

HOUSE No. 537

By Mr. Hurwitz of Cohasset, petition of the Massachusetts Chiefs of Police Association for legislation relative to the establishment of police departments in certain towns. Towns.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT RELATIVE TO THE ESTABLISHMENT OF POLICE DEPARTMENTS IN CERTAIN TOWNS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 41 of the General Laws is hereby amended
2 by inserting after section 97 the following new sec-
3 tion:—
4 *Section 97A.* Towns accepting the provisions of
5 this section shall establish a police department to
6 be under the control of an officer to be known as
7 the chief of the police department. The chief shall
8 be appointed by the selectmen, and shall receive such
9 salary as the selectmen may from time to time deter-
10 mine, not exceeding in the aggregate the amount
11 annually appropriated therefor. He shall have full
12 and absolute authority in the administration of the
13 department, shall make all rules and regulations for
14 its operation, and shall annually report to the select-

15 men. He shall appoint such police officers as he
16 deems necessary. He shall fix their compensation,
17 subject to the approval of the selectmen, not exceed-
18 ing in the aggregate the amount annually appropri-
19 ated therefor. In the expenditure of money the chief
20 shall be subject to such further limitations as the town
21 may from time to time prescribe. Subject to the
22 provisions of chapter thirty-one, if applicable, such
23 chief and other police officers constituting said de-
24 partment shall hold office continuously during good
25 behavior unless incapacitated by physical or mental
26 disability to perform the duties of their position and
27 may only be removed by the selectmen for cause and
28 after a hearing. Section ninety-seven shall not apply
29 in any town which accepts this section. In towns
30 using official ballots at town elections acceptance of
31 the provisions of this section shall be either by vote
32 at an annual town meeting or shall be by vote in an-
33 swer to a question placed on the official ballot at an
34 annual town election as hereinafter provided, and in
35 towns not using official ballots at town elections such
36 acceptance shall be by vote at an annual town meet-
37 ing.

38 Upon the filing, with the clerk of any town using
39 official ballots at town elections, of a petition signed
40 either by not less than one thousand registered voters
41 thereof or by not less than five per cent of the total
42 number of registered voters thereof, requesting that
43 the question of accepting the pertinent provisions of
44 this section be placed upon the official ballot, the
45 clerk shall, if such provisions are not already in force
46 in such town, place such question on the official
47 ballot for the next town election occurring more than
48 thirty days after the filing of such petition. The

49 provisions of section forty-nine A relative to the cer-
50 tification of names on petitions under said section and
51 to the filing and hearing of objections to the validity
52 or sufficiency of such petitions or the signatures thereon
53 shall apply in the case of petitions under this section.

