

# HOUSE . . . . . No. 3982

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By Mr. Smith of Everett, petition of Stephen Stat Smith (with the approval of the mayor, board of aldermen and common council) that the city of Everett be authorized to appoint retired police officers of said city as special police to perform work details. Public Service. [Local Approval Received.]

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## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE APPOINTMENT OF RETIRED POLICE OFFICERS IN THE CITY OF EVERETT.

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

1 SECTION 2. Special police officers appointed under this act shall  
2 not be subject to Chapter 31 of the General Laws or to Section 99A  
3 of Chapter 41 of the General Laws.

1 SECTION 3. Special police officers shall, when performing the  
2 duties under Section 1, have the same power to make arrests and  
3 perform other police functions as do regular police officers of the  
4 city of Everett.

1 SECTION 4. Special police officers shall be appointed for an  
2 indefinite term, subject to removal by the mayor at any time with 14  
3 days written notice. Upon request, the mayor shall provide the rea-  
4 sons for removal in writing.

1 SECTION 5. Special police officers shall also be subject to the  
2 rules and regulations, policies and procedures and requirements of  
3 the mayor and the chief of police of the city of Everett, including  
4 restrictions on the type of detail assignments, requirements regarding  
5 medical examinations to determine continuing capability to perform  
6 the duties of a special officer, requirements for training, require-  
7 ments for firearms licensing and qualifications and requirements  
8 regarding uniforms and equipment. Special police officers shall not  
9 be subject to Section 96B of Chapter 41 of the General Laws.

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

1 SECTION 7. Special police officers appointed under this act shall  
2 be subject to Section 100 and 111F of Chapter 41 of the General  
3 Laws. The amount payable under said Section 111F of said Chapter  
4 41 shall be calculated by averaging the amount earned over the prior  
5 52 weeks as a special officer working police details, or averaged  
6 over such lesser period of time for any officer designated as special  
7 officers less than 52 weeks prior to the incapacity. In no event shall  
8 payment under said Section 111F of said Chapter 41 exceed, in any  
9 calendar year, the limitation on earning contained in paragraph (b) of  
10 Section 91 of Chapter 32 of the General Laws. Payment under said  
11 Section 111F of said Chapter 41 shall terminate when a special  
12 officer reaches the age of 65. In the event the age limitation applic-  
13 able to regular police officers serving a town is increased from the  
14 current 65 years of age, the termination of benefits under said  
15 section 111F of said chapter 41, as provided herein to special police  
16 officers, shall terminate at such a higher age limit, but in no event  
17 shall the benefits extend beyond the age of 70 for any special officer.  
18 Special police officers appointed under this act shall not be subject  
19 to section 85H of said chapter 32, nor eligible for any benefits pur-  
20 suant to that section.

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

1 SECTION 9: Retired Everett 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.

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