

By Mr. Flaherty of Boston, petition of the Professional Fire Fighters of Massachusetts and Michael F. Flaherty relative to the selection process of persons eligible for appointment or promotion under the civil service law. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO THE MANNER OF SELECTION OF PERSONS ELIGIBLE AND WILLING TO ACCEPT APPOINTMENT OR PROMOTION.

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

1 Chapter 31 of the General Laws is hereby amended by striking
2 out section 27 and inserting in place thereof the following section:
3 Section 27. Except as provided otherwise by section fifteen, if
4 the administrator certifies from an eligible list the names of three
5 persons who are eligible for and willing to accept appointment,
6 the appointing authority, pursuant to the civil service law and
7 rules, may appoint only from among such persons. If such eligible
8 list contains the names of less than three persons who are willing
9 to accept appointment the appointing authority may appoint from
10 among those persons or may request authorization to make a
11 provisional appointment pursuant to sections twelve, thirteen and
12 fourteen.

13 If an appointing authority makes an original or promotional
14 appointment from a certification of any person other than the
15 person whose name appears highest, and the person whose name
16 is highest is willing to accept such appointment, the appointing
17 authority shall immediately file with the administrator a written
18 statement of his reasons for appointing the person whose name
19 was not highest. Such an appointment of a person whose name
20 was not highest shall be effective only when such statement of
21 reasons has been received by the administrator. The administrator
22 shall make such statement available for public inspection at the
23 office of the division.

By the Clerk of the House of Representatives
of the United States of America
in testimony whereof, he has hereunto set his hand
and the seal of the said House, at Washington, D.C.,
this _____ day of _____, 19____.

THE CONSTITUTION OF THE UNITED STATES

Article _____

Section _____
