

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 passage of the accompanying bill:

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.

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S02207 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and 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
3 police department of the Massachusetts Bay Transportation Authority under the provisions of
4 section 21B of chapter one hundred forty-seven of the General Laws, may, subject to a
5 program established by the police chief of said authority and approved by the personnel
6 administrator of the state division of personnel administration and the Massachusetts
7 Criminal Justice Training Council, be appointed to fill a vacancy in a position in the lowest
8 grade in the police force of said authority without certification from an eligible list prepared
9 under the provisions of chapter thirty-one of the General Laws; provided, however, that such
10 person either is on a police entrance eligible list prepared under said chapter or passes a
11 qualifying examination to be given by said personnel administrator. Such program shall

12 include provisions for recruitment of applicants for appointment as police cadets in said
13 Authority and for appointment from an eligible list prepared after a competitive examination
14 administered under the supervision of the police chief of said Authority. Appointments from
15 such a list may, at the discretion of the police chief, be made on a selective basis for the
16 purposes of affirmative action in the employment of females and minorities as police cadets.
17 Notwithstanding the forgoing, after 15% of the total number of appointments in any calendar
18 year are made pursuant to the provisions of this act, no additional appointments shall be
19 made hereunder unless and until there are no veterans on the eligible list.

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

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

31
32 SECTION 4. The provisions of section twenty D of chapter thirty-one of the General Laws
33 shall apply to appointments made under this act.

34
35 SECTION 5. This act shall take effect upon its passage.