

HOUSE No.

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

John H. Rogers

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 passage of the accompanying bill:

An Act Authorizing The Appointment Of Retired Police Officers As Special Police Officers In The Town Of Norwood.

PETITION OF:

NAME:

John H. Rogers
Marian Walsh

DISTRICT/ADDRESS:

12th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4763 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

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

*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 General Manager of the Town of Norwood may appoint, as he deems necessary,
2 retired Norwood police officers as special police officers for the purpose of performing police
3 details or any police duties arising therefrom or during the course of police detail work, whether
4 or not related to the detail work. Such retired police officers must have been regular Norwood
5 police officers who retired based upon superannuation. The special police officers shall be
6 subject to the same maximum age restriction as applied to regular police officers under Chapter
7 32 of the General Laws. Such special police officers must pass a medical examination, by a
8 physician or other certified professional chosen by the Town, to determine that they are capable
9 of performing the essential duties of a special police officer, the cost of which shall be borne by
10 the special police officers, prior to performing any police details.

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

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15 **Section 3.** Special police officers appointed under this act shall, when performing the duties
16 under Section 1, have the same power to make arrests and to perform other police functions as do
17 regular police officers of the Town of Norwood.

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19 **Section 4.** Special police officers shall be appointed for an indefinite term, subject to removal by
20 the Police Chief, with the approval of the Norwood General Manager, at any time, upon 14 days
21 written notice. Upon request, the Police Chief shall provide the reasons for such removal in
22 writing.

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Section 5. Special police officers appointed under this act shall be subject to the rules and regulations, policies and procedures, and requirements of the Chief of Police of the Town of Norwood, 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 qualifications and licensing, and requirements regarding uniforms and equipment. Costs associated with meeting these requirements are to be paid by the special police officer. Special police officers appointed under this act shall not be subject to Section 96B of Chapter 41 of the General Laws.

Section 6. Special police officers appointed under this act shall be sworn before the Town Clerk, who shall keep a record of all such appointments.

Section 7. Special police officers appointed under this act shall be subject to Sections 100 and 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 earnings 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 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 under this act shall entitle any individual appointed as such to assignment to any detail, as authorized by the Police Chief.

Section 9. Retired Norwood 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 paragraph (b) of Section 91 of Chapter 32 of the General Laws.

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