

HOUSE No. 4463

By Representative Hall of Westford and Senator Panagiotakos, joint petition (accompanied by bill, House, No. 4463) of Geoffrey D. Hall and Steven C. Panagiotakos (by vote of the town) that the town of Westford be authorized to appoint retired police officers of said town for the purpose of performing special detail assignments. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

PETITION OF:

Geoffrey D. Hall
Steven C. Panagiotakos

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE WESTFORD POLICE

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 manager of the town of Westford may appoint, as he deems necessary, retired Westford 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 Westford police officers and retired based on superannuation. The special police officers 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 must 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 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 Westford.

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

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

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

SECTION 7. 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 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 officers 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 paragraph (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 the age limitation applicable to regular police officers serving a town is increased from the current 65 years of age, the termination of benefits under said section 111F of said chapter 41, as provided herein to special police officers, shall terminate at such a higher age limit, but in no event shall the benefits extend 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 pursuant thereto.

SECTION 8. Appointment as a special police officer shall not entitle any individual appointed as such to assignment to any detail.

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

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