

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Harriman

A Bill

SENATE BILL

8

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §21-3-302 TO MAKE
9 THE VETERANS PREFERENCE LAW APPLICABLE TO VETERANS OF THE
10 PERSIAN GULF OPERATIONS (DESERT SHIELD AND DESERT STORM);
11 AND FOR OTHER PURPOSES."

Subtitle

14 "TO MAKE THE VETERANS PREFERENCE LAW
15 APPLICABLE TO VETERANS OF THE PERSIAN
16 GULF OPERATIONS"

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. Arkansas Code Annotated §21-3-302 is amended to read as
21 follows:

22 "21-3-302. Preference in appointment or employment.

23 (a) This section shall be entitled The Veterans Preference Law.

24 (b) In every department of state government, honorably discharged men
25 and women from the military or naval forces of the United States who served
26 in any war, including military-involved conflict in which the United States
27 was or is now engaged, or their widows or widowers, who are citizens and
28 residents of this state, shall be entitled to preference in appointment and
29 employment over other applicants after meeting substantially equal
30 qualifications if such military service does not include active duty for
31 training only, but does include service during the Philippine Insurrection,
32 China Relief Expedition, the Korean Conflict between June 27, 1950, and July
33 27, 1953, inclusive, the Vietnam Conflict between December 22, 1961, and May
34 7, 1975, inclusive, and the Persian Gulf Operations (Desert Shield and Desert
35 Storm) between August 2, 1990 and a terminal date to be determined by

1 Congress, inclusive.

2 (c)(1) If there is an examination given for the purpose of
3 establishing an employment list for such public sector jobs, and a preferred
4 person attains a passing grade thereon, he or she shall have five (5) points
5 added to his or her final earned rating.

6 (2) A veteran who established by the records of the United
7 States Department of Veterans Affairs the existence of a service-connected
8 disability or a veteran who is over fifty-five (55) years old and is disabled
9 and is entitled to pension or compensation under existing laws, or the spouse
10 of such veteran, whose disability disqualifies him or her for appointment,
11 shall have ten (10) points instead of five (5) points added to his or her
12 final earned rating.

13 (d) The qualified veteran's status shall be considered on questions of
14 promotion and retention of employees.

15 (e) The names of candidates who have qualified in an examination given
16 for the purpose of establishing an employment list shall be entered on an
17 appropriate register or list of eligibles in the following order:

18 (1) Names of ten-point-preference eligibles shall be placed at
19 the head of the register or applicant list of persons certified as having
20 equal eligibility points;

21 (2) Names of five-point-preference eligibles shall be placed at
22 the head of the register or applicant list of persons certified as having
23 equal eligibility points; and

24 (3) Names of all other eligibles who do not have preference as
25 provided in this section shall be placed on the register or applicant list in
26 accordance with their ranking of eligibility points.

27 (f) The persons thus preferred shall not be disqualified from holding
28 any position on account of age or by reason of any physical disability,
29 provided such age or disability does not render the person incapable to
30 perform properly the duties of the position applied for.

31 (g) Nothing in this section shall be construed to apply to the
32 position of elective or political appointees in any department or to any
33 person holding a strictly confidential administrative or secretarial position
34 in relation to the appointing officer."

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1 SECTION 2. All provisions of this act of a general and permanent
2 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
3 Code Revision Commission shall incorporate the same in the Code.

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 4. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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