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2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to deferring eligible lists for persons called to active duty in military service

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 56 of the civil service law, as  
2     amended by chapter 411 of the laws of 1993, is amended to read as  
3     follows:  
4     1. The duration of an eligible list shall be fixed at not less than  
5     one nor more than four years; provided that, except for lists promulgat-  
6     ed for police officer positions in jurisdictions other than the city of  
7     New York, in the event that a restriction against the filling of vacan-  
8     cies exists in any jurisdiction, the state civil service department or  
9     municipal commission having jurisdiction shall, in the discretion of the  
10    department or commission, extend the duration of any eligible list for a  
11    period equal to the length of such restriction against the filling of  
12    vacancies; AND PROVIDED FURTHER THAT, IN THE EVENT THAT AN APPLICANT OR  
13    ELIGIBLE WHO IS ON AN ELIGIBLE LIST IS CALLED TO ACTIVE DUTY IN MILITARY  
14    SERVICE, AS SUCH TERM IS DEFINED IN SUBDIVISION ONE OF SECTION 10-102 OF  
15    THE ELECTION LAW, THE DURATION OF SUCH ELIGIBLE LIST WITH RESPECT TO  
16    SUCH APPLICANT OR ELIGIBLE SHALL BE DEFERRED FOR A PERIOD EQUAL TO THE  
17    LENGTH OF SUCH ACTIVE DUTY. Restriction against the filling of vacan-  
18    cies shall mean any policy, whether by executive order or otherwise,  
19    which, because of a financial emergency, prevents or limits the filling  
20    of vacancies in a title for which a list has been promulgated. An eligi-  
21    ble list that has been in existence for one year or more shall terminate  
22    upon the establishment of an appropriate new list, unless otherwise  
23    prescribed by the state civil service department or municipal commission  
24    having jurisdiction.  
25    S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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