

REENACTING, WITH AMENDMENTS, SUBSECTIONS (b), (e), (h), AND (k) OF SECTION 36, ALL PERTAINING TO THE CIVIL SERVICE COMMISSION."

SECTION 1: BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, That subsections (b), (e), (h) and (k) of Section 36 of the Charter of the City of Cumberland (1966 Edition), be and are hereby repealed and reenacted, with amendments, to read as follows:

"(b) The Mayor and City Council [at their first meeting in the month of June, 1916,] shall appoint three Civil Service Commissioners, [one of whom shall hold office until the first Monday in April, 1918, and one until the first Monday in April, 1920, and one until the first Monday in April, 1922, and on the first Monday in April, 1918, and on the first Monday in April biennially thereafter, shall appoint one Civil Service Commissioner to serve for a term of six years, so that the said Board of Civil Service Commissioners shall always consist of three members] EACH OF WHOM SHALL SERVE FOR A TERM OF SIX (6) YEARS, BEGINNING ON THE 1ST DAY OF JULY, IN THE YEAR IN WHICH THEY ARE APPOINTED, PROVIDED, HOWEVER, THAT THE PRESENT MEMBERS OF SAID COMMISSION, WHOSE TERMS EXPIRE ON THE FIRST MONDAY IN APRIL IN THE YEARS 1972, 1974 AND 1976, RESPECTIVELY, SHALL CONTINUE TO SERVE TO THE 30TH DAY OF JUNE IN EACH OF SAID YEARS, OR UNTIL SUCH TIME AS THEIR SUCCESSORS ARE DULY APPOINTED AND QUALIFIED."

"(e) Such Commission shall, [during the last week in April of each year or oftener if they shall deem it necessary] AS OFTEN AS THE COMMISSION SHALL DEEM NECESSARY, under such rules and regulations as it may prescribe, hold examinations for the purpose of determining the qualifications of applicants for positions, including applicants for positions of Chief of Police, Assistant Chief of Police and Lieutenants of Police and Chief of the Fire Department and Assistant Chief of the Fire Department, which examinations shall be practical in their character and shall relate to such matters as will fairly test the fitness of the person examined to discharge the duties of the position to which he seeks to be appointed. Such Commission shall, as soon as possible after each such examination, certify to the [City Council] APPOINTING AUTHORITY the names of ten (10) persons for each department, who, according to its records, have the highest standing for the positions they seek to fill, as a result of such examinations and all vacancies, in positions under Civil Service which shall occur before the holding of the next examination, shall be filled from said list so certified; provided, however, if the list for any cause shall be reduced to less than three (3) for any division or department, then the Commissioner of said department may temporarily fill a vacancy until the next examination of the Commission. The employees of the Police and Fire Departments so appointed, shall only hold office by virtue of such appointments until Civil Service lists can be made up by the Civil Service Commission as provided by this section. The present officers and employees of the Police and Fire Department heretofore appointed under the Civil Service regulations, shall hold their positions unless removed or disqualified under the provisions of this section."

"(h) All persons subject to such Civil Service examination, except the Chief of Police and the Chief of the Fire Department, shall be subject to removal from office or employment by a majority vote of such Civil Service Commission for misconduct or failure to properly perform their duties under such rules and regulations as may be adopted by the Council, and the said Civil Service Commission shall conduct mental examinations of all persons hereafter appointed, after they have served their probationary period, and shall recommend to the Commissioner of Police and Fire, [for its recommendation to the Mayor and