

HOUSE No. 1882

By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 1882) of David Paul Linsky and others (by vote of the town) relative to authorizing the appointment of retired police officers as special police officers in the town of Millis. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act authorizing the appointment of retired Millis 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. Notwithstanding any general or special law to the contrary, the Town
2 Administrator of the Town of Millis may appoint, as he deems necessary, retired Millis Police
3 Officers as Special Police Officers for the purpose of performing police details or any other
4 police duties arising therefrom or during the course of police detail work, regardless of whether
5 or not related to the detail work. The retired police officers shall have been regular Millis police
6 officers and retired based on superannuation. The special police officers shall be subject to the
7 same maximum age restrictions as applied to regular police officers under Chapter 32 of the
8 Mass. General Laws. A special police officer shall pass a medical examination by a physician or
9 other certified professional chosen by the Town to determine that he is capable of performing the
10 essential duties of a special police officer, the cost of which shall be borne by the special police
11 officer, prior to performing police details. SECTION 2. Special police officers appointed
12 under this act shall not be subject to Chapter 31 of the Mass. General Laws, or Section 99A of

13 Chapter 41 of the Mass. General Laws, or Section 100 and Section 111F of Chapter 41 of the
14 Mass. General Laws, or any collective bargaining agreement. SECTION 3. Special police
15 officers shall, when performing the duties under Section 1, have the same power to make arrests
16 and perform other police functions as do regular police officers of the Town of Millis.

17 SECTION 4. Special police officers shall be appointed for an indefinite term, subject to
18 removal by the Town Administrator at any time with a fourteen-day written notice.

19 SECTION 5. Special police officers shall also be subject to the rules and regulations,
20 policies and procedures and requirements of the Chief of Police and/or the Town Administrator
21 of the Town of Millis, including restrictions on the type of detail assignments, requirements
22 regarding medical examinations to determine continuing capability to perform the duties of a
23 special police officer, requirements for training requirements for firearms licensing and
24 qualifications and requirements regarding uniforms and equipment. Compliance with all
25 requirements will be at no cost to the Town of Millis. Special police officers shall not be subject
26 to Section 96B of Chapter 41 of the Mass. General Laws. SECTION 6. Special police officers
27 shall be sworn before the Town Clerk of the Town of Millis who shall keep a record of all such
28 appointments. SECTION 7. When special police officers appointed under this Act reach the age
29 of sixty-five such employment shall terminate on the last day of the month of the officer's sixty-
30 fifth birthday. In the event the age limitation applicable to regular police officers serving the
31 Town is increased, from the current sixty-five years of age, the age limit provided herein for
32 special police officers, shall terminate at such a higher age limit but in no event shall the age
33 extend beyond the age of seventy for any special police officer. Special police officers appointed
34 under this Act shall not be subject to Section 85H of said Chapter 32, or section 111F of Chapter
35 41, nor eligible for any benefits pursuant thereto. SECTION 8. Appointment as a special

36 police officer does not entitle any individual appointed as such to assignment to any detail(s).
37 Special police officers appointed under the provisions of this Act shall not be eligible for
38 unemployment nor shall the Town be liable for unemployment benefits, pursuant to the
39 provisions of Chapter 151A of the Mass General Laws, for any reason, including police detail
40 assignment determinations made by the Town or removal of any individual as a special police
41 officer.

SECTION 9. Retired Millis police officers serving as special police officers
42 under this Act shall be subject to the limitations on hours worked and on payments to retired
43 Town employees under paragraph (b) of Section 91 of Chapter 32 of the Mass. General Laws.

SECTION 10. This Act shall take effect upon its passage, or to take other action relative
44 thereto.
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