

**SENATE BILL NO. 53**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS TIM KELLY, Taylor, Wilken, Halford, Miller, Mackie

Introduced: 2/3/99

Referred: Labor and Commerce

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to a state employment preference for certain members of the  
2 Alaska National Guard."

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

4 \* **Section 1.** AS 39.25.159(a) is amended to read:

5 (a) A veteran or prisoner of war who possesses the necessary qualifications for  
6 a job classification applied for under this chapter is entitled to a preference under this  
7 subsection. In an examination to determine the qualification of applicants for the  
8 classified service under merit system examination, five points shall be added to the  
9 passing grade of a veteran, 10 points shall be added to the passing grade of a disabled  
10 veteran, or 10 points shall be added to the passing grade of a prisoner of war. A  
11 person may receive preference points under only one of **the** [THESE] categories  
12 **described in this subsection or in (d) of this section.** A person may use the  
13 preference without limitation when being considered for a position for which persons  
14 who are not currently state employees are being considered. If consideration of

1 applicants is limited to state employees, preference points under this subsection may  
2 not be counted. If a position in the classified service is eliminated, employees shall  
3 be released in accordance with rules that give due effect to all factors. If all job  
4 qualifications are equal, a veteran or prisoner of war shall be given preference over a  
5 person who was not a veteran or prisoner of war, and the veteran or prisoner of war  
6 shall be kept on the job. This subsection may not be interpreted to amend the terms  
7 of a collective bargaining agreement.

8 \* **Sec. 2.** AS 39.25.159 is amended by adding a new subsection to read:

9 (d) A member of the national guard who possesses the necessary qualifications  
10 for a job classification applied for under this chapter is entitled to a preference under  
11 this subsection. In an examination to determine the qualification of applicants for the  
12 classified service under merit system examination, three points shall be added to the  
13 passing grade of a member of the national guard. A person may use the preference  
14 without limitation when being considered for a position for which persons who are not  
15 currently state employees are being considered. If consideration of applicants is  
16 limited to state employees, preference points under this subsection may not be counted.  
17 If a position in the classified service is eliminated, employees shall be released in  
18 accordance with rules that give due effect to all factors. If all job qualifications are  
19 equal, a member of the national guard shall be given preference over a person who  
20 was not a veteran, prisoner of war, or member of the national guard, and the member  
21 of the national guard shall be kept on the job. This subsection may not be interpreted  
22 to amend the terms of a collective bargaining agreement. In this subsection, "member  
23 of the national guard" means a person who is presently serving as a member of the  
24 Alaska National Guard and who has at least eight years of service in the Alaska  
25 National Guard.