

5845

2009-2010 Regular Sessions

I N S E N A T E

June 11, 2009

Introduced by Sen. LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to the application of veteran's credits to civil service examinations for employees of the division of state police

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

1 Section 1. Section 211 of the executive law, as amended by chapter 331
2 of the laws of 1993, is amended to read as follows:
3 S 211. Employees. The superintendent may appoint such employees as may
4 be necessary and fix their compensation within such sum as may be appro-
5 priated by law. Persons appointed to competitive positions within the
6 division who meet the definition of veteran or disabled veteran as
7 defined in section eighty-five of the civil service law shall be enti-
8 tled to additional credit and preference as conferred by that law and in
9 the same manner, except that, notwithstanding any law to the contrary,
10 with respect to any candidate applying for credit in a competitive exam-
11 ination for original appointment as a disabled or non-disabled veteran,
12 such candidate may apply provisionally for such credit while still an
13 active member of the armed forces, AND BELATED APPLICATION FOR ADDI-
14 TIONAL CREDIT MAY BE MADE BY AN APPLICANT WHO HAS ALREADY BEEN PLACED ON
15 AN ELIGIBLE LIST BUT SUBSEQUENT TO SUCH PLACEMENT HAS BEEN ORDERED TO
16 ACTIVE MILITARY DUTY, OTHER THAN TRAINING, TO A COMBAT THEATER OR COMBAT
17 ZONE OF OPERATIONS THAT QUALIFIES SUCH APPLICANT FOR THE ADDITIONAL
18 CREDIT AS A VETERAN OR DISABLED VETERAN PROVIDED SUCH LIST HAS NOT
19 EXPIRED AND PROVIDED FURTHER THAT THE APPLICANT MAKES SUCH APPLICATION
20 WITHIN NINETY DAYS AFTER RECEIVING AN HONORABLE DISCHARGE OR BEING
21 RELEASED UNDER HONORABLE CIRCUMSTANCES. The application for provisional
22 credit may be made at any time [between the date of his or her applica-
23 tion for the competitive examination and the date] PRIOR TO THE EXPIRA-
24 TION OF the eligible list [is established]. In cases where there has

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

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1 been a provisional application, the superintendent shall grant final
2 credit only if the candidate renews his or her application within ninety
3 days following termination of the candidate's military duty, and the
4 candidate's period of eligibility on the list has not expired, and the
5 candidate satisfies the appropriate statutory requirements for eligibil-
6 ity. Pending the granting of final credit, the candidate's ranking on
7 any eligible list shall reflect the provisional credit.
8 S 2. This act shall take effect immediately and shall apply to eligi-
9 ble civil service lists in effect on or after such date.