

HOUSE No. 4581

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day

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 appointment of retired police officers in the town of Stoneham.

PETITION OF:

NAME:

Michael S. Day

DISTRICT/ADDRESS:

31st Middlesex

HOUSE No. 4581

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 4581) of Michael S. Day (by vote of the town) that the town of Stoneham be authorized to appoint retired police officers as special police officers in said town. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to the appointment of retired police officers in the town of Stoneham.

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 1 of chapter 160 of the acts of 2002 is hereby amended by striking
2 out the third sentence and inserting in place thereof the following sentence:- The special police
3 officers appointed pursuant to this act shall not be subject to the maximum age restriction
4 applied to regular police officers pursuant to chapter 32 of the General Laws or section 2 of
5 chapter 415 of the acts of 1987 , but shall be subject to a maximum age restriction of 68 years of
6 age.

7 SECTION 2. Section 7 of said chapter 160 is hereby amended by striking out the fifth
8 sentence.

9 SECTION 3. Special police officers shall, when performing the duties under section 1,
10 have the same power to make arrests and perform other police functions as do regular police
11 officers of the town of Stoneham.

12 SECTION 4. Special police officers shall be appointed for an indefinite term, subject to
13 removal by the town administrator at any time with 14 days written notice. Upon request, the
14 town administrator shall provide the reasons for removal in writing.

15 SECTION 5. Special police officers shall also be subject to the rules and regulations,
16 policies and procedures and requirements of the town administrator and the chief of police of the
17 town of Stoneham, including restrictions on the type of detail assignments, requirements
18 regarding medical examinations to determine continuing capability to perform the duties of a
19 special police officer, requirements for training, requirements for firearms licensing and
20 qualifications and requirements regarding uniforms and equipment. Special police officers shall
21 not be subject to section 96B of chapter 41 of the General Laws.

22 SECTION 6. Special police officers shall be sworn before the town clerk of the town of
23 Stoneham who shall keep a record of all such appointments.

24 SECTION 7. Special police officers appointed under this act shall be subject to section
25 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section
26 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52
27 weeks as a special police officer working police details, or averaged over such lesser period of
28 time for any officer designated as special police officers less than 52 weeks prior to the
29 incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any
30 calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of
31 the General Laws. Payment under said section 111F of said chapter 41 shall terminate when a
32 special police officer reaches the age of 65. Special police officers appointed under this act shall
33 not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant thereto.

34 SECTION 8. Appointment as a special police officer shall entitle any individual
35 appointed as such to assignment to any detail.

36 SECTION 9. Retired Stoneham police officers, serving as special police officers under
37 this act shall be subject to the limitations on hours worked and on payments to retired town
38 employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

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