

2012 -- H 7772

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES TENURE FOR DISABLED
VETERANS

Introduced By: Representative John M. Carnevale

Date Introduced: February 16, 2012

Referred To: House Veterans` Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-5-8 of the General Laws in Chapter 36-5 entitled "Military
2 Service and Veterans" is hereby amended to read as follows:

3 **36-5-8. State employment tenure for disabled veterans.** -- (a) Any person who is an
4 honorably discharged veteran of the armed forces of the United States of America and is also
5 receiving a disability pension from the United States government for a service connected
6 disability and has completed ten (10) years or more not necessarily consecutive, of service credit,
7 those credits having been earned in either the classified, nonclassified or unclassified service of
8 the state or a combination of both, shall be deemed to have acquired full status in the position he
9 or she holds at the time of obtaining ten (10) years of service credit. For any other position he or
10 she may hold subsequent to the obtaining ten (10) years of service credit, the person, subject to a
11 then existing list, shall be deemed to have acquired full status in the subsequent position and shall
12 be protected by the provisions of this chapter; provided, however:

13 (1) That military service not to exceed four (4) years of active service shall constitute
14 service credit within the meaning of this section;

15 (2) That in case of layoff or the abolition of a position through reorganization or
16 otherwise, any person in that position or subject to layoff, who has full status, otherwise qualified
17 under this section, shall be retained within the state services in a position of similar grade;

18 (3) That this section shall not apply to employees of the state government whose method

1 of appointment, salary, and term of office is specified by statute;

2 (4) That all employees otherwise qualified under this section shall be subject to all of the
3 provisions of dismissal and appeal as elsewhere described in this chapter.

4 (b) "Veteran" is defined herein as any man or woman who has been engaged heretofore,
5 is now or may hereafter be engaged in the active service of the armed forces of the United States
6 with a minimum of ninety (90) days of active duty time served during any declared war,
7 undeclared war, Korean campaign, conflict in Vietnam or any war, campaign, or conflict which
8 the armed forces of the United States of America actively engages in.

9 (c) This section shall ~~not~~ apply to all these employees irrespective of whose base entry
10 date. ~~is after August 7, 1996.~~

11 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would extend to all disabled veterans the right to apply for full status in state
- 2 service after 10 years.
- 3 This act would take effect upon passage.

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