

E AND R AMENDMENTS TO LB588

Introduced by Murante, 49, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

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

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

14           Veterans preference shall be given in accordance with  
15 sections 48-225 to 48-231.

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

18           48-225 As used in For purposes of sections 48-225 to  
19 48-231: unless the context otherwise requires:

20           (1) Veteran means:

21           (a) A any person who served full-time duty with military  
22 pay and allowances in the armed forces of the United States,  
23 except for training or for determining physical fitness, and

1 was discharged or otherwise separated with a characterization of  
2 honorable or general (under honorable conditions); or

3 (b) The spouse of a veteran who has a one hundred percent  
4 permanent disability as determined by the United States Department  
5 of Veterans Affairs;

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

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

22 (4) Preference eligible means any veteran as defined in  
23 this section.

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

26 48-227 (1) Veterans who obtain passing scores on all  
27 parts or phases of an examination or numerical scoring shall have

1 five percent added to their passing score if a claim for such  
2 preference is made on the application. An additional five percent  
3 shall be added to the passing score or numerical scoring of any  
4 disabled veteran.

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

8 (3) All notices of positions of employment available for  
9 veterans preference and all applications for such positions by  
10 the state or its governmental subdivisions shall state that the  
11 position is subject to a veterans preference.

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

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

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

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

3                   2. On page 1, strike lines 2 through 6 and insert "and  
4 48-227, Reissue Revised Statutes of Nebraska; to change employment  
5 preference provisions; to provide an operative date; and to repeal  
6 the original sections."