

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1648

H. P. 1351

House of Representatives, April 3, 1975

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Najarian of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Veterans Preference under the State Personnel System.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA § 674, first ¶, as last repealed and replaced by PL 1971, c. 561, is repealed and the following enacted in place thereof:

In making appointments to and retention in any position on an open competitive basis in the classified service, preference shall be given to veterans of the Armed Forces of the United States, who have been honorably separated, or to their wives, husbands, widows, widowers, mothers or fathers as set forth in this section.

Sec. 2. 5 MRSA § 674, sub-§ 2, first ¶, as last repealed and replaced by PL 1971, c. 561, is repealed and the following enacted in place thereof:

Preference points shall be added to the earned qualifying rating in examinations, providing a passing grade is attained, of veterans applying for positions in the state service in accordance with the following, provided they have not been previously employed in the classified service after obtaining such preference points, and further provided that his or her application is not more than one year after the date of his or her discharge unless he or she attends a Veterans Administration recognized educational or rehabilitation program, in which event his or her application must not be more than one year after completion of that program:

Sec. 3. 5 MRSA § 674, sub-§ 2, ¶¶ C-E as last repealed and replaced by PL 1971, c. 561, are repealed and the following enacted in place thereof:

B. Five-point preference (widow or widower). The widow or widower of a veteran as defined in paragraph A, who has never remarried, shall be granted a 5-point preference.

C. Ten-point preference (veteran). A veteran who served on active duty in any of the Armed Forces for at least 90 consecutive days, at any time, was honorably separated therefrom, and who has a service-connected disability of 10% or more and receives compensation, pension or disability retirement under public statutes administered by the Veterans Administration or by a branch of the Armed Forces shall be accorded a 10-point preference.

D. Ten-point preference (spouse). The spouse of a disabled veteran as defined in paragraph C is entitled to 10-point preference in lieu of the veteran when his or her service-connected disability disqualifies him or her for appointment in the classified service along the general lines of his or her usual occupation.

E. Ten-point preference (widow or widower). The widow or widower, who has never remarried, of a veteran who lost his or her life under honorable conditions while serving on active duty in any of the Armed Forces during the war, campaign or expedition, or who died as the result of service-connected disability shall be accorded a 10-point preference.

F. Ten-point preference (mother or father). The natural mother or father of a deceased veteran who lost his or her life under honorable conditions while serving on active duty in any of the Armed Forces during a war, campaign or expedition, and who is or was married to the father or mother of the veteran on whose service he or she bases his or her claim; and who is widowed, divorced or separated; or who lives with him or her totally and permanently disabled husband or wife (either the veteran's father or mother or the husband or wife of his or her remarriage) is entitled to a 10-point preference.

Sec. 4. 5 MRSA § 674, next to the last paragraph, as last amended by PL 1973, c. 496, § 2, is repealed.

Sec. 5. 5 MRSA § 675, first sentence is amended to read:

Veterans with the present existence of a service-connected disability to a compensable degree, wives and husbands of disabled veterans who qualify for 10-point preference under section 674, subsection 2, paragraph B, unmarried widows or widowers of deceased veterans who qualify for 10-point preference under section 674, subsection 2, paragraph C, ~~and~~ mothers and fathers, who are widowed, divorced, separated or whose wives or husbands are permanently and totally disabled, of veterans who died while in the active service of the Armed Forces during any war, or who died as the result of service-connected disabilities, may file an application for and reopen an open competitive examination during the life of an eligible register resulting from a published announcement.

STATEMENT OF FACT

The purpose of this bill is to make veterans preference benefits under the State Personnel System equally available to male and female veterans and to limit veterans preference to those people who would otherwise have difficulty in obtaining positions in State Government.