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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1880**

March 18, 2009

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

March 30, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

May 12, 2009

Calendar For The Day

Amended

Read Third Time as Amended

Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act
1.2 relating to veterans; requiring an interview for veterans listed as meeting
1.3 minimum qualifications and claiming veterans preference for positions of
1.4 state government employment; applying to state civil service certain removal
1.5 provisions in current local government law; requiring a report of certain state
1.6 employment statistics pertaining to veterans; amending Minnesota Statutes 2008,
1.7 sections 43A.11, subdivision 7; 197.455, subdivision 1.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2008, section 43A.11, subdivision 7, is amended to read:

1.10 Subd. 7. **Ranking of veterans.** Applicants who meet the minimum qualifications
1.11 for a vacant position and claim disabled veteran's preference shall be listed in the applicant
1.12 pool ahead of all other applicants. Applicants who meet the minimum qualifications for a
1.13 vacant position and claim nondisabled veteran's preference shall be listed in the applicant
1.14 pool after those claiming disabled veteran's preference and ahead of nonveterans. Each
1.15 recently separated veteran who meets minimum qualifications for a vacant position
1.16 and has claimed a veterans or disabled veterans preference must be considered for the
1.17 position. The top five recently separated veterans must be granted an interview for the
1.18 position by the hiring authority.

1.19 The term "recently separated veteran" means a veteran, as defined in section
1.20 197.447, who has served in active military service, at any time on or after September
1.21 11, 2001, and who has been honorably discharged from active service, as shown by the
1.22 person's form DD-214.

1.23 **EFFECTIVE DATE.** This section is effective July 1, 2009, and applies to all
1.24 vacancies posted on or after that date.

2.1 Sec. 2. Minnesota Statutes 2008, section 197.455, subdivision 1, is amended to read:

2.2 Subdivision 1. **Application.** (a) This section shall govern preference of a veteran
2.3 under the civil service laws, charter provisions, ordinances, rules or regulations of a
2.4 county, city, town, school district, or other municipality or political subdivision of this
2.5 state. Any provision in a law, charter, ordinance, rule or regulation contrary to the
2.6 applicable provisions of this section is void to the extent of such inconsistency.

2.7 (b) Sections 197.46 to 197.48 shall not also apply to ~~state civil service.~~ any
2.8 veteran who is an incumbent in a classified appointment in the state civil service and has
2.9 completed the probationary period for that position, as defined under section 43A.16. In
2.10 matters of dismissal from such position, a qualified veteran has the irrevocable option
2.11 of utilizing the procedures described in sections 197.46 to 197.481, or the procedures
2.12 provided in the collective bargaining agreement applicable to the person, but not
2.13 both. For a qualified veteran electing to use the procedures of 197.46 to 197.481, the
2.14 matters governed by these sections shall not be considered grievances under a collective
2.15 bargaining agreement, and if a veteran elects to appeal the dispute through these sections,
2.16 the veteran shall be precluded from making an appeal under the grievance procedure of
2.17 the collective bargaining agreement.

2.18 **EFFECTIVE DATE.** This section is effective July 1, 2009, and applies to
2.19 appointments to state and local government positions of employment made on or after
2.20 that date.

2.21 Sec. 3. **REPORTING REQUIRED.**

2.22 (a) The commissioner of administration must collect the following data annually
2.23 from each cabinet level state agency, with the exception of the Metropolitan Council,
2.24 and must report those data, by agency, by the second week of each legislative session,
2.25 beginning in 2011, to the chairs and leading minority members of each of the house of
2.26 representatives and senate committees having responsibility for veterans policy and
2.27 finance issues:

2.28 (1) the total number of persons employed in full-time positions of employment
2.29 by the state agency;

2.30 (2) the total number of employees identified in clause (1) who are veterans;

2.31 (3) the total number of vacant full-time positions in the agency filled by hiring or
2.32 appointment during the designated fiscal year;

2.33 (4) the total number of applications received for the positions identified in clause (3);

2.34 (5) the total number of applications identified in clause (4) for which veterans
2.35 preference was elected by the applicant;

3.1 (6) the total number of applications identified in clause (5) for which the veteran
3.2 applicant was judged by the hiring authority as meeting minimum requirements for the
3.3 open positions of employment;

3.4 (7) the total number of veteran applicants identified in clause (6) who were
3.5 interviewed by the hiring authority for the open positions of employment in the agency;

3.6 (8) the total number of veteran applicants identified in clause (7) who were selected
3.7 for and offered employment within the open positions of employment within the agency;

3.8 (9) the total number of veteran applicants identified in clause (8) who were hired
3.9 into the open positions of employment within the agency;

3.10 (10) the total number of veteran applicants identified in clause (6) who were sent a
3.11 rejection letter, in accordance with section 43A.11, subdivision 9; and

3.12 (11) any other data or information deemed important by the commissioner of
3.13 administration and reflecting on the efforts of the subject agency to recruit and hire
3.14 veterans.

3.15 (b) The data must reflect one full fiscal year or one full calendar year, as determined
3.16 by the commissioner of finance.

3.17 The term "veteran" has the meaning given in section 197.447.

3.18 **EFFECTIVE DATE.** This section is effective July 1, 2009.