

persons from an eligible list by the Employment Commissioner.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 12 of Article 64A of the Annotated Code of Maryland (1939 Edition), title "Merit System", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

12. (a) The Commissioner shall prepare a list of eligibles consisting of the names of persons whose general average and whose marks on any part of the examination exceed the minimum set by the rules of the Commissioner and shall publicly post such list in his office. Eligible lists shall continue in force for one year from the date of posting and may be extended by the Commissioner by action taken before the expiration of such year, and entered in the minutes, provided, however, that the Commissioner shall have power at any time, after a public hearing and notice as prescribed by Section 11 of this Article, to cancel the whole or any part of any eligible list by reason of illegality or fraud in connection therewith. The Commissioner shall also have the power, in his discretion, to remove the name of any person from an eligible list for any wilful misrepresentation of a material matter made in an application for examination to establish an eligible list. A new eligible list for any class shall be combined with an existing list as the Commissioner may by rules provide but in such case any portion of such combined list shall be automatically cancelled one year after being first posted unless held in force as above provided. The markings and examination papers of each candidate shall be open to his inspection upon application at the office of the Commissioner.

(b) If the Commissioner receives a requisition for the appointment of a person to a permanent position for which no eligible list exists he shall forthwith call an examination and he may if necessary to prevent the stoppage of public business, and not otherwise, certify a qualified person for temporary appointment, with or without examination, and such person shall be appointed by the appointing authority, provided, however, that such temporary appointment shall be pending the establishment of an eligible list only.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1949.

Approved April 22, 1949.