

SENATE No. 1195

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act authorizing the chief of police of the mbta police department to appoint police cadets under certain circumstances to the department of said authority..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding the provisions of chapter thirty-one of the General Laws,
2 any person who has completed not less than two years of service as a police cadet in the police
3 department of the Massachusetts Bay Transportation Authority under the provisions of section
4 21B of chapter one hundred forty-seven of the General Laws, may, subject to a program
5 established by the police chief of said authority and approved by the personnel administrator of
6 the state division of personnel administration and the Massachusetts Criminal Justice Training
7 Council, be appointed to fill a vacancy in a position in the lowest grade in the police force of said
8 authority without certification from an eligible list prepared under the provisions of chapter
9 thirty-one of the General Laws; provided, however, that such person either is on a police
10 entrance eligible list prepared under said chapter or passes a qualifying examination to be given
11 by said personnel administrator. Such program shall include provisions for recruitment of
12 applicants for appointment as police cadets in said Authority and for appointment from an
13 eligible list prepared after a competitive examination administered under the supervision of the
14 police chief of said Authority. Appointments from such a list may, at the discretion of the

15 police chief, be made on a selective basis for the purposes of affirmative action in the
16 employment of females and minorities as police cadets. Notwithstanding the forgoing, after 15%
17 of the total number of appointments in any calendar year are made pursuant to the provisions of
18 this act, no additional appointments shall be made hereunder unless and until there are no
19 veterans on the eligible list.

20 SECTION 2. If any federal or state, administrative or court order requires the listing of
21 candidates in separate groups, each group to be listed according to the law of the commonwealth,
22 then this act shall be subject to such listing.

23 SECTION 3. Not more than twelve, or thirty-three and one third percent, whichever is
24 greater, of the total number of appointments to the police force of the Massachusetts Bay
25 Transportation Authority in any calendar year, shall be made under the provisions of this act.
26 The police chief of the Massachusetts Bay Transportation Authority shall report in writing
27 forthwith to the personnel administrator in said division of the personnel administration any
28 appointment made under the provisions of this act.

29 SECTION 4. The provisions of section twenty D of chapter thirty-one of the General
30 Laws shall apply to appointments made under this act.

31 SECTION 5. This act shall take effect upon its passage.