

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 309,  
2 Page 1, Section A, Line 4, by inserting immediately after all of said section and line the following:

3  
4 "36.020. Unless the context clearly requires otherwise, the following terms mean:

5 (1) "Agency", "state agency" or "agency of the state", each department, board, commission  
6 or office of the state except for offices of the elected officials, the general assembly, the judiciary  
7 and academic institutions;

8 (2) "Appointing authority", an officer or agency subject to this chapter having power to  
9 make appointments;

10 (3) "Board", the personnel advisory board as established by section 36.050;

11 (4) "Broad classification band", a grouping of positions with similar levels of responsibility  
12 or expertise;

13 (5) "Class" or "class of positions", a group of positions subject to this chapter sufficiently  
14 alike in duties, authority and responsibilities to justify the same qualifications and the same schedule  
15 of pay to all positions in the group;

16 (6) "Director", the director of the division of personnel of the office of administration;

17 (7) "Disabled veteran", a veteran who has served on active duty in the Armed Forces at any  
18 time who receives compensation as a result of a service-connected disability claim allowed by the  
19 federal agency responsible for the administration of veteran's affairs, or who receives disability  
20 retirement or disability pension benefits from a federal agency as a result of such a disability or a  
21 National Guard veteran who was permanently disabled as a result of active service to the state at the  
22 call of the governor;

23 (8) "Division of service" or "division", a state department or any division or branch of the  
24 state, or any agency of the state government, all the positions and employees in which are under the  
25 same appointing authority;

26 (9) "Eligible", a person whose name is on a register or who has been determined to meet the  
27 qualifications for a class or position;

28 (10) "Examination", a means of determining eligibility or fitness for a class or position;

29 ~~[(10)]~~ (11) "Open competitive examination", a ~~[test]~~ selections process for positions in a  
30 particular class, admission to which is not limited to persons employed in positions subject to this  
31 chapter;

32 ~~[(11)]~~ (12) "Promotional examination", a ~~[test]~~ selections process for positions in a  
33 particular class, admission to which is limited to employees with regular status in positions subject  
34 to this chapter;

35 ~~[(12)]~~ (13) "Public hearing", a hearing held after public notice at which any person has a  
36 reasonable opportunity to be heard;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       ~~[(13)]~~ (14) "Register of eligibles", a list of persons who have been found qualified by an  
 2 open competitive examination for appointment to a position;

3       ~~[(14)]~~ (15) "Regular employee", an employee who has successfully completed a  
 4 probationary period as provided in section 36.250;

5       ~~[(15)]~~ (16) "Reinstatement register", a list of persons who have been regular employees and  
 6 who have been laid off in good standing due to lack of work or funds, or other similar cause, or who  
 7 have been demoted in lieu of layoff;

8       ~~[(16)]~~ (17) "State equal employment opportunity officer", the individual designated by the  
 9 governor or the commissioner of administration as having responsibility for monitoring the  
 10 compliance of the state as an employer with applicable equal employment opportunity law and  
 11 regulation and for leadership in efforts to establish a state workforce which reflects the diversity of  
 12 Missouri citizens at all levels of employment;

13       ~~[(17)]~~ (18) "Surviving spouse", the unmarried surviving spouse of a disabled veteran or any  
 14 person who was killed while on active duty in the Armed Forces of the United States or an  
 15 unmarried surviving spouse of a National Guard veteran who was killed as a result of active service  
 16 to the state at the call of the governor;

17       ~~[(18)]~~ (19) "Veteran", any person who is a citizen of this state who has been separated under  
 18 honorable conditions from the Armed Forces of the United States who served on active duty during  
 19 peacetime or wartime for at least six consecutive months, unless released early as a result of a  
 20 service-connected disability or a reduction in force at the convenience of the government, or any  
 21 member of a reserve or National Guard component who has satisfactorily completed at least six  
 22 years of service or who was called or ordered to active duty by the President and participated in any  
 23 campaign or expedition for which a campaign badge or service medal has been authorized.

24       36.100. 1. The director shall ascertain the duties, authority and responsibilities of all  
 25 positions subject to this chapter. After consultation with the appointing authorities, the director  
 26 shall prepare and recommend to the board, and maintain on a continuing basis, a position  
 27 classification plan, which shall group all positions in the classified service in classes, based on their  
 28 duties, authority and responsibilities. Except as provided in subsection 2 of this section, The  
 29 position classification plan shall set forth, for each class of positions, a class title and a statement of  
 30 the duties, authority and responsibilities thereof, and the qualifications that are necessary or  
 31 desirable for the satisfactory performance of the duties of the class; provided, that no plan shall be  
 32 adopted which prohibits the substitution of experience for education for each class of positions,  
 33 except that, the board may determine that there is no equivalent substitution in particular cases.  
 34 Classifications should be sufficiently broad in scope to include as many comparable positions as  
 35 possible both on an intra- and inter-departmental basis, including both merit and nonmerit agencies.

36       2. The classification plan may group ~~[management]~~ positions with similar levels of  
 37 responsibility or expertise into broad classification bands.

38       3. The director shall require an initial and ongoing review of the number of classifications  
 39 in each division of service and shall, in consultation with the agencies, eliminate and combine  
 40 classes when possible, taking into consideration the recruitment, examination, selection and  
 41 compensation of personnel in the various classes.

42       36.120. 1. Before establishing a new position in divisions of the service subject to this  
 43 chapter, or before making any permanent and substantial change of the duties, authority or  
 44 responsibilities of a position subject to this chapter, an appointing authority shall notify the director  
 45 in writing of the appointing authority's intention to do so, except where the positions may be  
 46 allocated by the appointing authority.

47       2. The director may at any time allocate any new position to a class, or change the  
 48 allocation of any position to a class, or recommend to the board changes in the classification plan.

1 Any change in the classification plan recommended by the director shall take effect when approved  
 2 by the board, or on the ninetieth day after it is recommended to the board if prior thereto the board  
 3 has not approved it. In case of necessity requiring the immediate establishment of a new class, the  
 4 director may establish such a class on an interim basis pending approval of the class by the board as  
 5 recommended by the director.

6 3. When the allocation of a position to a class is changed, the director shall notify the  
 7 appointing authority. If allocation authority is delegated, the appointing authority shall notify the  
 8 director of any changes in the allocation. If the position is filled at the time of reallocation to a  
 9 class, the appointing authority shall immediately notify the incumbent of the position regarding the  
 10 allocation change. If the incumbent does not agree with the new allocation, the incumbent may,  
 11 under conditions specified in the rules, submit to the director a request for a review of the allocation  
 12 of the position.

13 4. If any change is made in the classification plan by which a class of positions is divided,  
 14 altered, or abolished, or classes are combined, the director shall forthwith reallocate the positions  
 15 affected to their appropriate classes in the amended classification plan. An employee who is  
 16 occupying a position reallocated to a different class shall, subject to the regulations, be given the  
 17 same status in the new class as previously held in the class from which his or her position is  
 18 reallocated. ~~[The director may require that the employee achieve a satisfactory grade on a~~  
 19 ~~noncompetitive test of fitness for the class to which his or her position has been reallocated.]~~ The  
 20 employee shall possess the minimum qualifications for the class to which his or her position has  
 21 been reallocated.

22 5. After a class of positions has been approved by the board, the director is authorized to  
 23 make such changes in the class title or in the statement of duties and qualifications for the class as  
 24 the director finds necessary for current maintenance of the classification plan; provided, however,  
 25 that changes which materially affect the nature and level of a class or which involve a change in  
 26 salary range for the class shall be approved by the board.

27 36.140. 1. After consultation with appointing authorities and the state fiscal officers, and  
 28 after a public hearing, the director shall prepare and recommend to the board a pay plan for all  
 29 classes subject to this chapter. The pay plan shall include, for each class of positions, a minimum  
 30 and a maximum rate, and such provision for intermediate rates as the director considers necessary or  
 31 equitable. The pay plan may also provide for the use of open, or stepless, pay ranges. The pay plan  
 32 may include provision for grouping of ~~[management]~~ positions with similar levels of responsibility  
 33 or expertise into broad classification bands for purposes of determining compensation and for such  
 34 salary differentials and other pay structures as the director considers necessary or equitable. In  
 35 establishing the rates, the director shall give consideration to the experience in recruiting for  
 36 positions in the state service, the rates of pay prevailing in the state for the services performed, and  
 37 for comparable services in public and private employment, living costs, maintenance, or other  
 38 benefits received by employees, and the financial condition and policies of the state. These  
 39 considerations shall be made on a statewide basis and shall not make any distinction based on  
 40 geographical areas or urban and rural conditions. The pay plan shall take effect when approved by  
 41 the board and the governor, and each employee appointed to a position subject to this chapter after  
 42 the adoption of the pay plan shall be paid according to the provisions of the pay plan for the position  
 43 in which he or she is employed; provided, that the commissioner of administration certifies that  
 44 there are funds appropriated and available to pay the adopted pay plan. The pay plan shall also be  
 45 used as the basis for preparing budget estimates for submission to the legislature insofar as such  
 46 budget estimates concern payment for services performed in positions subject to this chapter.  
 47 Amendments to the pay plan may be recommended by the director from time to time as  
 48 circumstances require and such amendments shall take effect when approved as provided by this

1 section. The conditions under which employees may be appointed at a rate above the minimum  
2 provided for the class, or advance from one rate to another within the rates applicable to their  
3 positions, shall be determined by the regulations.

4 2. Any change in the pay plan shall be made on a uniform statewide basis. No employee in  
5 a position subject to this chapter shall receive more or less compensation than another employee  
6 solely because of the geographical area in which the employee lives or works.

7 36.170. 1. The director [~~shall from time to time~~] may conduct such open competitive and  
8 promotional examinations as the director considers necessary. The examinations shall be of such  
9 character as to determine the [~~relative~~] qualifications, fitness and ability of the persons tested to  
10 perform the duties of the position or class for which a register is to be established. No question  
11 shall be so framed as to elicit information concerning the political or religious opinions or  
12 affiliations of an applicant.

13 2. Agencies may request authority from the director, or the director may delegate authority  
14 to agencies, to administer examinations for some or all positions [~~in accordance with rules adopted~~  
15 ~~by the board~~] or job classes. When such [~~a request is approved~~] action is taken, the director [~~in~~  
16 ~~accordance with rules established by the board,~~] shall establish standards and guidelines to be  
17 followed.

18 3. Pursuant to rules promulgated by the board, appointing authorities may request that the  
19 division of personnel administer promotional examinations limited to those already employed by the  
20 state or within the department or division of service involved.

21 4. All examinations requiring an applicant's physical presence conducted by the director  
22 shall be conducted in a location which is [~~fully~~] accessible to persons with disabilities or if such a  
23 facility is not available in a given location for such regular examinations, a special examination will  
24 be arranged upon request of an applicant with a disability in a facility which is [~~fully~~] accessible.

25 36.180. 1. The standards of education or experience in the classification plan for each class  
26 shall be established on the basis of specified knowledge, skills and abilities. Admission to  
27 examinations or the opportunity to be considered for appointment shall be open to all persons who  
28 possess the qualifications and who may be lawfully appointed to a position in the class for which a  
29 register is to be established. [~~The regulations may also require that applicants achieve at least a~~  
30 ~~satisfactory grade in each progressive part of the examination in order to be admitted to subsequent~~  
31 ~~parts of the examination or to receive a final passing score.~~]

32 2. [~~To ensure competitive equality between the hearing impaired or the blind and persons~~  
33 ~~not so disabled, the applicant may request from the director the furnishing of a certified interpreter~~  
34 ~~for the hearing impaired or an amanuensis or a reader for the blind when necessary, and the~~  
35 ~~furnishing of a place to take such examination, or such other similar prerequisites to ensure equality~~  
36 ~~in such examination.~~] An applicant may request a reasonable accommodation in order to have an  
37 opportunity to compete for positions subject to this chapter. The director and the appointing  
38 authority filling the particular position shall ensure that reasonable accommodations are granted to  
39 applicants to offer them an opportunity to compete for positions.

40 3. The director may reject the application of any person for admission to an examination,  
41 strike the name of any person from the register, refuse to certify the name of any person, or  
42 withdraw the certification of a person if the director finds that the person lacks any of the  
43 qualifications, has been convicted of a crime which raises questions about his or her qualifications,  
44 has been dismissed from the public service for delinquency, has made a false statement of a material  
45 fact or practiced or attempted to practice any fraud or deception, in his or her application or  
46 examination or in attempting to secure appointment.

47 4. The director may take such action as is authorized in subsection 3 of this section if the  
48 director finds the person has a health condition or disability which would clearly prohibit the person

1 from performing the duties required for the position for which the applicant has applied.

2 36.190. 1. ~~[The director shall give]~~ Appropriate public notice [of] shall be given for each  
 3 open competitive [and promotional] examination or when a job class is opened for recruitment  
 4 sufficiently in advance [of such examination] and sufficiently widespread in scope to afford persons  
 5 who are interested [in participating in the examination] a reasonable opportunity to apply. [The time  
 6 elapsing between the official announcement of an examination and the holding of such examination  
 7 shall be not less than two calendar weeks, except that a lesser period of advance notice may be  
 8 permissible under the regulations when the examination is conducted under the provisions of  
 9 subsection 3 of section 36.320 or when the needs of the service pursuant to subsection 1 of section  
 10 36.260 require special notices.]

11 2. Each official notice of an examination or of when a job class or position is opened for  
 12 recruitment shall state the title, duties, pay and qualifications of [positions for which the  
 13 examination is to be held] the job class or position; the time, place and manner of making  
 14 application [for admission to such examination;] and any other information which [the director  
 15 consider] may be considered pertinent and useful.

16 3. The director shall ensure that the official announcement of an examination is given the  
 17 widest distribution necessary to inform qualified persons that the examination is being given. The  
 18 director may use any means that the director considers necessary to inform qualified persons about  
 19 the examination. These include, but are not limited to, paid advertisements in newspapers,  
 20 periodicals, electronic media and announcements to educational institutions. The director may also  
 21 publish a periodic bulletin containing information about examinations to be sent to subscribers at a  
 22 price approximating the cost of publication.

23 36.200. The methods for ~~[rating the various parts of the examinations and the minimum~~  
 24 ~~satisfactory grade]~~ evaluating the qualifications of each applicant shall be determined by the  
 25 regulations. Each person who takes any examination shall be given written notice, which may be by  
 26 electronic means, as to whether [he passed or failed the examination] the applicant is eligible for a  
 27 particular job class, and [he] shall be entitled to inspect [his ratings and] the applicant's examination  
 28 papers, but examination papers shall not be open to the general public. A manifest error in [rating  
 29 an examination which affects the relative ranking of persons] an eligibility determination shall be  
 30 corrected if called to the attention of the director within thirty days after the [establishment of the  
 31 register] determination, but such correction shall not invalidate any appointment previously made  
 32 from such a register unless it is established that the error was made in bad faith and with intent to  
 33 deprive a person of certification or to gain certification for a person that does not meet the minimum  
 34 qualifications for the class involved.

35 36.210. Other provision of the law to the contrary notwithstanding, special procedures for  
 36 the examination and selection of personnel are authorized as follows:

37 ~~[(1) For positions involving unskilled or semiskilled labor, or domestic, attendant, custodial~~  
 38 ~~or comparable work, when the character or place of the work makes it impracticable to supply the~~  
 39 ~~needs of the service by appointments made in accordance with the procedure prescribed in other~~  
 40 ~~provisions of this chapter, the director, in accordance with the regulations, shall authorize the use of~~  
 41 ~~such other procedures as the director determines to be appropriate in order to meet the needs of the~~  
 42 ~~service, while assuring the selection of such employees on the basis of merit and fitness. Such~~  
 43 ~~procedures, subject to the regulations, may include the testing of applicants and maintenance of~~  
 44 ~~registers of eligibles by localities; the testing of applicants, singly or in groups, at periodic intervals,~~  
 45 ~~at the place of employment or elsewhere, after such notice as the director considers adequate; the~~  
 46 ~~registration of applicants who pass a noncompetitive examination or submit satisfactory evidence of~~  
 47 ~~their qualifications, and appointment of registered applicants; or any variation or combination of the~~  
 48 ~~foregoing or other suitable methods. When the director finds noncompetitive registration and~~

selection procedures to be appropriate, the director is hereby authorized to delegate to each appointing authority the responsibility for such registration and for selection and appointment of registered applicants. When such delegation is made, the director shall establish the necessary guidelines and standards for appointing authorities and shall require such reports and perform such audits as the director deems necessary to ensure compliance with these guidelines and standards.]

[(2)] (1) The regulations may prescribe the conditions under which interns, trainees, and participants in special state or federal training, rehabilitation, and employment programs who successfully complete a period of internship or training may be appointed to a permanent position subject to this chapter after passing a noncompetitive qualifying examination.

[(3)] The board may, in accordance with the regulations, waive competitive examinations for a class or position if it finds that the supply of qualified applicants is generally insufficient to justify competitive examinations and provide meaningful competition in the selection of employees. A request that competitive examination be waived for a particular class or position pursuant to this provision may be made to the board by the director or an appointing authority. The board shall review determinations pursuant to this provision at least annually. Upon waiving such examinations, the regulations of the board shall provide for the registration and appointment of applicants who present satisfactory evidence of their qualifications.]

[(4)] (2) Upon the approval of the director in accordance with the regulations of the board, appointing authorities may promote employees on the basis of a qualifying noncompetitive examination. Such noncompetitive promotions may be approved in, but are not necessarily limited to, situations in which the promotion represents a normal progression to the next higher level within an established occupational job series, or where the director determines that an employee has been an assistant, understudy or trainee for the position involved or otherwise has had such specific experience or training that a noncompetitive promotion to the position in question is to the best interests of the state service.

[(5)] (3) Appointing authorities may request, pursuant to regulations established by the board, to conduct alternative promotional procedures for positions and classes in their divisions of service. The board shall approve such alternative procedures which it finds to be in keeping with merit principles and the best interest of the state service. Upon approval, the appointing authority shall be responsible to conduct promotional procedures in accordance with the board's approval and without favoritism, prejudice or discrimination. The board may withdraw approval pursuant to this provision if it finds that this responsibility has not been met.

[(6)] (4) Where appropriate, the director may establish registers by locality for selected classes.

36.220. 1. In any competitive examination given for the purpose of establishing a register of eligibles, veterans, disabled veterans, surviving spouses, and spouses of disabled veterans shall be given preference in appointment and examination ~~[in the following manner:]~~. For positions and classifications with unranked registers, a veteran, or the surviving spouse of a veteran, a disabled veteran, or the spouse of a disabled veteran shall be given preference in appointments over other eligibles if all other relevant job-related factors are equal. Applicants eligible for a veterans preference will be listed before other eligibles on each certificate. Applicants eligible for a veterans preference will also be identified on the certificate as eligible for the preference.

~~[(1) A veteran, or the surviving spouse of any veteran whose name appears on a register of eligibles who made a passing grade, shall have five points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade.~~

~~——— (2) The spouse of a disabled veteran, whose name appears on a register of eligibles and who made a passing grade, shall have five points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade. This preference shall be given~~

only if the veteran is not employed in the state service and the disability renders him or her unqualified for entrance into the state service.

~~—— (3) A disabled veteran, whose name appears on a register of eligibles and who made a passing grade, shall have ten points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade.]~~

2. Any person who has been honorably discharged from the Armed Forces of the United States shall receive appropriate credit for any training or experience gained therein in any examination if the training or experience is related to the duties of the class of positions for which the examination is given.

36.225. 1. In any competitive examination given for the purpose of establishing a register of eligibles, a parental preference shall be given to persons who were previously employed by the state but terminated such employment to care for young children. This preference shall be given only for persons who were full-time homemakers and caretakers of children under the age of ten and were not otherwise gainfully employed for a period of at least two years.

~~2. [If the name of a person eligible for a parental preference appears on a register of eligibles who made a passing grade, such person shall have five points added to the final grade, and the rank of such person on the register shall be determined on the basis of this augmented grade.]~~ For positions and classifications with unranked registers, applicants entitled to parental preference shall be given this preference in appointments over other eligibles, excluding applicants eligible for a veterans preference, if all other relevant job-related factors are equal.

36.240. 1. Whenever an appointing authority proposes to fill one or more vacancies in a class of positions subject to this chapter, the appointing authority shall submit to the director, as far in advance of the desired appointment date as possible, a requisition for the certification of eligible persons from an appropriate register. The requisition shall contain information as required by the director. The appointing authority, subject to conditions specified in the regulations, may also designate special requirements of domicile or the possession of special skills. If the director finds that such requirements would contribute substantially to effective performance of the duties involved, certification may be limited to persons on the register who meet such requirements.

2. When vacancies to be filled are in a class from which employees have been laid off, or demoted in lieu of layoff, certification shall be limited to previous employees until all employees of a division of service on the appropriate reinstatement register have been reinstated in order of rank on the register. Thereafter, certification from reinstatement and other registers shall be in accordance with the provisions of this section and the regulations of the board.

3. Upon a request for certification, the director shall certify for selection ~~[the names of the top fifteen ranking available eligibles or]~~ the names of available eligibles. ~~[comprising the top ranking fifteen percent of available eligibles, whichever is greater, plus such additional eligibles as have a final rating equal to that of the last certified eligible. Upon request of the appointing authority, the director may also certify, for each additional vacancy to be filled from the same certification, the next five ranking available eligibles plus such additional eligibles as have a final rating equal to that of the last certified eligible.]~~

~~—— 4. If the director finds that the nature of the examination process and the type of positions involved justify alternative procedures for filling vacancies, the board may by rule prescribe such procedures which may include certification by broad category of examination rating or within a specified range of scores.]~~

[5] 4. When a position in divisions of the service subject to this chapter is limited in duration, certification may be limited to ~~[the highest ranking eligible]~~ any eligible who will accept employment under such conditions. A person appointed to a position under such conditions shall retain his or her ~~[relative]~~ position on the register and shall be eligible for certification to a

1 permanent position ~~[in the regular order]~~ until the register itself has expired. If a temporary position  
 2 is limited to less than ninety calendar days' duration, the appointing authority may fill the position  
 3 by temporary appointment in the manner provided in section 36.270.

4 ~~[6]~~ 5. The rules shall prescribe the conditions under which the name of an eligible who has  
 5 been certified to and considered for appointment by an appointing authority but has not been  
 6 appointed may be withheld from further certification to such appointing authority. The eligible  
 7 shall be entitled to retain his or her place on the eligible register during the life of the register, and  
 8 shall be certified ~~[in the order of his or her rank]~~ to other vacancies in the class under other  
 9 appointing authorities.

10 ~~[7]~~ 6. Eligibles who are not available for appointment when offered certification shall be  
 11 granted a waiver of certification upon their request. Eligibles who do not respond within a  
 12 reasonable period to a notice of certification may at the discretion of the director be dropped from  
 13 the eligible register.

14 ~~[8]~~ 7. Any person who has obtained regular status in a class of positions subject to  
 15 subsection 1 of section 36.030 and who has resigned from state service in good standing or who has  
 16 accepted demotion or transfer for personal reasons may be reemployed without competitive  
 17 certification in the same or comparable class at the discretion of the appointing authority and under  
 18 conditions specified in the regulations. Any person who has successfully served at least one year in  
 19 a position not subject to subsection 1 of section 36.030, but which is subject to section 36.031, and  
 20 who has resigned from state service in good standing or who has accepted demotion or transfer for  
 21 personal reasons, may be reemployed without competitive certification in the same or comparable  
 22 class at the discretion of the appointing authority and under conditions specified in the regulations,  
 23 provided he or she possesses the qualifications ~~[and has successfully completed a noncompetitive~~  
 24 ~~examination]~~ for the class involved. No one shall be reemployed pursuant to this section until  
 25 reinstatement has first been offered to all eligibles on the reinstatement register for the class and  
 26 division of service involved.

27 ~~[9]~~ 8. Preference in certification and appointment from promotional registers or registers of  
 28 eligibles under conditions specified in the regulations, may be given to employees of the division of  
 29 service in which the vacancy occurs.

30 36.320. 1. The director shall establish and maintain such promotional registers and registers  
 31 of eligibles for the various positions or classes of positions subject to this chapter as the director  
 32 deems necessary or desirable to meet the needs of the service. On each promotional register and  
 33 register of eligibles, the eligibles ~~[shall]~~ may be ranked in the order of their ratings given for the  
 34 purpose of establishing or replenishing such a register or may be unranked and placed on the  
 35 register if the applicant meets the minimum criteria for the position or class.

36 2. The time during which a promotional register or register of eligibles remains in force  
 37 shall be ~~[one year from the date on which it is officially established by the director; except that,~~  
 38 ~~before the expiration of a register, the director may by order extend the time during which such~~  
 39 ~~register remains in force when the needs of the service so require]~~ determined by the director so as  
 40 to best meet the needs of the service. In no event shall the total period during which a register is in  
 41 force exceed three years from the date on which the register was originally established. The director  
 42 may consolidate or cancel promotional registers and registers of eligibles as the needs of the service  
 43 require~~[- and as authorized by the regulations]~~.

44 3. In circumstances where there is a continuous need for substantial numbers of eligibles for  
 45 a certain class of positions, the director may, after first establishing such a register, replenish the  
 46 register from time to time by inserting the names of additional eligibles who are found to be  
 47 qualified on the basis of determinations similar to those used as a basis for establishing the original  
 48 register. The method for establishing, replenishing, and cancelling such a register shall be



1 determined by the regulations."; and

2

3 Further amend said bill by amending the title, enacting clause, and intersectional references  
4 accordingly.

5