

# HOUSE . . . . No. 2766

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By Mr. Umana of Boston, petition of Mario Umana that provision be made for reinstatement in the classified public service of persons leaving or resigning therefrom to serve in the military or naval service of the United States in time of war or threat of war. Public Service.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty.

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AN ACT PROVIDING FOR THE REINSTATEMENT IN THE CLASSIFIED PUBLIC SERVICE OF PERSONS LEAVING OR RESIGNING THEREFROM FOR THE PURPOSE OF SERVING IN THE MILITARY OR NAVAL FORCES OF THE UNITED STATES IN TIME OF WAR OR THREAT OF WAR.

*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 27 of chapter 31 of the General Laws, as  
2 appearing in the Tercentenary Edition, is hereby  
3 amended by inserting after the word "war" in line 5  
4 the words:— or threat of war,— so as to read as  
5 follows:— *Section 27.* Any person who resigns from  
6 or leaves the classified public service of the common-  
7 wealth or of any city or town therein or who is dis-  
8 charged, suspended or granted a leave of absence  
9 therefrom, for the purpose of serving in the military  
10 or naval service of the United States in time of war

11 or threat of war and who so serves, shall, if he so re-  
12 quests of the appointing authority within two years  
13 after his honorable discharge from such military or  
14 naval service, or release from active duty therein,  
15 and if also, within said time, he files with the division  
16 the certificate of a registered physician that he is not  
17 physically disabled or incapacitated for the position,  
18 be reappointed or re-employed, without civil service  
19 application or examination, in his former position,  
20 provided that the incumbent thereof, if any, is a  
21 temporary appointee; or, if his former position has  
22 been filled by a permanent appointment, he shall be  
23 employed in a similar position in the same depart-  
24 ment, if a vacancy exists therein. All appointments  
25 made to fill vacancies caused by the military or naval  
26 service of the former incumbent shall be temporary  
27 only.