

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 588
Final Reading

Introduced by Watermeier, 1; Bloomfield, 17; Price, 3.

Read first time January 23, 2013

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to veterans; to amend sections 23-2529, 48-225,
2 and 48-227, Reissue Revised Statutes of Nebraska; to
3 change employment preference provisions; to provide an
4 operative date; and to repeal the original sections.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-2529, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 ~~23-2529 Veterans preference shall be granted to all~~
4 ~~applicants who are otherwise eligible for employment and who request~~
5 ~~such preference on their applications. In order to receive~~
6 ~~preference, the veteran must submit a copy of his or her discharge~~
7 ~~papers and, for disability credit, proof from the United States~~
8 ~~Department of Veterans Affairs that the disability is at least ten~~
9 ~~percent. To the passing score of veteran candidates, ten points shall~~
10 ~~be added for a disabled veteran and five points for all other~~
11 ~~veterans.~~

12 Veterans preference shall be given in accordance with
13 sections 48-225 to 48-231.

14 Sec. 2. Section 48-225, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 ~~48-225 As used in For purposes of sections 48-225 to~~
17 ~~48-231: , unless the context otherwise requires:~~

18 (1) Veteran means:

19 (a) A any person who served full-time duty with military
20 pay and allowances in the armed forces of the United States, except
21 for training or for determining physical fitness, and was discharged
22 or otherwise separated with a characterization of honorable or
23 general (under honorable conditions); or

24 (b) The spouse of a veteran who has a one hundred percent
25 permanent disability as determined by the United States Department of

1 Veterans Affairs;

2 (2) Full-time duty means duty during time of war or
3 during a period recognized by the United States Department of
4 Veterans Affairs as qualifying for veterans benefits administered by
5 the department and that such duty from January 31, 1955, to February
6 28, 1961, exceeded one hundred eighty days unless lesser duty was the
7 result of a service-connected or service-aggravated disability;

8 (3) Disabled veteran means an individual who has served
9 on active duty in the armed forces of the United States, has been
10 discharged or otherwise separated with a characterization of
11 honorable or general (under honorable conditions) therefrom, and has
12 established the present existence of a service-connected disability
13 or is receiving compensation, disability retirement benefits, or
14 pension because of a public statute administered by the United States
15 Department of Veterans Affairs or a military department; and

16 (4) Preference eligible means any veteran as defined in
17 this section.

18 Sec. 3. Section 48-227, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 48-227 (1) Veterans who obtain passing scores on all
21 parts or phases of an examination or numerical scoring shall have
22 five percent added to their passing score if a claim for such
23 preference is made on the application. An additional five percent
24 shall be added to the passing score or numerical scoring of any
25 disabled veteran.

1 (2) When no examination or numerical scoring is used, the
2 preference shall be given to the qualifying veteran if two or more
3 equally qualified candidates are being considered for the position.

4 (3) All notices of positions of employment available for
5 veterans preference and all applications for such positions by the
6 state or its governmental subdivisions shall state that the position
7 is subject to a veterans preference.

8 (4) A veteran desiring to use a veterans preference shall
9 provide the hiring authority with a copy of the veteran's Department
10 of Defense Form 214, also known as the DD Form 214. A spouse of a
11 veteran desiring to use a veterans preference shall provide the
12 hiring authority with a copy of the veteran's Department of Defense
13 Form 214, a copy of the veteran's disability verification from the
14 United States Department of Veterans Affairs demonstrating a one
15 hundred percent permanent disability rating, and proof of marriage to
16 the veteran. Any marriage claimed for veteran preference must be
17 valid under Nebraska law.

18 (5) Within thirty days after filling a position, veterans
19 who have applied and are not hired shall be notified by regular mail,
20 electronic mail, telephone call, or personal service that they have
21 not been hired. Such notice also shall advise the veteran of any
22 administrative appeal available.

23 Sec. 4. This act becomes operative on January 1, 2015.

24 Sec. 5. Original sections 23-2529, 48-225, and 48-227,
25 Reissue Revised Statutes of Nebraska, are repealed.