

*Items disapproved:*

0132-0000	0310-0001	2640-1363
0132-1000	0710-0000	4190-0100
0164-0010	0810-0000	5740-0010
0169-7301	2520-0100	6006-0052
0184-5000	2520-0300	7010-0016
0185-7103	2520-1100	7105-0001
0185-7301	2520-1200	8069-41
0302-0401	2520-1300	8070-60
0305-6091	2520-1400	8072-67
0305-6101	2520-1500	8072-68

*Item reduced:*

7010-0014

*The vote being taken by the House of Representatives on May 30, 1973 on the passage of said items, the objections of the Governor thereto were sustained on items 0185-7103, 0305-6091 and 6006-0052; and the remaining items were passed notwithstanding said objections with the Senate concurring on May 30, 1973.*

*The remainder of the bill was approved by the Governor May 25, 1973.*

**Chap. 320.** AN ACT REGULATING REVIEWS OF AND APPEALS ON MARKINGS OF CIVIL SERVICE EXAMINATIONS.

*Be it enacted, etc., as follows:*

SECTION 1. Section 2 of chapter 31 of the General Laws is hereby amended by striking out paragraph (b), as most recently amended by section 1 of chapter 15 of the acts of 1969, and inserting in place thereof the following paragraph: —

(b) Hear and decide appeals from decisions or actions of, or failures to act by, the director, except in matters relating to findings of the director relative to the grading of written, oral, or practical tests in a competitive examination, upon application of a person aggrieved thereby; provided, that no decision or action of the director shall be reversed or modified or action be taken, in case of failure of the director to act, except by three affirmative votes of the commission, and in each case the specific reasons therefor shall be stated in the records of the proceedings of the commission. Hearings on any appeal may be held before less than a majority of the commission or the chairman may assign a member or members to hold such hearings and to report his or their findings of fact and recommendations to the commission for action.

SECTION 2. Section 2A of said chapter 31 is hereby amended by

striking out paragraph (1), as appearing in section 2 of chapter 725 of the acts of 1945, and inserting in place thereof the following paragraph: —

(1) Decide in the first instance all reviews requested by applicants of markings of training and experience or findings that requirements for admission to examinations were not met; provided, however, that in the event of an error in the markings of examination papers the director shall have full authority to make any corrections he may deem necessary.

SECTION 3. Section 6B of said chapter 31 is hereby amended by striking out the third paragraph, inserted by section 1 of chapter 468 of the acts of 1970, and inserting in place thereof the following paragraph: —

Section twelve A shall not apply to examinations held under this section.

SECTION 4. The second paragraph of section 8A of said chapter 31 is hereby amended by striking out the third sentence, as amended by section 2 of said chapter 468, and inserting in place thereof the following sentence: — Section twelve A shall not apply to examinations held under this section.

SECTION 5. The second paragraph of section 8C of said chapter 31 is hereby amended by striking out the last sentence, added by section 3 of said chapter 468, and inserting in place thereof the following sentence: — Section twelve A shall not apply to examinations held under this section.

SECTION 6. The first paragraph of section 10 of said chapter 31, as most recently amended by chapter 76 of the acts of 1972, is hereby further amended by adding the following sentence: — In the grading of the subject of training and experience in any competitive examination, no credit shall be allowed in the marking for employment or experience in the position for which the examination is held, unless such employment or experience in the position was the result of an appointment or promotion after certification from an eligible list for the position.

SECTION 7. The first paragraph of section 12 of said chapter 31 is hereby amended by striking out the fourth sentence, as appearing in chapter 571 of the acts of 1955, and inserting in place thereof the following sentence: — All persons who have taken an examination shall be notified of the results thereof.

SECTION 8. Said chapter 31 is hereby further amended by striking out section 12A, as most recently amended by chapter 147 of the acts of 1972, and inserting in place thereof the following section: —

*Section 12A.* Not later than seventeen days after the mailing of the notice of the director to the applicant of the results of his examination or notice that he did not meet the requirements for admission to the examination, the applicant may file with the director a request for a review of the marking of his training and experience, a request for a review of the finding by the director that he did not meet the requirements for admission to the exami-

nation established by the director or a request that the computations of his general average mark be checked for error. Within six weeks after acceptance of the request, the director shall cause such marking or such finding to be reviewed, and shall transmit a copy of his decision to the applicant. Not later than seventeen days after the date of mailing of the notice of the decision of the director, the applicant may appeal to the commission by filing a petition in a form approved by it and containing a brief statement of the facts as presented to the director for his review. After the filing of such an appeal, the commission shall hold a hearing, render a decision and transmit a copy of such decision to the appellant and to the director. Nothing herein shall be construed to extend the time provided by law for the establishment of the eligible list based on such examination.

In the grading of the subject of training and experience in any competitive examination, no credit shall be allowed, either in the original marking of the examination, upon review of the original marking by the director, or by the commission, whether upon an appeal from the decision of the director or otherwise, for any training and employment or experience not fully stated in the training and experience sheet filed at the time of examination.

No request by an applicant for a review of the marking of his training or experience or finding by the director that he did not meet the requirements for admission to the examination shall be accepted by the commission, and no hearing or other action shall be taken relative thereto other than on an appeal from a decision of the director.

SECTION 9. Said chapter 31 is hereby further amended by striking out section 29, as most recently amended by chapter 234 of the acts of 1971, and inserting in place thereof the following section: —

*Section 29.* Records of the proceedings of the commission and of the director shall be kept on file and shall be open to public inspection under the rules of the commission. Applications and references may be inspected by the appointing authority in connection with a certification of names and shall be preserved for a period of at least two years, but may be destroyed thereafter. Examination papers, which shall mean the question and answer sheets, shall not be open for inspection and may be destroyed as the director determines.

*Approved May 29, 1973.*

---

**Chap. 321.** AN ACT FURTHER REGULATING THE TIME AT WHICH SALARY INCREASES MAY BE GRANTED BY THE BOSTON SCHOOL COMMITTEE.

*Be it enacted, etc., as follows:*

Section 5 of chapter 241 of the acts of 1875 is hereby amended by striking out the last sentence, as amended by section 4 of chapter 786 of the acts of 1963, and inserting in place thereof the following sentence: — The school committee may at any time in-