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

452

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- 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 the composition of municipal civil service commissions

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

Section 1. Section 2 of the civil service law is amended by adding a new subdivision 13 to read as follows:

13. THE TERM "RECOGNIZED MINORITY GROUP" AS USED IN THIS CHAPTER SHALL INCLUDE WITHIN ITS MEANING BLACKS, HISPANICS, NATIVE AMERICANS OR ALASKAN NATIVES, ASIANS AND PACIFIC ISLANDERS, AND ANY OTHER GROUP THAT THE STATE CIVIL SERVICE COMMISSION MAY DEEM APPROPRIATE BASED UPON A SUBSTANTIAL FINDING OF UNDERREPRESENTATION OF THAT GROUP ON ANY CITY CIVIL SERVICE COMMISSION.

S 2. Paragraph (a) of subdivision 1 of section 15 of the civil service law, as amended by chapter 887 of the laws of 1969, is amended to read as follows:

(a) Municipal civil service commissions. A municipal civil service commission shall consist of [three] FIVE persons, not more than [two] THREE of whom shall at any time be adherents of the same political party. The members of a county civil service commission shall be appointed by the board of supervisors, except that in a county having a county executive the members of the commission shall be appointed by the county executive with the advice and consent of the board of supervisors. The members of a suburban town civil service commission in such a town described in subdivision four of section two of this chapter shall be appointed by the town board of such town. The members of a city civil service commission shall be appointed by the mayor, city manager, or other authority, as the case may be, having the general power of appointment of city officers and employees, SUBJECT TO THE ADVICE AND

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

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CONSENT OF THE CITY COMMON COUNCIL. THE MEMBERSHIP OF ANY SUCH CITY CIVIL SERVICE COMMISSION SHALL AT ALL TIMES INCLUDE AT LEAST ONE MEMBER OF A RECOGNIZED MINORITY GROUP, AS DEFINED IN SUBDIVISION THIRTEEN OF SECTION TWO OF THIS CHAPTER, AND SHALL AT ALL TIMES INCLUDE AT LEAST ONE FEMALE MEMBER IN ADDITION TO THE MEMBER OF A RECOGNIZED MINORITY GROUP. Of the members first appointed upon the establishment or re-establishment of a municipal civil service commission, the term of [one] TWO shall expire on May thirty-first of the first even-numbered year following the date of appointment; the term of [one] TWO shall expire on May thirty-first of the second even-numbered year following the date of appointment; and the term of one shall expire on May thirty-first of the third even-numbered year following the date of appointment. Upon the expiration of each of such terms, the term of office of each commissioner thereafter appointed shall be six years from the first day of June in the year in which the term of his OR HER predecessor expired. If the office of any such commissioner shall become vacant by death, resignation or otherwise, his OR HER successor shall be appointed as herein provided for the unexpired term.

S 3. This act shall take effect on the first of June of the first even numbered year following the date on which it shall have become a law.