

By Mr. Linsky of Natick, petition of Richard J. Ross and Scott P. Brown (by vote of the town) that the town of Millis be authorized to appoint retired police officers as special police officers. Public Service. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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In the Year Two Thousand and Five.  
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**AN ACT RELATIVE TO THE APPOINTMENT OF RETIRED POLICE OFFICERS AS SPECIAL POLICE OFFICERS IN THE TOWN OF MILLIS.**

*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. The town administrator of the town of Millis may  
2 appoint, as he deems necessary, retired Millis police officers as  
3 special police officers for the purpose of performing police details  
4 or any police duties arising therefrom or during the course of  
5 police detail work, regardless of whether or not related to the  
6 detail work. The retired police officers shall have been regular  
7 Millis police officers and retired based on superannuation. The  
8 special police officers shall be subject to the same maximum age  
9 restrictions as applied to regular police officers under chapter 32  
10 of the General Laws. A special police officer shall pass a medical  
11 examination by a physician or other certified professional chosen  
12 by the town to determine that he is capable of performing the  
13 essential duties of a special police officer, the cost of which shall  
14 be borne by the special police officer, prior to performing police  
15 details.

1 SECTION 2. Special police officers appointed under this act  
2 shall not be subject to chapter 31 of the General Laws, or sections  
3 99A, 100 and 111F of chapter 41 of the General Laws.

1 SECTION 3. Special police officers shall, when performing  
2 the duties under section 1, have the same power to make arrests

3 and perform other police functions as do regular police officers of  
4 the town of Millis.

1 SECTION 4. Special police officers shall be appointed for an  
2 indefinite term, subject to removal by the town administrator at  
3 any time with a 14 day written notice.

1 SECTION 5. Special police officers shall also be subject to the  
2 rules and regulations, policies and procedures and requirements of  
3 the chief of Police and/or the town administrator of the town of  
4 Millis, including restrictions on the type of detail assignments,  
5 requirements regarding medical examinations to determine contin-  
6 uing capability to perform the duties of a special police officer,  
7 requirements for training, requirements for firearms licensing and  
8 qualifications and requirements regarding uniforms and equip-  
9 ment. Compliance with all requirements will be at no cost to the  
10 town of Millis. Special police officers shall not be subject to  
11 section 96B of chapter 41 of the General Laws.

1 SECTION 6. Special police officers shall be sworn before the  
2 town clerk of the town of Millis who shall keep a record of all  
3 such appointments.

1 SECTION 7. When special police officers appointed under this  
2 act reach the age of 65, such employment shall terminate on the  
3 last day of the month of the officer's 65th birthday. In the event  
4 the age limitation applicable to regular police officers serving the  
5 town is increased from the current 65 years of age, the age limit  
6 provided herein for special police officers shall terminate at such a  
7 higher age limit, but in no event shall the age extend beyond the  
8 age of 70 for any special police officer. Special police officers  
9 appointed under this act shall not be subject to section 85H of said  
10 chapter 32, nor eligible for any benefits pursuant thereto.

1 SECTION 8. Appointment as a special police officer does not  
2 entitle any individual appointed as such to assignment to any  
3 detail(s). Special police officers appointed under the provisions of  
4 this act shall not be eligible for unemployment nor shall the town  
5 be liable for unemployment benefits, pursuant to the provisions of

6 chapter 151A of the General Laws, for any reason, including  
7 police detail assignment determinations made by the town or  
8 removal of any individual as a special police officer.

1 SECTION 9. Retired Millis police officers serving as special  
2 police officers under this act shall be subject to the limitations on  
3 hours worked and on payments to retired town employees under  
4 paragraph (b) of section 91 of chapter 32 of the General Laws.  
5 Special police officers assigned hereunder shall not be subject to  
6 or provided benefits under section 89B of chapter 32 of the  
7 General Laws.

1 SECTION 10. This act shall take effect upon its passage.

