

SENATE No. 1436

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the civil service assessment of environmental police officers.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 1436

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1436) of Michael O. Moore for legislation relative to the civil service assessment of environmental police officers. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the civil service assessment of environmental 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 1. Section 48 of chapter 31 of the General Laws is hereby amended by inserting,
2 in line 26, after the words “police department” the following:- “; the office of law enforcement
3 under the executive office of energy and environmental affairs”

4 Section2. Chapter 31 of the General Laws is hereby amended by adding, at the end
5 thereof, the following new sections:-

6 “Section 78. Notwithstanding any general or special law to the contrary, environmental
7 police officers shall be subject to the same civil service examination requirements as municipal
8 police and firefighters, the Massachusetts bay transportation authority police, and the
9 Massachusetts State Police

10 Section79. No person shall be ineligible for appointment and no person shall be denied
11 employment as an environmental police officer because of failure to attain a minimum height
12 unless the administrator, in response to the written request of the appointing authority that no

13 person under a specified height be certified for appointment to such position in said force, has
14 established a minimum height requirement for the position. Such request shall include the
15 findings of a validation study demonstrating the necessity for a minimum height for said position
16 in said force, and such other evidence as the administrator may require.

17 A person shall be ineligible to become an applicant for an examination for original
18 appointment to the position of environmental police officer if he will not have reached his
19 twenty-first birthday on or before the final date for the filing of applications for such
20 examination, as stated in the examination notice.

21 As a prerequisite to appointment to the position of environmental police officer, a person
22 shall have graduated from high school, or received a high school graduation equivalency
23 certificate from the department of education, and either:

24 (1) have at least two years of full-time, or equivalent part-time, professional or para-
25 professional experience in wildlife or fisheries conservation or management, criminal justice,
26 natural resources conservation or management, biological or environmental science, forestry,
27 ecology, marine science, conservation law enforcement or related field, or

28 (2) any equivalent combination of such experience and a degree in environmental
29 science, biology, oceanography, ecology, natural resource management, wildlife management,
30 fisheries management, forestry, conservation law enforcement, criminal justice or related field
31 whereas an associate's degree may be substituted for one year of the required experience and a
32 bachelor's degree or higher may be substituted for two years' experience on the basis of two
33 years of education for one year of experience.

34 Section 80. Original and promotional appointments of environmental police officers shall
35 be made only after competitive examination, unless expressly exempted in section 10A of
36 chapter 21A of the general laws.

37 An examination for a promotional appointment for any title in any such force shall be
38 open only to permanent employees in the next lower title in such force, except that if the number
39 of such employees, or the number of applicants for the examination, or the number of applicants
40 presenting themselves for examination is less than four, the examination shall be opened to
41 permanent employees in the next lower titles in succession in such force until either four such
42 employees have applied and presented themselves for examination or until the examination is
43 open to all permanent employees in lower titles in such force; provided, that no such examination
44 shall be open to any person who has not been employed as a permanent employee for at least
45 three years in such force in the lower title or titles to which the examination is open, and
46 provided, further, that no such examination for the first title above the lowest title in such force
47 shall be open to any person who has not been employed as a permanent employee in such force
48 for at least three years in such lowest title.

49 All promotional appointments to fill positions in such forces shall be made on a full-time
50 basis. No such promotional appointments shall be made on a permanent intermittent basis.

51 An eligible list established as a result of any examination shall not be used for an original
52 or promotional appointment to any position in any force pursuant to this section unless the
53 announcement of such examination identified such position as one to be filled from such list.

54 Following his original appointment as a permanent full-time police officer in the
55 Massachusetts environmental police, a person shall actually perform the duties of such position

56 on a full-time basis for a probationary period of twelve months before he shall be considered a
57 full-time tenured employee in such position. The administrator, with the approval of the
58 commission, may establish procedures to ensure the evaluation by appointing authorities, prior to
59 the end of such probationary period, of the performance of persons appointed as police officers
60 in such force.