

HOUSE No. 4401

By Mr. Linsky of Natick, petition (accompanied by bill, House, No. 4401) of David Paul Linsky and others (by vote of the town) that the town of Natick be authorized to appoint retired police officers as special police officers in said town. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

PETITION OF:

David Paul Linsky
Alice Hanlon Peisch
Scott P. Brown

Karen E. Spilka

In the Year Two Thousand and Seven.

AN ACT AUTHORIZING THE APPOINTMENT OF RETIRED POLICE OFFICERS AS
SPECIAL POLICE OFFICERS IN THE TOWN OF NATICK

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

SECTION 1. The board of selectmen of the town of Natick may appoint retired Natick police officers as special police officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The retired police officers must have been regular Natick police officers and retired based on superannuation. The special police officers appointed under this act shall be subject to the same maximum age restriction as applied to regular police officers under chapter 32 of the General Laws. A special police officer appointed under this act shall pass a medical examination, by a physician or other certified professional chosen by the town, to determine that he is capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officer, prior to performing police details.

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

SECTION 3. Special police officers appointed under this act shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the town of Natick.

SECTION 4. Special police officers appointed under this act shall be appointed for an indefinite term, subject to removal at the will and the pleasure of the board of selectmen at any time upon written notice of the board of selectmen.

SECTION 5. Special police officers appointed under this act shall be subject to suspension at any time at the sole discretion of the chief of police.

SECTION 6. Special police officers appointed under this act shall be subject to the rules and regulations, policies and procedures and requirements of the police department and chief of police of the town of Natick including restrictions on the type of detail assignments, requirements regarding medical examinations to determine continued capability to perform the duties of a special police officer, and requirements regarding uniforms and equipment. Special police officers appointed under this act shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 7. Special police officers appointed under this act shall be sworn before the town clerk of the town of Natick who shall keep a record of all such appointments.

SECTION 8. Special police officers appointed under this act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under the said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in subsection (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate when a special police officer reaches the age of 65. In the event that the age limitation applicable to regular police officers serving the town is increased from the current 65 years of age, the termination of benefits under said section 111F of said chapter 41, as provided in this act to special police officers, shall the benefits beyond the age of 70 for any special police officer. Special police officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits under said section 85H of said chapter 32.

SECTION 9. Appointments as a special police officer under this act shall not entitle any individual appointed as such to assignment to any detail.

SECTION 10. Retired Natick police officers serving as special police officers under this act shall be subject to the limitations on hours worked and on payments to retired town employees under subsection (b) of section 91 of chapter 32 of the General Laws.

SECTION 11. This act shall take effect upon its passage.