S T A T E O F N E W Y O R K

6366

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

Introduced by M. of A. TOWNS, WALKER, ALFANO, RAIA, ERRIGO, McKEVITT, SCHROEDER -- Multi-Sponsored by -- M. of A. BURLING, CALHOUN, COLTON, CROUCH, DelMONTE, DIAZ, HIKIND, PERRY, PHEFFER, TITONE, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the military law, in relation to providing members of the merchant marine opportunity to compete in civil service examinations

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

Section 1. Section 243-b of the military law, as amended by chapter 425 of the laws of 2005, subdivisions 2 and 3 as amended by chapter 192 of the laws of 2008, is amended to read as follows:

S 243-b. Civil service examinations by military AND MERCHANT MARINE personnel. 1. Notwithstanding any other provision of this chapter or any other law, any member of the armed forces OR MERCHANT MARINE of the United States of America who having duly filed an application to compete in a scheduled competitive examination for civil service employment by the state of New York or any of its subdivisions and who due to active military duty OR MERCHANT MARINE SERVICE is deprived of the opportunity to compete in such examination shall be provided with an opportunity to compete, under terms and conditions deemed appropriate by the state department of civil service or municipal commission, by way of a special military OR MERCHANT MARINE make-up examination.

2. Notwithstanding any other provision of this chapter or any other law, any member of the force of the organized militia, as the term is defined in subdivision nine of section one of this chapter or reserve armed forces, as that term is defined in subdivision twenty-nine of section two hundred ninety-two of the executive law, MERCHANT MARINE or any member of the armed forces of the United States who missed the application deadline for a scheduled competitive examination for civil

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

LBD08630-01-9

service employment by the state of New York or any of its subdivisions due to military service, as defined in subdivision one of section three hundred one of this chapter or due to a call to active duty other than for training, pursuant to 10 USC 101 (d) (1), and is deprived of the opportunity to compete in such examination due to military service, as defined in subdivision one of section three hundred one of this chapter or due to a call to active duty other than for training, pursuant to 10 USC 101 (d) (1), shall be provided with an opportunity to compete, under terms and conditions deemed appropriate by the state department of civil service or municipal commission, by way of a special military make-up examination.

3. Notwithstanding any other provision of this chapter or any other law, any member of the force of the organized militia, as the term is defined in subdivision nine of section one of this chapter or reserve armed forces, as that term is defined in subdivision twenty-nine of section two hundred ninety-two of the executive law, MERCHANT MARINE or any member of the armed forces of the United States who missed the application deadline for a scheduled competitive examination for civil service employment by the state of New York or any of its subdivisions due to military service, as defined in subdivision one of section three hundred one of this chapter or due to a call to active duty other than for training, pursuant to 10 USC 101 (d) (1), and who returns from such duty prior to the administration of such competitive examination shall be granted a waiver of the application requirement and allowed to compete in such upcoming examination.

S 2. This act shall take effect immediately.