

1975 Senate Bill 215

Date published: June 12, 1976

## CHAPTER 330, Laws of 1975

AN ACT to amend 63.39 of the statutes, relating to filling vacancies in the Milwaukee city service.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

63.39 of the statutes is amended to read:

**63.39 Vacancies, how filled.** Whenever a position classified and graded under the provisions of this act becomes vacant, the appointing officer, ~~if he desires to fill it, shall make requisition upon the commission for persons eligible for appointment thereto. The~~ shall have the discretion to fill the position or to let it remain vacant. If the appointing officer chooses to fill the vacant position, he may, with the approval of the commission, fill it through reinstatement, promotion, reduction or open competitive examination. If the appointing officer chooses not to or does not fill the vacant position by reinstatement, promotion, or reduction, the commission shall thereupon certify to the appointing officer from the list of eligibles, ~~provided the vacancy cannot be filled by reinstatement, promotion or reduction,~~ the names and addresses of the 3 persons standing highest thereon; ~~provided, when, in accordance with requirements established by the commission. When~~ there are less than 3 names upon an eligible list, certification shall be made and, unless objection is made, by the appointing officer, to the person or persons so certified and ~~said~~ the objection sustained by the commission, appointment shall be made under the rules. In case of more than one vacancy, an additional name shall be certified for each such vacancy. The appointing officer shall select, solely with reference to merit and fitness, the number of persons for which he has made requisition. In case the commission cannot certify eligibles for appointment, it may grant to the appointing officer authority to make appointment for a period not to exceed 2 months, or until regular appointment can be made.

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