

HOUSE No. 3904

By Mr. McKenna of Springfield, petition of Arthur J. McKenna relative to penalties for persons who violate or refuse to comply with the civil service law. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT PROVIDING PENALTIES FOR PERSONS WHO VIOLATE OR REFUSE TO COMPLY WITH CIVIL SERVICE LAW.

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 31 of the General Laws is hereby
2 amended by striking out section 11, as most recently amended
3 by chapter 27 of the acts of 1959, and inserting in place
4 thereof the following: —

5 *Section 11.* No person by himself or in cooperation with
6 one or more persons, shall wilfully defeat, deceive or obstruct
7 any person with respect to his right of taking any examination;
8 shall wilfully or corruptly make a false mark, grade, estimate or
9 report on the examination or proper standing of any person
10 examined under this chapter, or wilfully or corruptly make any
11 false representation concerning the same or concerning the
12 person examined; shall wilfully or corruptly furnish to any one
13 special or secret information for the purpose of either im-
14 proving or injuring the prospects or changes of appointment,
15 employment or promotion of any person so examined or to be
16 examined; shall impersonate any other person or permit or aid
17 in any manner any other person to impersonate him in any
18 examination or appointment or request to be examined, cer-
19 tified or appointed; or shall use or promise or endeavor to use
20 influence or official or political authority to secure for any
21 person any appointment or prospect of appointment to any
22 civil service position.

1 SECTION 2. Chapter 31 of the General Laws is hereby
2 amended by striking out section 51 and inserting in place
3 thereof the following: —

4 *Section 51.* The director may take any necessary and appro-
5 priate action to enforce the provisions of this chapter and the
6 rules made thereunder. Any person who, wilfully or through
7 culpable negligence, violates, or who conspires to violate, any
8 of such provisions or rules, or who makes an appointment
9 employs any person in violation of such provisions or rules, or
10 who refuses or neglects to comply with any of such provisions
11 or rules, shall, unless otherwise provided, be punished by a fine
12 of not more than one thousand dollars or imprisonment for
13 not more than one year, or both. Prosecutions for violations of
14 this chapter may, and upon the complaint of the director shall,
15 be instituted by the district attorney of the county in which
16 the offense is alleged to have been committed.