

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 635

S. P. 249

In Senate, February 8, 1945.

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Savage of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to Preference in State Employment for Veterans.

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

R. S., c. 59, § 12-A, additional. Chapter 59 of the revised statutes is hereby amended by adding thereto a new section to be numbered 12-A, to read as follows:

'Sec. 12-A. Preference in state employment for veterans. Hereafter in making appointments to any position in the classified service preference in appointment as hereinafter provided shall be given to honorably discharged male and female veterans and widows of such, and to the wives of disabled veterans who themselves are not qualified but whose wives are qualified to hold such positions.

The classes of veteran preference shall be as follows:

I. Five-point preference is so-called because, for this class, 5 points are added to earned qualifying ratings in examination. Any veteran who has performed active duty in any branch of the armed forces of the United States during any war is entitled to 5-point preference upon honorable discharge or release therefrom.

II. Ten-point preference is a term applying to veteran preference which

entitles the holder to an addition of 10 points to earned qualifying ratings in examination. The classes of 10-point preference are as follows:

A. Disability preference applies to honorably discharged veterans who establish by official records

1. the present existence of a service-connected disability, or
2. the current receipt of compensation, disability retirement benefits, or pension by reason of public laws administered by the Veterans' Administration, the war department or the navy department.

B. When veterans entitled to disability preference on the basis of service-connected disability cannot be directly benefited thereby because of being disqualified for appointment by reason of the physical disability on which the preference is based, 10-point preference may be granted to their wives instead. This constitutes "wife preference".

C. Ten-point preference is accorded to unmarried widows of deceased veterans who performed active duty in any branch of the armed forces of the United States during any war, and were honorably discharged or released therefrom. This is known as "widow preference".

The term "veteran" as used in this section shall mean a person, male or female, who served in the active service of the United States' armed forces during a period of war in which the United States has been, or is, engaged; and who has been discharged or released therefrom under honorable conditions.

For the carrying out of the provisions of this section, the following dates of active service in the United States armed forces shall be:

- I. Spanish American War, April 21, 1898-August 12, 1898.
- II. Philippine Insurrection, August 12, 1898-July 4, 1902. If service was in Moro Province, ending date of July 15, 1903.
- III. Boxer Rebellion, June 20, 1900-May 12, 1901.
- IV. World War I, on or after April 6, 1917 and before November 12, 1918. If service was in Russia, ending date is April 1, 1920.
- V. World War II, December 7, 1941, and the date of cessation of hostilities as fixed by the United States government.

The provisions of this section shall apply to all examinations for original positions in the state police and in the department of inland fisheries and game.'