



# LAWS OF ALASKA

1990

**Source**

CSHB 224 (Jud)

**Chapter No.**

42

**AN ACT**

Creating preferences in state employment for prisoners of war and for certain rehabilitated veterans and prisoners of war; and allowing repeated use of the state employment preference by certain veterans and prisoners of war for applications for nonpermanent positions.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1, LINE 13

Approved by the Governor: May 11, 1990  
Actual Effective Date: August 9, 1990

A BILL

Creating preferences in state employment for prisoners of war and for certain rehabilitated veterans and prisoners of war; and allowing repeated use of the state employment preference by certain veterans and prisoners of war for applications for nonpermanent positions.

\* Section 1. AS 39.25.150(19) is repealed and reenacted to read:

(19) the granting of employment preference rights, not within the area of promotion, to a veteran or prisoner of war under (b) - (d) of this section;

\* Sec. 2. AS 39.25.150 is amended by adding new subsections to read:

(b) A veteran or prisoner of war who possesses the necessary qualifications for a job classification applied for under this chapter is entitled to a preference under this subsection. In an examination to determine the qualification of applicants for the classified service under merit system examination, five points shall be added to the passing grade of a veteran, 10 points shall be added to the passing grade of a disabled veteran, or 10 points shall be added to the passing grade of a prisoner of war. A person may receive preference points under only one of these categories. A person who has not received an appointment to a permanent position using a preference under this subsection may use the preference for applications to nonpermanent positions without limitation. Except as provided in (c)

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1 of this section, a person who has been appointed, after receiving  
2 preference points under this subsection, to a permanent position in  
3 the classified service is not entitled to a further hiring preference  
4 under this subsection. If a position in the classified service is  
5 eliminated, employees shall be released in accordance with rules that  
6 give due effect to all factors. If all job qualifications are equal,  
7 a veteran or prisoner of war shall be given preference over a person  
8 who was not a veteran or prisoner of war and the veteran or prisoner  
9 of war shall be kept on the job. This subsection may not be inter-  
10 preted to amend the terms of a collective bargaining agreement.

11 (c) A veteran or prisoner of war, who terminated from a position  
12 in the classified service because of a service-connected disability,  
13 and who has not worked in a permanent position in the classified  
14 service for at least two years since the employment ended, and who has  
15 been certified by a physician or psychologist, as appropriate, as  
16 having suffered from a service-connected disability during the previ-  
17 ous state employment and as able to return to work, is entitled to  
18 receive a preference under (b) of this section until the person is  
19 appointed to a permanent position in the classified service.

20 (d) In this section

21 (1) "disabled veteran" means a veteran who is entitled to  
22 compensation under laws administered by the United States Department  
23 of Veterans Affairs, or a person who was honorably discharged or  
24 released from active duty because of a service-connected disability;

25 (2) "prisoner of war" means a person who has been a prison-  
26 er of war during a declared war or other conflict as determined by the  
27 Department of Defense under federal regulations;

28 (3) "veteran" means a person with 181 days or more active  
29 service in the armed forces of the United States who has been

1 honorably discharged after having served during any period

2 (A) between April 6, 1917, and December 1, 1919,  
3 between September 16, 1940, and December 31, 1947, or between  
4 June 27, 1950, and October 14, 1976; or

5 (B) in which the person was awarded a campaign badge,  
6 expedition medal, the Purple Heart, or an award or decoration for  
7 heroism or gallantry in action.  
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