

**FIRST ENGROSSMENT
with Senate Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1510

Introduced by

Representatives Dosch, L. Meier

- 1 A BILL for an Act to amend and reenact subsection 1 of section 37-19.1-04 of the North Dakota
2 Century Code, relating to veterans' preference.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 37-19.1-04 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 1. If a veteran, or a qualified veteran's spouse, hereafter known as the applicant, is
7 not given the preference provided in section 37-19.1-02 or 37-19.1-03, the
8 applicant, within fifteen days after notification by certified mail that employment has
9 been refused, may request a hearing as provided in subsection 3. The notification
10 from the employer must include the reasons for nonselection, inform the applicant
11 of the right to an appeal hearing, inform the applicant of the requirement that the
12 request for a hearing must be filed by certified mail within fifteen days after the
13 notification, inform the applicant that a request for an appeal hearing must be
14 made to the commissioner of veterans' affairs at the included commissioner's
15 mailing address, and inform the applicant that if the applicant requests an appeal,
16 the applicant must mail a copy of the request for an appeal hearing to the
17 employer or employing agency. The applicant's request for a hearing must be in
18 writing, must include a copy of the employer's notification that employment has
19 been refused, and must be delivered to the commissioner of veterans' affairs by
20 certified mail. A copy of the written request must be mailed to the employer or
21 employing agency. The applicant is entitled to immediate employment in the
22 position for which application was originally made, or an equivalent position,
23 together with backpay and benefits from the date the appointment should have

- 1 been made less amounts otherwise earnable through due diligence, if the hearing
- 2 officer finds in favor of the applicant.