

mobilized employees' normal pay from the state and their military pay and allowances. Temporary employees of the state or employees of school districts or educational service districts are not eligible for this additional military leave.

**Second Substitute Bill Compared to Substitute Bill:** The second substitute bill requires that agencies make up half of the lost pay of mobilized employees rather than the full amount of lost pay. It also specifies that temporary employees and employees of educational service districts and school districts are ineligible for the additional military leave.

**Substitute Bill Compared to Original Bill:** The substitute bill limits the scope of the bill to state employees and mobilizations that exceed 30 days. The substitute extends the extended leave and reduced state pay benefits to members called to service under Title 32. The substitute also figures in military allowances when determining the state pay and corrects the grant of rule-making authority, which is given to the Department of Personnel instead of the Office of Financial Management.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For: (Government Operations & Elections):** This is a good sense bill that helps out National Guard members in situations where they face severe financial burdens because they are called up to service for an extended amount of time.

**Testimony Against: (Government Operations & Elections):** None.

**Testified: (Government Operations & Elections):** PRO: Adjutant General Timothy Lowenberg, Washington Military Department; Bob Thurston and Rick Jensen, Washington Troopers Association.

**Testimony For: (Ways & Means):** This bill would be very helpful to the affected employees and their families. Furthermore, few of the positions vacated by employees who are called to active duty will actually be filled with new recruits, so the costs will be lower than the fiscal note indicates. While this is a good bill, it is not appropriate for the K-12 school system, which has local collective bargaining.

**Testimony Against: (Ways & Means):** None.

**Testified: (Ways & Means):** Annie DeAndrea, Washington National Guard (pro); Rick Jensen, Washington State Patrol Troopers' Association (pro); John Kvamme, Washington Association of School Administrators (concerns).