

# STATE OF NEW YORK

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935

2017-2018 Regular Sessions

## IN SENATE

January 5, 2017

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Introduced by Sens. CROCI, LARKIN, SEWARD -- 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 appointments and promotions in civil service

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 § 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~~] ten points additional credit in a competitive examination for  
14 original appointment and [~~two and one-half~~] five points additional cred-  
15 it in an examination for promotion or, if such member was disabled in  
16 the actual performance of duty in any war and his or her disability is  
17 certified by the United States department of veterans affairs to be in  
18 existence at the time of application for appointment or promotion, he or  
19 she shall be entitled to receive [~~ten~~] fifteen points additional credit  
20 in a competitive examination for original appointment and [~~five~~] seven  
21 and one-half points additional credit in an examination for promotion.  
22 Such additional credit shall be added to the final earned rating of such  
23 member after he or she has qualified in an examination and shall be  
24 granted only at the time of establishment of an eligible list. No such  
25 member shall receive the additional credit granted by this section after  
26 he or she has received one appointment, either original entrance or

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

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1 promotion, from an eligible list on which he or she was allowed the  
2 additional credit granted by this section, except where a member has  
3 been appointed or promoted from an eligible list on which he or she was  
4 allowed additional credit for military service and subsequent to such  
5 appointment he or she is disabled as provided in this section, such  
6 member shall be entitled to ten points additional credit less the number  
7 of points of additional credit allowed for the prior appointment.

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