HOUSE DOCKET, NO. 3013 FILED ON: 1/21/2011

HOUSE . . . . . No. 3329

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Kathi-Anne Reinstein

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:

An Act AUTHORIZING SPECIAL POLICE OFFICERS FOR THE CITY OF REVERE..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kathi-Anne Reinstein	*16th Suffolk*

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By Ms. Reinstein of Revere, a petition (accompanied by bill, House, No. 3329) of Kathi-Anne Reinstein (with the approval of the mayor and city council) relative to special police officers in the city of Revere. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

An Act AUTHORIZING SPECIAL POLICE OFFICERS FOR THE CITY OF REVERE..

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 Mayor of the City of Revere may appoint, as he deems necessary, retired Revere police officers and Revere auxiliary 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. Only retired Revere police officers who had retired based on superannuation pursuant to Section 5 of Chapter 32 shall be eligible for appointment under this provision. 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. Prior to performing police details, a special police officer shall be required to pass a medical examination by a physician chosen by the city to determine that he is capable of performing the essential duties of a special police officer. The cost of that medical examination shall be borne by the special police officer. Any person appointed as a special police officer who does not pass the required medical exam shall have his appointment automatically rescinded without recourse to any appeal.

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 City of Revere.

Section 4. Special police officers shall be appointed for an indefinite term subject to removal by the mayor at any time with 14 days written notice. Upon request, the mayor shall provide the reasons for removal in writing. The special police officer's appointment shall automatically terminate upon the officer's 65th birthday.

Section 5. Special police officers shall also be subject to the rules and regulations, policies and procedures and requirements of the mayor and the chief of police of the city of Revere, including restrictions on the type of detail assignments, requirements regarding medical examination 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 city clerk of the City of Revere 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 officer working police details, or averaged over such lesser period of time for any officer designated as a special officer less than 52 weeks prior to the incapacity. In no event shall payment under 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. Special police officers appointed under this act shall not be subject to Section 85I of said Chapter 32, nor eligible for any benefits pursuant to that section.

Section 8. Retired Revere police officers, serving as special police officers under this act, shall be subject to the limitations on hours worked and on payments to retired city employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

Section 9. This act shall take effect upon its passage.