

SENATE No. 624

[Senate, No. 624. — Substituted by amendment (Clampit) for the Senate Report of the committee on Military Affairs and Public Safety, "reference to the next annual session", (under Joint Rule 10) on so much of the Governor's Address (Senate, No. 1) as relates to the immediate termination of the emergency war-time powers of the Governor (page 5).]

The Commonwealth of Massachusetts

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

AN ACT REPEALING THE COMMONWEALTH EMERGENCY DEFENCE ACT OF 1941, AND, IN PART, THE LAWS PROVIDING FOR THE SAFETY OF THE COMMONWEALTH DURING WORLD WAR II, SO CALLED.

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. Chapter 719 of the acts of 1941, as
2 amended, and sections 1, 2, as amended, 3, 4, 6 to 11,
3 inclusive, and 12, as amended, of chapter 13 of the
4 acts of 1942, are hereby repealed.

1 SECTION 2. Section 5 of said chapter 13 is hereby
2 amended by striking out, in line 28, the words "said
3 war" and inserting in place thereof the words:—
4 World War II, so called,—and by striking out the
5 last paragraph and inserting in place thereof the fol-

6 lowing:— The provisions of this section, and any
7 appointment or transfer made thereunder, shall cease
8 to be effective upon the expiration of one year after
9 the termination of the existing state of war between
10 the United States and any foreign country, — so as
11 to read as follows:— *Section 5.* Notwithstanding
12 the provisions of chapter thirty-one of the General
13 Laws, or any other provision of law affecting civil
14 service, and the rules and regulations made there-
15 under, the director of civil service, supported by a
16 majority vote of the civil service commission, may:

17 (1) Approve or extend provisional appointments
18 without time limitations until lists can be established
19 or until appointments can be made from eligible lists;

20 (2) Extend temporary appointments which are
21 made from civil service lists beyond the life of the list;

22 (3) Allow temporary transfers without regard to clas-
23 sification, beyond a period of six months;

24 (4) Restrict leaves of absence except for entrance
25 into the armed forces of the United States, for illness,
26 and for such other reason as said director deems to be
27 in the public interest;

28 (5) Remove from eligible lists the names of indi-
29 viduals who refuse to accept positions which they have
30 previously signified a willingness to accept; and

31 (6) Restore to the eligible lists the names of persons
32 so removed; and

33 (7) Exclude from the operation of the civil service
34 laws and rules and regulations any of the positions or
35 employments in temporary agencies, boards or other
36 governmental units of the commonwealth or of its
37 political subdivisions, the existence and powers of
38 which agencies, boards or other units are limited to a
39 period terminating not later than one year after the

40 termination of World War II, so called, or any lesser
41 period.

42 The provisions of this section, and any appointment
43 or transfer made thereunder, shall cease to be effective
44 upon the expiration of one year after the termination
45 of the existing state of war between the United States
46 and any foreign country.

1 SECTION 3. Nothing in this act shall be deemed to
2 affect the validity, legality or effectiveness of any
3 order or regulation heretofore issued or promulgated
4 by the governor under any provision of said chapter
5 seven hundred and nineteen or of said chapter thir-
6 teen, or the validity, legality or effectiveness of any
7 act heretofore done by any person pursuant to or in
8 reliance upon any provision of either or both of said
9 chapters, or of any such order or regulation, or the
10 validity, legality or effectiveness of any right or inter-
11 est heretofore vested in or accrued to any person in
12 accordance with any such provision, order or regula-
13 tion.

