

6462

I N S E N A T E

January 14, 2010

Introduced by Sen. LAVALLE -- 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 civil service appointments of veterans

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 S 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, is receiving disability payments there-
17 for from the United States veterans administration, and his or her disa-
18 bility is certified by such administration to be in existence at the
19 time of application for appointment or promotion, he or she shall be
20 entitled to receive ten points additional credit in a competitive exam-
21 ination for original appointment and five points additional credit in an
22 examination for promotion. Such additional credit shall be added to the
23 final earned rating of such member after he or she has qualified in an
24 examination and shall be granted only at the time of establishment of an
25 eligible list. No such member shall receive the additional credit grant-
26 ed by this section after he or she has received one appointment, either
27 original entrance or promotion, from an eligible list on which he or she
28 was allowed the additional credit granted by this section. WHERE A
29 VETERAN HAS BEEN APPOINTED OR PROMOTED FROM AN ELIGIBLE LIST ON WHICH HE
30 OR SHE WAS ALLOWED ADDITIONAL CREDIT AS A VETERAN AND HE OR SHE IS

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

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1 SUBSEQUENTLY CLASSIFIED AS A DISABLED VETERAN, HE OR SHE SHALL THEREAFT-
2 ER BE ENTITLED TO CREDITS DUE A DISABLED VETERAN LESS THE NUMBER OF
3 CREDITS ALLOWED FOR THE PRIOR APPOINTMENT.

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