

**CITY OF STAMFORD, CONNECTICUT**  
**REPORT OF THE THIRD CHARTER REVISION COMMISSION**

**Submitted to the**  
**BOARD OF REPRESENTATIVES**

**July 21, 1960**

**In accordance with the provisions of Public Act No. 465  
of the General Assembly, Session of 1957 and Resolution  
No. 322 adopted by the Board of Representatives of the  
City of Stamford, Connecticut on May 2, 1960.**

**BY:**  
**THE CHARTER REVISION COMMISSION**

**Michael J. Nagurney, Chairman**  
**Lotus Mills (Mrs. Wm. E.) Secretary**  
**Morgan P. Ames**  
**Paul T. Callahan**  
**Jack S. Cummings**  
**Raymond G. Cushing**  
**John L. DeForest**

The Charter Revision Commission was appointed on May 2, 1960, and met for its first meeting on May 25, 1960. A call was issued to all persons to submit proposals for revision or amendment of the Charter. By the deadline set by the Commission, June 15, 1960, twenty eight proposals for revision and amendment of the Charter were received. A public hearing was held on these proposals on June 28, 1960, in the auditorium of the Walter R. Dolan Junior High School, at which hearing sixteen persons took the occasion to make twenty-seven presentation either in support or in opposition to the proposals.

It must be pointed out at the outset that the proposals were seriously prepared and presented by each of the proposers, with the exception of one anonymous proposal which was nevertheless placed on the agenda for the public hearing. The citizens of Stamford involved in the preparation and presentation of the proposals merit the applause of the entire Stamford community for their interest in good government and their willingness to contribute to the workings of the city government.

Following the public hearing the Commission began a concentrated series of meetings for the purpose of deliberation on the merits of the proposals submitted. As result of their studies the Commission took the following actions:

#### PROPOSALS REJECTED

- (1) Voted to reject the anonymous submission regarding the payment of 6% contributions by police and fire department personnel toward their pension system. During the discussion on this proposal it was recalled that both the Police Department and the Fire Department representatives appearing before the Commission at the public hearing on June 28, 1960 expressed their deep concern for the Pension System and the problems involved to the extent that each suggested that an adequate study of the Pension System be undertaken under the leadership of the responsible city officials in an attempt to determine what measures should be taken to make the System a financially sound operation. The members of the Charter Revision Commis-

sion were impressed by the concern of these representatives and heartily concur in their suggestion.

- (2) Voted to reject the proposal regarding change in date of election of members of the Board of Education and deletion of party designation. This action was taken because the proposed changes in election were also covered under other proposals retained for further study while the deletion of party designation would remove party responsibility which is contrary to the American party system of election of government officials.
- (3) Voted to reject the proposal which would make the "executive branch" of city government appointive by the mayor because it is in conflict with the original intent of the Charter which calls for elected boards and opposes the "Strong Mayor" form of city government.
- (4) Voted to reject the proposal regarding open meetings of boards and recording of votes because this was thought to be covered under the "right-to-know" law of the State.
- (5) Voted to reject the proposal to exempt from taxation of privately owned automobiles used for city business by full time city employees because tax exemption is not within the area of Home Rule and is governed by State Statute.
- (6) Voted to reject the proposal to guarantee reimbursement to city employees for necessary expenses incurred by them and prevention of discrimination against those who refuse to incur such expenses, because this seems to be a matter purely within the realm of control through departmental administrative procedure under present Charter provisions.
- (7) Voted to reject the proposal requiring unanimous vote of the Zoning Board to pass a zoning change opposed by 2/3 of neighborhood property owners, because it appears that the present provision of the Charter in such matters is sufficiently stringent, while a requirement for unanimous action would unduly restrict the Zoning Board in the performance of its duties.



- (8) Voted to reject, by a bare majority, the proposal to revise the provision for the tenure of office by members of the Board of Public Safety, because it was the opinion of the majority members of this Commission that the Mayor should maintain strong control over the protective services and that these services should reflect the Mayor's philosophy of service.
- (9) Voted to reject the proposal for granting additional powers in the Board of Public Safety.
- (10) In the belief that the Mayor and the Board of Representatives should be free to appoint the best and most qualified man possible to the positions of Police Chief or Fire Chief in event of vacancy, the Commission voted to reject the proposal to revise Section 401.2 governing the appointments in event of vacancy in these positions.
- (11) After considerable deliberation voted to reject the proposal to change the date of election of members of the Board of Education from the municipal election year to the state and national election year and to provide for separate listing of candidates for Board of Education on the voting machines.
- The Commission was especially cognizant of the very small number of voters who take advantage of the opportunity to vote on items listed separately and apart from the party candidates. This was especially visual in the comparison of the number of votes cast for items under referendum with the number of voters casting ballots for party candidates. The Commission concluded that to provide for the placement of names of candidates for so important a board as the Board of Education under a separate listing where they would not get the full attention of the voting public would have the effect of placing the election of this important board into the hands of a small number of voters. The Commission did, however, accept the proposal which will provide for the annual election of three members of the Board of Education, eliminating the "lame duck" character of the election as presently constituted. This will become evident in the study of the Commission's recommendation to revise Section 112 in a later part of this report.

PROPOSALS WITH RECOMMENDATIONS

- (1) Voted to lay aside the proposal to bring the Sunset Home under administration of the Welfare Department due to failure of the proposers to submit a specific proposal. It was the sentiment of this Commission to refer this matter back to the proposers with the recommendation that they submit a specific proposal to the next Charter Revision Commission.
- (2) This Commission was in sympathy with the proposal to provide for the appointment of Alternate members to the Planning Board, the Zoning Board and the Zoning Board of Appeals, but the present regulations under the Charter and under the Special Acts of the Legislature are not entirely clear to this Commission. This Commission proposes that the Board of Representatives refer this matter to Corporation Counsel for clarification and advice regarding proper procedure. This procedure may involve either implementation of the proposal through specific act of the Legislature or through the next Charter Revision Commission.
- (3) The Commission considered the possibility of centralization of license and permit issuance as worthy of merit. Since the purpose of this proposal was to make it more convenient to the public in obtaining licenses or permits, and since this is not possible with many licenses and permits because some require specialized knowledge and control by departments while others are and properly should remain within the exclusive control and direction of the currently issuing body, this Commission voted to recommend to the Board of Representatives that they centralize by ordinance any license or permit issuance which can be so centralized under the present rules, regulations and provisions. A further study can then be made on the value of such centralization and the need for Charter and Special Act provision where such seems to be the merit of the case.

- (4) The Charter Revision Commission recognizes the importance of the proposal to re-define the voting districts of the City of Stamford. However, this proposal merits much more study than the Commission is able to devote to it due to the calendar as set by the Home Rule Act. Consequently this Commission recommends to the Board of Representatives that they set up a study group whose duty it will be to study the re-defining of the voting districts and make a proposal to the next Charter Revision Commission in time for the proposal to get proper consideration.

This Commission suggests to the Board of Representatives that the study group be composed of bi-partisan representation of the respective town committees, members of the Board of Representatives, city officials and other interested citizens.

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PROPOSALS APPROVED

The Charter Revision Commission took the following actions and hereby submits to the appointing authority, the Board of Representatives, the following Charter revisions and amendments in accordance to Section 5 of Public Act Number 465 of the General Assembly, September Session 1957, entitled "An Act Concerning Home Rule", for consideration according to the further provisions of the said act.

- (1) Voted to revise Sections 102 and 115 of the Charter to provide for the extension of the terms of office of the Mayor, the Town Clerk, and the members of the Board of Representatives from two to four years.

Section 115 will also be amended to declare disqualified any member of the Board of Representatives who shall cease to reside in the district which he represents. The revised Section 102 will read as follows:

102 Terms of Office of Elective Officers. The terms of office of elective officers hereunder shall commence on the first day of December succeeding the election. The terms of office of the Mayor, the town clerk, and the members of the Board of Representatives shall be four years, except as



hereinafter provided. The terms of office of the registrars of voters, selectmen, and constables shall be two years. The term of office of each member of the board of finance shall be four years. The term of office of each member of the board of education shall be three years.

The election date for all municipal officers shall be the first Tuesday after the first Monday in November, 1961, and biennially thereafter, except as hereinafter provided. The term of office for all elective officers shall commence on December 1, 1961, notwithstanding any other provisions of this charter.

On the said Tuesday after the first Monday of November, 1961, the mayor shall be elected for a term of four years, and the town clerk shall be elected for a term of two years. In addition, on said date, one member of the board of representatives in each district shall be elected to a term of four years, and one member of said board in each district shall be elected for a term of two years. On the first Tuesday after the first Monday in November, 1961, the town clerk, and the members of the board of representatives whose terms will reach expiration in that year will be elected for terms of four years. Thereafter, at each regular municipal election, one-half of the board of representatives, consisting of one member from each district, will be elected to terms of four years. In like manner, the mayor and the town clerk will be elected to terms of four years in alternate municipal elections.

The revised and amended Section 115 will read as follows:

115 Election of Board of Representatives. In the regular municipal election held on the first Tuesday after the first Monday in November, 1961, one member of the board of representatives shall be elected by the qualified electors of each of the twenty voting districts of Stamford to serve for a term of four years. On said date, in the same manner, one member of said board shall be elected in each district to serve for a term of two years. The candidate for each term receiving the greatest number of votes in each district shall be deemed elected. At every subsequent regular municipal election, one member of the board of representatives shall be elected by the qualified electors of each of said districts to serve for a term of four years. Each representative at the time of his election shall be a resident of the district from which he is elected. Any representative who, having been elected under the provisions of this section or under any other provision of this Charter, shall cease to reside in the district which he represents, shall immediately become disqualified to hold such office within the meaning of Section 201 of this Charter and the vacancy thereby created shall be filled in accordance with the provisions of said Section 201.

- (2) Voted to revise Section 112 to provide for the annual election of three members of the Board of Education. The revised Section 112 will read as follows:

Sec. 112. Election of Board of Education. At each annual election any political party may nominate not more than two candidates for membership on the Board of Education to hold office for a three-year term commencing on December first following the election. No voter shall vote for more than two candidates and the three candidates receiving the highest number of votes shall be declared elected members of the Board of Education.

- (3) Voted to revise the Charter in its several sections to eliminate from the provisions the right to appeal to the Board of Representatives from decisions of the Planning and Zoning Boards. The proposal to eliminate this provision seemed to have merit on the basis that the Board of Representatives meeting once per month as a legislative body should not be encumbered with matters which appear to be judicial in nature. On the other hand there was concern among the members of this Commission for the right of the electorate to appeal to the Board of Representatives from the decisions of these two Boards, especially since such an appeal might be taken without expense on the part of the person or persons aggrieved. It was the feeling of this Commission that the Board of Representatives, a larger body directly affected and concerned, having received this proposal from this Commission, may in its representative wisdom, make a decision upon the merits as the experiences of the Board of Representatives enable it to make the decision.
- In order to put this proposal into effect the following Sections of the Charter would need revision as follows:

- (1) Delete Sections 522.4 and 522.5
- (2) Revise Section 522.8 by deleting the last sentence.
- (3) Revise Section 529 by deleting the first clause beginning "Except in those sections" and ending with "522.5 of this act" and also deleting the last sentence of Section 529.
- (4) Delete Section 529.1
- (5) Delete Sections 552.2 and 552.3
- (6) Delete Section 553.2
- (7) Revise Section 555 by deleting the last sentence of Section 555
- (8) Revise Section 556 by deleting the first clause of the first sentence "Except in those situations where a decision of the Zoning Board is referred to the Board of Representatives for action pursuant to Section 552.2 or 552.3 or 553.2 of this act", and by deleting the last sentence of this section.
- (9) Delete Section 556.1



The revised Section 522.6 will read as follows:

Sec. 522.6. Decisions. The planning board shall render a decision on all petitions for amendment to the master plan within sixty days after the last public hearing thereon. No such decision shall become effective until at least ten days have elapsed following the official publication of such decision in the manner provided in section 522.9 of this act. A copy of each such decision, signed by the secretary or chairman of said board, shall be filed with the town and city clerk at the time of such official publication. If any decision of the planning board is not referred to the board of representatives within ten days of the official publication of such decision as hereinabove provided, such decision shall forthwith become effective and the secretary or chairman of the planning board shall file a certificate, attesting to such fact, with the town and city clerk.

The revised Section 529 will read as follows:

Sec. 529. Appeals. Any person aggrieved by an official decision of the planning board may appeal therefrom to the court of common pleas for the county of Fairfield within twenty days of the official publication of a decision affecting the master plan, or, in the case of a decision affecting a subdivision within twenty days after such decision becomes final.

The revised Section 555 will read as follows:

Section 555. Decisions. The zoning board shall render a decision on all petitions for amendments to the zoning regulations and map within sixty days after the last public hearing thereon. No such decision shall become effective until at least ten days have elapsed following the official publication of such decision in the manner hereinafter provided. A copy of each such decision, signed by the secretary or chairman of the zoning board, shall be filed with the town and city clerk at the time of such official publication. If any decision of the zoning board is not referred to the board of representatives within ten days of the official publication of such decision as hereinabove provided, such decision shall forthwith become effective and the secretary or chairman of the zoning board shall file a certificate, attesting to such fact, with the town and city clerk.

The revised Section 556 will read as follows:

Any person aggrieved by any such decision may appeal therefrom, within twenty days of the official publication of such decision, to the court of common pleas for the county of Fairfield.

- (4) Voted to revise Sections 610, 611, 611.1, 611.2, 611.4, 612, 613, 615, 616, and 617 of the Charter to provide earlier dates and schedules for prepara-

tion of the annual budget. The following changes are made:

Section 610:

line 2, change "first day of February" to "10th day of December"  
line 8, change "25th day of March" to "10th day of January"  
line 8, change "15th day of April" to "15th day of March"

Section 611:

line 2, change "1st day of January" to "15th day of December"

Section 611.1:

line 2, change "15th day of January" to "5th day of January"

Section 611.2:

line 2, change "1st day of February" to "20th day of January"

Section 611.4:

line 3, change "twenty-fifth day of March" to "1st day of March"

Section 612:

line 1 and 2, change "1st day of May" to "1st day of April"  
line 21, change "April first" to "March 1st"

Section 613:

line 3, change "eighth day of May" to "20th day of April"

Section 615:

line 2, change "first day of May" to "15th day of March"  
line 4 and 5, change "eighth day of May" to "20th day of April"  
line 21, change "eighth day of May" to "20th day of April"

Section 616:

line 4, change "fifth day of May" to "25th day of April"

Section 617:

line 1 and 2, change "17th day of May" to "25th day of May"

The revised Section 610 will read as follows:

Sec. 610. Preparation of General Estimates. The commissioner of finance shall, on or before the 10th day of December of each year, furnish the head of each department, board, and agency, forms for his budgetary requests for the ensuing year, based upon a uniform object classification established by the controller. Each such official shall prepare his budgetary requests upon such forms and submit them to the commissioner of finance on or before the 10th day of January, and on the fifteenth day of March the

commissioner of finance shall transmit the same to the mayor.

The revised Section 611 will read as follows:

Sec. 611. Department Estimates for Capital Projects Program. The mayor shall fix a date not later than the 15th day of December each year on which the head of each department, board and agency shall submit to the planning board and to the commissioner of finance a detailed estimate of all capital projects pending or which in his opinion should be undertaken within the six succeeding fiscal years. These estimates shall be known as "departmental estimates for capital projects," shall be in such form as may be prescribed by the planning board and shall contain all information that may be required by the planning board, by the commissioner of finance or by law or ordinance. These departmental estimates for capital projects shall be public records and open for inspection at reasonable times.

The revised Section 611.1 will read as follows:

Sec. 611.1. Report of Commissioner of Finance. On or before the Fifth day of January the commissioner of finance shall report to the board of finance and to the mayor the amount and nature of the expenditures which in his opinion the town may safely incur for capital projects during each of the six succeeding fiscal years, and the estimated effect of such expenditures upon the current budgets for each of those years, together with his recommendations in relation thereto.

The revised Section 611.2 will read as follows:

Sec. 611.2. Certificate of the Board of Finance. On or before the 20th day of January the board of finance shall transmit to the planning board the report made by the commissioner of finance pursuant to section 611.1 together with its certificate of the amount and nature of expenditures which in its opinion the city may safely incur for capital projects in the ensuing fiscal year, with the recommendations as to the method of financing such capital projects as may be included in the budget for that year.

The revised Section 611.4. will read as follows:

Sec. 611.4. Submission of Proposed Capital Program. The planning board shall thereupon prepare its capital budget and submit it to the mayor on or before the First day of March. The mayor may, in his discretion, revise this budget, but he may include therein any new projects without first submitting them to the planning board. If the planning board is opposed to such new project, that fact shall be recorded by the mayor when submitting his recommendations to the board of finance and the board of representatives.



The revised Section 612 will read as follows:

Sec. 612. The Mayor's Budget. On or before the first day of April the mayor shall submit his budget to the Board of Finance. The budget shall consist of the capital projects budget and the current operating budget. The capital projects budget shall include the following information: (1) A detailed estimate of the cost of each proposed project listed according to the department, board or agency of the city principally concerned with the project; (2) a statement as to any off-setting reimbursements, such as state or federal grants anticipated in connection with the project; (3) a recommendation, at the discretion of the mayor, which will not be binding on the board of finance or the board of representatives, as to the method of financing any recommended project; (4) such comparison with any prior year's appropriation for capital projects as the mayor considers advisable or the board of finance shall have requested; (5) any other information the mayor believes to be pertinent or which is requested by the board of finance. The current operating budget shall include the following information: (1) A detailed estimate of the expense of conducting each department, board and agency of the city for the ensuing fiscal year; (2) the expenditures for corresponding items for the last preceding year, appropriations plus transfer and additions to March first for corresponding items, as compared with proposed appropriations for the ensuing year, with the reason for increases and decreases; (3) the value of supplies and materials on hand at the date of the preparation of the departmental estimates; (4) the total amount of the town and city debt outstanding, with a schedule of maturities of bond issues; (5) the amount required for interest on the town and city debt, and for maturing serial bonds and other maturing obligations, and other fixed charges; (6) an itemization of all anticipated revenue from sources other than taxes, and the average annual income from each source for the past five years. The budget shall also show an estimate of the amount of money to be raised by taxes and service charges, with revenue from other sources, to meet the proposed expenditures, the amount required to meet deficiencies in the current fiscal year and any other information the mayor believes to be pertinent or which is requested by the board of finance.

The revised Section 613 will read as follows:

Sec. 613. Budget Approval by the Board of Finance. The board of finance may approve, reject or lower any item in the budget, and shall, on or before the 20th day of April transmit the budget as revised by it to the clerk of the board of representatives. Any item not rejected or revised by the board of finance shall be deemed approved by it. With respect to the capital projects budgets, the board of finance shall show the amount it proposes to raise through current taxation and the amount remaining for which bonds would be required with respect to each project.

The revised Section 615 will read as follows:

Sec. 615. Action on Board of Education Budget. Not later than the 15th day of March the board of education shall submit its budget for the next fiscal year to the board of finance. The board of finance shall take final action on the budget on or before the 20th day of April and shall immediately transmit the same to the clerk of the board of representatives. The board of finance shall have the power to approve, reject or lower any item in the budget which is not for a purpose within the statutory provisions imposing a duty upon the board of education or within provisions which vest the board of education with a discretion to be independently exercised. It may not reject but may only approve any item for a purpose which the statutes make it the duty of the board of education to effectuate or which vests in the board of education a discretion to be independently exercised by it, but it may reduce such item if it exceeds the amount reasonably necessary for the accomplishment of the purpose, taking into consideration, along with the educational needs of the town, its financial condition and other expenditures it is necessary to make. The board of representatives shall have the same powers as the board of finance with respect to the board of education budget. It shall receive the budget from the board of finance not later than the 20th day of April and shall complete its action thereon not later than the fifteenth day of May. All appropriations granted to this board shall be expended in its discretion.

The revised Section 616 will read as follows:

Sec. 616. Public Hearings. The board of finance and the board of representatives shall jointly hold public hearings on budgets as proposed by the mayor and board of education. These hearings shall be held on or before the 25th day of April after three days' public notice.

The revised Section 617 will read as follows:

Sec. 617. Fixing of Tax Rates. On or before the 25th day of May the board of finance shall determine and fix the tax rates and service charges upon the ratable estate in each of the tax districts of Stamford, such tax to be fixed and determined upon such estate within Stamford contained in the assessments as finally completed, to an amount sufficient, together with other funds available for the purpose to meet and provide for all appropriations made for the current fiscal year; to meet any deficiency in funds arising from uncollected taxes previously laid or legal abatements previously made of taxes, service charges or special assessments; and to meet and provide for the payment of any item or items of indebtedness which may become due and payable during such fiscal year, such as the principal of bonds, interest, payments into sinking funds and other obligations, for the payment of which no other provision has been made and for the payment of any other items said board shall deem proper. Should any special or further appropriations be made in any fiscal year after the tax rate for that year has been



fixed as herein provided, said board may lay a special tax in like manner as provided for laying the regular tax. If such special tax shall not be laid to provide funds for such further appropriations, then an amount sufficient to provide such funds shall be included in the regular Stamford tax for the fiscal year next ensuing.

- (5) Voted to revise Section 651 and to amend the Charter by addition of Section 651.1 to provide for holding of regular meetings by the Board of Finance at least once each month. The revised Section 651 will read as follows:

Section 651. Meetings. The board of finance shall hold regular meetings on the second Thursday of each month. The Mayor or any two of its members may call a special meeting by causing a written notice thereof, specifying the time, place and purpose of the meeting, to be served upon each member personally, or left at his usual place of abode, in either case at least twenty-four hours before the time fixed for such meeting, or forwarded by mail directed to his place of business, if within the City of Stamford, or residence at least seventy-two hours before the time fixed for such meeting. No business shall be transacted at a special meeting which is not within the purpose of the call. No action taken at any special meeting shall be invalid because of any inadvertent defect in the service of the notice thereof.

Section 651.1 will read as follows:

Sec. 651.1. Change of Meeting Date. The board may, by resolution, change the time for holding regular meetings, provided that such resolution calls for at least one regular meeting to be held each month at least two weeks prior to the monthly meeting held by the board of representatives pursuant to Sections 202 and 202.1 hereof.

- (6) Voted to revise Section 731 and Section 501 and to provide for the increase in membership of the Personnel Commission from three to five members.

Section 731 revised will read as follows:

Sec. 731. Organization of the Personnel Commission.  
(a) There shall be five members of the personnel commission. The members shall be electors of Stamford, appointed by the Mayor, with the approval of the Board of Representatives. On December 1st, 1960, the Mayor shall appoint five members to the personnel commission, one for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years and one for a term of one year. Every subsequent December 1st, the Mayor shall appoint for the expired term. These appointments shall be for a five-year term. The Mayor shall, on December 1st, 1960, re-appoint



the two incumbent personnel commission members to complete the terms of their present appointments. Each member of the personnel commission shall hold office until his successor is appointed and has qualified. No member of the personnel commission shall be an officer of a political party or shall hold any other public office. (b) A member of the personnel commission shall be removable by the mayor only for incompetency, misconduct or neglect of duty, after written charges and an opportunity to be heard publicly thereon upon his written request. A copy of the charges and a transcript of the record of the hearing shall be filed with the city clerk within a reasonable time. (c) Members of the personnel commission shall be reimbursed for necessary travel and other expenses. (d) The personnel commission shall elect one of its members chairman. It shall at meet at such times and places as shall be specified by call of the chairman or mayor. At least one meeting shall be held in each month except in the months of July or August. All meetings shall be open to the public. Notice of each meeting shall be given in writing to each member by the director. Three members shall constitute a quorum for the transaction of business. (e) One member of said commission shall be appointed from a list of three members of the classified service nominated by the members of such service at a meeting. The other four members of the Commission shall be known to be in sympathy with the merit principle as applied to Civil Service, shall not be members of the same political party, shall neither hold nor be a candidate for any political office or position, and shall not be a member of any local, state or national committee of a political party or an officer in any political partisan club or organization.

In revising Section 501 only the words "the Personnel Commission" shall be deleted from line 2. The revised Section 501 will read as follows:

Sec. 501. Appointive Board Members. Each appointed board, except the board of public safety and the public welfare commission, each of which shall consist of three members, shall consist of five members. All members shall be resident electors of the municipality and not more than a bare majority of the members of any board shall be registered members of the same political party.

- (7) Voted to amend the Charter by the addition of Section 740.1 to provide for appeals to the Personnel Board of Appeals by aggrieved classified service employees. Section 740.1 will read as follows:

Sec. 740.1. Appeals. If any member of the classified service is aggrieved by a decision of the Personnel Commission concerning allocation or reallocation of his position, he may, within fifteen (15) days of the action of said Commission, appeal in writing to the Personnel Board of Appeals created by Section 204.3 of this Charter for a hearing on the findings or action of said Commission, to be conducted in the same manner as provided in Section 740

governing appeals in cases of suspension, demotion or dismissal of members of the classified service.

- (8) Voted to revise and amend Section 741 to provide for only a one time use of Veterans Preference Points in any one examination, with choice of the veteran, declared at time of application, to apply points either at his examination for entrance into the service or at a later examination for promotion. It was noted that both the Police Association spokesmen and the Fire Association spokesmen favored this revision. It is the stated intent of this Commission that under this revision each veteran entitled to preference points will have the option of using them only once after the adoption of this revision whether he has used them previously or not. The revised Section 741 will read as follows:

Sec. 741. Veterans' Preference. Any person who has served in time of war in the army, navy, marine corps or coast guard of the United States and has been honorably discharged therefrom shall be entitled to have added to his rating in any one examination held under the provisions of this chapter ten points on a scale of one hundred if he is eligible for disability compensation or pension from the United States through the Veterans Administration, or five points on a scale of one hundred if he is not so eligible, provided that he shall be within the age limit specified for appointment to the position or class of position for which the examination is held, is physically capable of performing the duties of such position and attains in the examination without such added points the minimum rating prescribed for passage of such examination. The application of preference points must be declared at time of application and may apply either for entrance, promotion or other examination.

Examinations administered prior to the effective date of this revision and the ratings achieved thereon including any preferential points used in scoring such examinations shall be excluded from the meaning of this revision as it pertains to the one-time use of such preferential points.