

Offered: 2/14/90
Referred: Rules

6-0850E

Original sponsor(s): REP. CATO, Grussendorf, Menard, Hudson, Zawacki,
Boucher, Kubina

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 224 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating preferences in state employment for
7 prisoners of war and for certain rehabilitated veter-
8 ans and prisoners of war; and allowing repeated use
9 of the state employment preference by certain veter-
10 ans and prisoners of war for applications for nonper-
11 manent positions."

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

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 AS 39.25.150(19) is repealed and reenacted to read:

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

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

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

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.