

A-Engrossed House Bill 2510

Ordered by the House April 23
Including House Amendments dated April 23

Sponsored by Representatives WHISNANT, BARKER, Senators DEVLIN, BOQUIST; Representatives CAMERON, D EDWARDS, ESQUIVEL, GILMAN, KRIEGER, ROBLAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Deletes 15-year limit on veteran's use of preference in public employment. **Clarifies that preference applies to civil service positions.**

A BILL FOR AN ACT

1
2 Relating to veterans' preference in public employment; creating new provisions; and amending ORS
3 408.225 and 408.235.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 408.225 is amended to read:

6 408.225. (1) As used in ORS 408.225 to 408.235:

7 (a)(A) **"Civil service position" means any position for which a hiring or promotion deci-**
8 **sion is made or required to be made based on the results of a merit based, competitive pro-**
9 **cess that includes, but is not limited to, consideration of an applicant's or employee's relative**
10 **ability, knowledge, experience and other skills.**

11 (B) A **"civil service position" need not be labeled a "civil service position."**

12 [(a)] (b) **"Combat zone" means an area designated by the President of the United States by**
13 **executive order in which, on the dates designated by executive order, the Armed Forces of the**
14 **United States are or have engaged in combat.**

15 [(b)] (c) **"Disabled veteran" means a person entitled to disability compensation under laws ad-**
16 **ministered by the United States Department of Veterans Affairs, a person whose discharge or re-**
17 **lease from active duty was for a disability incurred or aggravated in the line of duty or a person**
18 **who was awarded the Purple Heart for wounds received in combat.**

19 [(c)] (d) **"Public employer" means [the state or any agency or political subdivision of the state and**
20 **any person authorized to act on behalf of the state or any agency or political subdivision of the state]**
21 **a public body, as that term is defined in ORS 174.109, and any person authorized to act on**
22 **behalf of the public body, with respect to control, management or supervision of any employee.**

23 [(d)] (e) **"Veteran" means a person who:**

24 (A) Served on active duty with the Armed Forces of the United States:

25 (i) For a period of more than 178 consecutive days and was discharged or released from active
26 duty under honorable conditions;

27 (ii) For 178 days or less and was discharged or released from active duty under honorable con-
28 ditions because of a service-connected disability; or

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (iii) For at least one day in a combat zone and was discharged or released from active duty
2 under honorable conditions; or

3 (B) Received a combat or campaign ribbon for service in the Armed Forces of the United States.

4 (2) As used in subsection [(1)(d)] (1)(e) of this section, "active duty" does not include attendance
5 at a school under military orders, except schooling incident to an active enlistment or a regular tour
6 of duty, or normal military training as a reserve officer or member of an organized reserve or a
7 National Guard unit.

8 **SECTION 2.** ORS 408.235 is amended to read:

9 408.235. A veteran is eligible to use the preference provided for in ORS 408.230 [*only*] for a **civil**
10 **service** position for which application is made [*within 15 years of*] **at any time after** discharge or
11 release from service in the Armed Forces. [*Such time limit shall not apply in the case of a disabled*
12 *veteran.*]

13 **SECTION 3.** The amendments to ORS 408.225 and 408.235 by sections 1 and 2 of this 2009
14 Act apply to applications for civil service positions submitted on or after the effective date
15 of this 2009 Act.
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