

HOUSE No. 1049

By Mr. Airola of Revere, petition of William L. O'Brien relative to decisions of the court in certain proceedings under civil service laws. Judiciary (Joint).

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Two.

An Act relative to Court Reviews of Certain Proceedings
under the Civil Service Laws.

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 forty-five of chapter thirty-one of the
2 General Laws, as amended by section three of chap-
3 ter two hundred and twenty of the acts of nineteen
4 hundred and twenty-five, is hereby further amended
5 by inserting after the word "court" in the sixteenth
6 line the words: — shall be rendered within one year
7 after the bringing of such petition and, — so as to
8 read as follows: — *Section 45.* Within thirty days
9 after the hearing provided for in section forty-three
10 or after action under section forty-six, the person
11 so removed, transferred or lowered in rank or com-
12 pensation, or suspended, or whose office or position
13 is abolished, except members of the police depart-
14 ment of Boston, the police of the metropolitan
15 district commission and the state police, may bring
16 a petition in the district court of the judicial district

17 where such person resides, addressed to the justice of
18 the court, praying that the action of the officer or
19 board may be reviewed by the court, and after such
20 notice to such officer or board as the court deems
21 necessary, it shall review such action, hear the wit-
22 nesses, and shall affirm the decision of the officer or
23 board unless it shall appear that it was made without
24 proper cause or in bad faith, in which case said
25 decision shall be reversed and the petitioner be
26 reinstated in his office without loss of compensation.
27 The decision of the court shall be rendered within
28 one year after the bringing of such petition and shall
29 be final and conclusive upon the parties.

