

HOUSE No. 3041

By Mr. Morrissey of Quincy, petition of Michael W. Morrissey and others for legislation to regulate the suspension of police officers charged with misconduct during performance of duty. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE SUSPENSION OF POLICE OFFICERS.

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 25 of Chapter 268A of the Massachusetts General Laws
- 2 is hereby amended by adding at the end of the fifth paragraph, the
- 3 following new paragraph: —
- 4 “This section shall not apply to police officers, who are charged
- 5 with such misconduct as a result of the performance of their duties.
- 6 Such actions shall be dealt with according to the provisions of
- 7 M.G.L. Chapter 31, sections 41 and 43.

By the Majority Leader, George W. Bush, Chairman of the Committee on the Judiciary, House of Representatives, in testimony given before the subcommittee on the Constitution of the Committee on the Judiciary, House of Representatives, on the 10th day of July, 2001.

The Constitution of the United States

Before the subcommittee on the Constitution of the Committee on the Judiciary, House of Representatives

as part of the hearing on the nomination of John G. Roberts

to be a Justice of the Supreme Court of the United States, held on July 10, 2001, at the hearing room of the subcommittee on the Constitution of the Committee on the Judiciary, House of Representatives.

1. Section 5 of Article III of the Constitution states that the Supreme Court shall have the final authority in all cases under the Constitution and the laws of the United States and treaties made under their authority.

2. The Supreme Court shall not have the power to review the actions of the President or the actions of the State Governors.

3. Article III, Chapter 1, Section 1 of the Constitution states that the judicial power shall extend to all cases of law and equity arising under the Constitution and the laws of the United States.