

HOUSE No. 1720

By Mr. Patrone of Boston, petition of Charles L. Patrone for legislation to make permanent certain temporary positions in the service of the Commonwealth and to protect the rights of the incumbents thereof. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT MAKING PERMANENT CERTAIN TEMPORARY POSITIONS
IN THE SERVICE OF THE COMMONWEALTH AND PROTECTING
THE RIGHTS OF CERTAIN INCUMBENTS.

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

1 Notwithstanding any provisions of the general or any
2 supplementary appropriation act for the fiscal year
3 nineteen hundred and fifty-six, the number of permanent
4 positions duly approved with reference to each item
5 thereby appropriated for personal services shall be
6 increased to include, in each case, every year-round
7 temporary position (1) for which, for a continuous
8 period of three years or more past from January first,
9 nineteen hundred and fifty-five, compensation has been
10 duly paid or authorized under the same or a like item
11 in prior appropriation acts and (2) which exists in con-
12 nection with the maintenance of any agency of the
13 commonwealth established, or the performance of any
14 service by the commonwealth required or provided for,
15 by virtue of any general act the operation of which is
16 not expressly limited as to time. The director of per-
17 sonnel shall, by title and code number and subject to
18 approval of the commission on administration and

19 finance, certify to the budget commissioner, the comp-
20 troller, the director of civil service, each appointing
21 authority concerned, and the house and senate com-
22 mittees on ways and means, each such position to be
23 so included.

24 The provisions of this act shall not apply to any
25 present or future temporary position created by any
26 general or special act the operation of which is expressly
27 limited as to time nor for any such position in a service
28 which by its nature or intent is temporary.

29 The incumbent on January first, nineteen hundred and
30 fifty-five, of each temporary position which is made a
31 permanent position by the operation of the provisions of
32 this section, if he had served in the position for a con-
33 tinuous period of at least three years prior to said date,
34 shall upon said date have become the permanent in-
35 cumbent on such position, subject, if the civil service
36 laws and rules are applicable to such position, to passing
37 a qualifying examination.