

By Mr. Frank of Boston, petition of Barney Frank relative to expanding to five the list of persons eligible for appointment or promotion in the civil service. Public Service.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Four.

**AN ACT EXPANDING TO FIVE THE LIST OF PERSONS ELIGIBLE FOR APPOINTMENT OR PROMOTION IN THE CIVIL SERVICE.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 31 of the General Laws is hereby amended by striking  
2 out section 15G, as amended by chapter 195 of the acts of 1971,  
3 and inserting in place thereof the following section: —  
4 *Section 15G.* Whenever a certification of names of persons  
5 eligible for appointment or promotion is made by the director  
6 and the eligible list contains the names of five persons willing to  
7 accept, selection and appointment shall be made by the  
8 appointing authority from the eligible list in accordance with the  
9 law and rules. The appointing authority may make a selection  
10 and appointment from a certification of less than five at his own  
11 discretion. If the appointing authority does not make an  
12 appointment from a certification of less than five names, he shall  
13 notify the director that it is his intention to leave the position  
14 unfilled until such time as an eligible list of at least five persons  
15 willing to accept is established, or, if the appointing authority  
16 wishes to fill the position by a person whose name does not  
17 appear on said eligible list, he shall certify to the director that  
18 each person on the list who reported for an employment  
19 interview as directed by the director was interviewed and  
20 considered for the position. In such case the appointing authority  
21 shall state sound and sufficient reasons, satisfactory to the

22 director, why the certification of less than five names was not  
23 adequate to make a proper selection. No provisional appointment  
24 or provisional promotion shall be approved or continued follow-  
25 ing a certification by the director if the list contains the name of  
26 five persons eligible and willing to accept. Nothing herein  
27 contained shall affect the rights of disabled veterans as provided  
28 in section twenty-three.