

# HOUSE . . . . No. 1173

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By Mr. Telford of Plainville, petition of the Massachusetts State Employees Association for legislation to provide security of tenure for certain officers of the state police. Military Affairs and Public Safety.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Seven.

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### AN ACT PROVIDING SECURITY OF TENURE FOR CERTAIN OFFICERS OF THE STATE POLICE FORCE.

*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 9A of chapter 22 of the General Laws, as  
2 most recently amended by chapter 175 of the acts of  
3 1943, is further amended by adding at the end thereof  
4 the following paragraph:—

5 No officer of said force who has served satisfactorily  
6 for ten years or more shall be removed from or denied  
7 re-enlistment to said force except for just cause and  
8 for reasons specifically given him in writing at least  
9 seventy-two hours prior to such removal or denial of  
10 re-enlistment. If, within three days after the giving  
11 of such notice, the officer sought to be removed or  
12 who is denied re-enlistment shall so request in writing,  
13 he shall be given a hearing, either public or private in  
14 accordance with his request, in not less than three nor  
15 more than fourteen days after the filing of the request,

16 by the appointing authority whose action affected  
17 him as aforesaid, and he shall be allowed to answer  
18 the charges preferred against him, either personally  
19 or by counsel, and he shall be notified, within three  
20 days after the hearing, of the decision of such author-  
21 ity. Upon failure to give the officer the requested  
22 hearing, such officer shall be forthwith reinstated. A  
23 copy of said reasons, notice and answer shall be made  
24 a matter of public record in the Division of State  
25 Police in the Department of Public Safety. If, within  
26 five days after receiving written notice of the decision  
27 of the appointing authority, the officer so removed  
28 shall so request in writing, he shall be given a hearing  
29 before an impartial commission of three members to  
30 be appointed by the governor. Such hearing shall be  
31 commenced in not less than three nor more than ten  
32 days, and shall be completed within thirty days after  
33 the filing of such request. The impartial commission  
34 of three shall have full authority to affirm or reverse  
35 the decision of the appointing authority by a majority  
36 vote of said commission. The decision of said com-  
37 mission shall be made a matter of public record and  
38 shall be final and conclusive upon the parties. If the  
39 removal or denial of re-enlistment is found to be with-  
40 out just cause, the officer shall be reinstated forthwith  
41 without loss of compensation or re-enlisted in accord-  
42 ance with the rules and regulations of the division.