

# STATE OF NEW YORK

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2387

2017-2018 Regular Sessions

## IN SENATE

January 13, 2017

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Introduced by Sens. LARKIN, ADDABBO, AVELLA, BONACIC, CARLUCCI, COMRIE, CROCI, KENNEDY, MARCHIONE, O'MARA, ORTT, RANZENHOFER, SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 6 of article 5 of the constitution, in relation to the application of veterans' credits to civil service examinations

1 Section 1. Resolved (if the Assembly concur), That section 6 of arti-  
2 cle 5 of the constitution be amended to read as follows:

3 § 6. Appointments and promotions in the civil service of the state and  
4 all of the civil divisions thereof, including cities and villages, shall  
5 be made according to merit and fitness to be ascertained, as far as  
6 practicable, by examination which, as far as practicable, shall be  
7 competitive; provided, however, that any member of the armed forces of  
8 the United States who served therein in time of war, and who, at the  
9 time of such member's appointment or promotion, is a citizen or an alien  
10 lawfully admitted for permanent residence in the United States and a  
11 resident of this state and is honorably discharged or released under  
12 honorable circumstances from such service, shall be entitled to receive  
13 five points additional credit in a competitive examination for original  
14 appointment and two and one-half points additional credit in an examina-  
15 tion for promotion or, if such member was disabled in the actual  
16 performance of duty in any war and his or her disability is certified by  
17 the United States department of veterans affairs to be in existence at  
18 the time of application for appointment or promotion, he or she shall be  
19 entitled to receive ten points additional credit in a competitive exam-  
20 ination for original appointment and five points additional credit in an  
21 examination for promotion. Such additional credit shall be added to the  
22 final earned rating of such member after he or she has qualified in an  
23 examination and [~~shall~~] may be granted [~~only at~~] after the [~~time of~~]  
24 establishment of an eligible list, if an applicant was placed on such

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

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1 list without such additional credit and subsequent to such placement he  
2 or she was ordered to active military duty, other than training, to a  
3 combat theater or combat zone of operations that qualifies the applicant  
4 for additional credit as a veteran or disabled veteran, provided the  
5 eligible list has not expired and the applicant makes application for  
6 the additional credit within two months after receiving an honorable  
7 discharge or being released under honorable circumstances. No such

8 member shall receive the additional credit granted by this section after  
9 he or she has received one appointment, either original entrance or  
10 promotion, from an eligible list on which he or she was allowed the  
11 additional credit granted by this section, except where a member has  
12 been appointed or promoted from an eligible list on which he or she was  
13 allowed additional credit for military service and subsequent to such  
14 appointment he or she is disabled as provided in this section, such  
15 member shall be entitled to ten points additional credit less the number  
16 of points of additional credit allowed for the prior appointment.

17 § 2. Resolved (if the Assembly concur), That the foregoing amendment  
18 be referred to the first regular legislative session convening after the  
19 next succeeding general election of members of the assembly, and, in  
20 conformity with section 1 of article 19 of the constitution, be  
21 published for 3 months previous to the time of such election.