

HOUSE No. 2543

By Mr. Kollios of Millbury, petition of Paul Kollios and William Constantino, Jr., relative to requiring the posting of vacancies in certain public offices and positions. Public Service.

The Commonwealth of Massachusetts

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

AN ACT REQUIRING THE POSTING OF VACANCIES IN CERTAIN PUBLIC OFFICES AND POSITIONS.

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 30 of the General Laws is hereby
2 amended by inserting after section 25B the following section: —
3 Section 25C. At least thirty days prior to the appointment of
4 any person to an office or position not subject to the provisions
5 of chapter thirty-one in any department, office, commission,
6 board or institution within any executive office established by
7 chapters six A and seven and at least thirty days prior to the
8 provisional appointment of any person to an office or position
9 subject to said chapter thirty-one in any such department, office,
10 commission, board or institution, except in the case of an
11 emergency appointment pursuant to the first paragraph of section
12 fourteen of said chapter thirty-one, the appointing authority shall
13 cause to be posted a notice in each of the various offices of the
14 department of employment security of the commonwealth for a
15 period of not less than fifteen days, excluding Saturdays, Sundays,
16 and legal holidays. Such notice shall state the office or position
17 to which such appointment is to be made, the qualifications and
18 eligibility requirements for such office or position, the salary and
19 other benefits payable in such office or position, and the place
20 where and person to whom application should be made for
21 appointment to such position; provided, however, that upon the
22 filing of a written certificate by the commissioner of administra-
23 tion and the appointing authority with the house and senate

24 committees on ways and means and the joint committee on public
25 service stating that the provisions of this section would
26 substantially impair the orderly operation of state government,
27 the commissioner may authorize the temporary appointment of
28 a person to such office or position prior to such posting, provided
29 further that the commissioner shall in such case forthwith provide
30 for the posting of said notice, and provided further that no such
31 temporary appointment shall be continued for more than thirty
32 days after the date of the filing of such certificate. No payment
33 shall be made to any person serving pursuant to an appointment
34 made or continued in violation of the provisions of this section;
35 provided, that any person appointed to an office or position
36 subject to the provisions of this section shall, upon such
37 appointment, be given written notification of the provisions of this
38 sentence. The provisions of this section shall not be deemed to
39 diminish or impair any provision of law or regulation requiring
40 the posting of any like notice for a period or periods in excess
41 of said thirty days.

1 SECTION 2. Paragraph (d) of Section 7 of Chapter 150E of
2 the General Laws as appearing in the 1984 Official Edition is
3 hereby amended in line 51 by inserting after the words "twenty-
4 four A," the following: — twenty-five C.