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

148--A

2013-2014 Regular Sessions

I N  A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CUSICK, COLTON, MILLER, SIMANOWITZ -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

Section 1. Resolved (if the Senate concur), That section 6 of article 5 of the constitution be amended to read as follows:

S 6. Appointments and promotions in the civil service of the state and all of the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, as far as practicable, by examination which, as far as practicable, shall be competitive; provided, however, that any member of the armed forces of the United States who served therein in time of war, and who, at the time of such member's appointment or promotion, is a citizen or an alien lawfully admitted for permanent residence in the United States and a resident of this state and is honorably discharged or released under honorable circumstances from such service, shall be entitled to receive five points additional credit in a competitive examination for original appointment and two and one-half points additional credit in an examination for promotion or, if such member was disabled in the actual performance of duty in any war and his or her disability is certified by the United States department of veterans affairs to be in existence at the time of application for appointment or promotion, he or she shall be entitled to receive ten points additional credit in a competitive examination for original appointment and five points additional credit in an examination for promotion. Such additional credit shall be added to the final earned rating of such member after he or she has qualified in an

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

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examination and [shall] MAY be granted [only at] AFTER the [time of] establishment of an eligible list, IF AN APPLICANT WAS PLACED ON SUCH LIST WITHOUT SUCH ADDITIONAL CREDIT AND SUBSEQUENT TO SUCH PLACEMENT HE OR SHE WAS ORDERED TO ACTIVE MILITARY DUTY, OTHER THAN TRAINING, TO A COMBAT THEATER OR COMBAT ZONE OF OPERATIONS THAT QUALIFIES THE APPLICANT FOR ADDITIONAL CREDIT AS A VETERAN OR DISABLED VETERAN, PROVIDED THE ELIGIBLE LIST HAS NOT EXPIRED AND THE APPLICANT MAKES APPLICATION FOR THE ADDITIONAL CREDIT WITHIN TWO MONTHS AFTER RECEIVING AN HONORABLE DISCHARGE OR BEING RELEASED UNDER HONORABLE CIRCUMSTANCES. No such member shall receive the additional credit granted by this section after he or she has received one appointment, either original entrance or promotion, from an eligible list on which he or she was allowed the additional credit granted by this section, except where a member has been appointed or promoted from an eligible list on which he or she was allowed additional credit for military service and subsequent to such appointment he or she is disabled as provided in this section, such member shall be entitled to ten points additional credit less the number of points of additional credit allowed for the prior appointment.

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