SENATE DOCKET, NO. 52 FILED ON: 1/10/2013

SENATE . . . . . No. 1255

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 relative to sons and daughters of corrections officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	*Second Worcester*
Stephen L. DiNatale	*3rd Worcester*
Jennifer L. Flanagan	*Worcester and Middlesex*

SENATE DOCKET, NO. 52 FILED ON: 1/10/2013

SENATE . . . . . No. 1255

By Mr. Michael O. Moore, a petition (accompanied by bill, Senate, No. 1255) of Michael O. Moore, Stephen L. DiNatale and Jennifer L. Flanagan for legislation relative to the placement of the children of corrections officers on the civil service eligibility list. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *4182* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to sons and daughters of corrections officers.

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

SECTION 1. Section 26 of chapter 31, as appearing in the 2010 Official Edition, is hereby amended by striking out the seventh and eighth paragraphs and inserting in place thereof the following paragraphs:-

Notwithstanding any other provisions of this chapter or of any other law, a son or daughter of a firefighter, a police officer, or a corrections officer who passes the required written and physical examination for entrance to the fire, police, or corrections service or a son or daughter of a firefighter who passes the required written and physical examination for appointment as a fire alarm operator shall have his or her name placed in the first position on the eligible list or, where applicable, in the first position on the reserve roster for appointment to such fire, police, or corrections service or fire alarm service if: (1) in the case of a firefighter, such firefighter while in the performance of his duties and as the result of an accident while responding to an alarm of fire or while at the scene of a fire was killed or sustained injuries which resulted in his death; or (2) in the case of a police officer, such police officer while in the performance of his duties and as a result of an assault on his person was killed or sustained injuries which resulted in his death; or (3) in the case of a corrections officer, such corrections officer while in the performance of his duties and as a result of an assault on his person was killed or sustained injuries resulted in his death.

Notwithstanding any other provision of this chapter or of any other law, the son or daughter of a firefighter or police officer or corrections officer who passes the required written and physical examination for entrance to the fire, police, or corrections service or a son or daughter of a firefighter who passes the required written and physical examination for appointment as a fire alarm operator shall have his or her name placed on the eligible list or, where applicable, on the reserve roster for appointment to such fire, police, or corrections service or fire alarm service immediately below the names of disabled veterans as provided for in the first paragraph, provided that said firefighter, police officer, or corrections officer has been retired at a yearly amount of pension equal to the regular rate of compensation which he would have been paid had he continued in said service at the grade held at the time of retirement, pursuant to a special act of the legislature in which said firefighter, police officer, or corrections officer is determined to be permanently or totally disabled; provided, further, that:

(1) in the case of a firefighter, such firefighter while in the performance of his duties and as the result of an accident while responding to an alarm of fire or while at the scene of a fire sustained injuries which resulted in his being permanently and totally disabled; or sustained injuries which resulted in his being permanently disabled; or

(2) in the case of a police officer, such police officer while in the performance of his duties and as a result of an assault on his person sustained injuries which resulted in his being permanently and totally disabled.; or

(3) in the case of a corrections officer, such corrections officer while in the performance of his duties and as a result of an assault on his person sustained injuries which resulted in his being permanently and totally disabled. Should more than one applicant be eligible for appointment pursuant to the provisions of this paragraph, said applicants shall be ordered according to their respective standings.