§ 5. Department of civil service; state civil service commission. 1. The department. There shall continue to be in the state government a department of civil service. The head of the department shall be the president of the state civil service commission who shall be responsible for the discharge of the duties and functions of the department.

2. The commission. (a) Appointment. The state civil service commission is continued and shall consist of three commissioners who shall be appointed by the governor, by and with the advice and consent of the senate, not more than two of whom shall be adherents of the same political party. The governor shall designate one of the members of the commission to be president of the commission and such member shall serve in the capacity of president during the pleasure of the governor. The members shall not hold any other public office or public employment for which they shall receive compensation other than necessary travel and other expenses incurred in the performance of the duties of such other office or employment, or engage in private employment or in a profession or business which interferes with the performance of their duties or requires their disqualification from the performance of such duties because of a conflict of interests caused thereby. The commissioners other than the president of the commission shall, when performing the work of the commission, be compensated at the rate of two hundred fifty dollars per day, together with an allowance for actual and necessary expenses incurred in the discharge of their duties hereunder. The president of the commission shall receive an annual salary established in section one hundred sixty-nine of the executive law. No member shall serve as an officer of any political party or political organization or engage in partisan political activities.

(b) Term of office. The term of office of each member shall be six years from the first day of February of the year in which the term of his predecessor expired. A vacancy in the membership of the commission shall be filled by appointment by the governor, by and with the advice and consent of the senate, for the unexpired term.

(c) Expenses. The president and each of the other members shall be paid the necessary expenses incurred in the discharge of his duties.