

HOUSE No. 3525

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act clarifying the term of appointment of non-civil service police officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>3/6/2013</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>	
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	
<i>Peter J. Durant</i>	<i>6th Worcester</i>	
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>3/11/2013</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Anne M. Gobi</i>	<i>5th Worcester</i>	
<i>John H. Rogers</i>	<i>12th Norfolk</i>	
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>	

<i>James J. Dwyer</i>	<i>30th Middlesex</i>	
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>3/12/2013</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	
<i>James R. Miceli</i>	<i>19th Middlesex</i>	
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>	
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/13/2013</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	<i>3/13/2013</i>
<i>Richard T. Moore</i>	<i>Worcester and Norfolk</i>	
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>	
<i>Donald H. Wong</i>	<i>9th Essex</i>	
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>	
<i>Cory Atkins</i>	<i>14th Middlesex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/13/2013</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	

HOUSE No. 3525

By Ms. Peisch of Wellesley, a petition (subject to Joint Rule 12) of Alice Hanlon Peisch and others relative to the term of appointment of non-civil service police officers. Public Service.

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
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An Act clarifying the term of appointment of non-civil service police officers.

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 133 of Chapter 41 of the General Laws, as appearing in the 2010 Official Edition,
2 is hereby amended by striking out subsection (b) and inserting in place thereof the following
3 subsection:-

4 (b) Appointment of members of a police department that are not covered by the
5 provisions of Chapter 31 of the General Laws, the Civil Service law, subsequent to the initial
6 appointment shall be made annually or for a term of years as the appointing authority shall
7 determine, or for an unspecified or indefinite term of appointment as long as the officer is not
8 removed as described in this paragraph, notwithstanding the provisions of Chapter 41 of the
9 General Laws, sections 96, 97 or 97A, or any municipal charter, ordinance or by-law. The
10 appointing authority may remove any such officer for cause, or whatever standard is contained in
11 any applicable collective bargaining agreement or employment contract, and after a hearing, at
12 any time during such appointment. For police officers covered by collective bargaining
13 agreements or employment contracts which contain standards for the discharge, termination or
14 removal of employees, the non-reappointment of a police officer serving under an appointment
15 subsequent to an initial appointment shall be considered to be a discharge, termination or
16 removal and the standards shall be enforceable with respect to such non-reappointment by the
17 procedures set forth in the collective bargaining agreement or employment contract.