

HOUSE No. 3329

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>	<i>1/21/2011</i>

HOUSE No. 3329

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

In the Year Two Thousand Eleven

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:

1 Section 1. The Mayor of the City of Revere may appoint, as he deems necessary, retired
2 Revere police officers and Revere auxiliary officers as special police officers for the purpose of
3 performing police details or any police duties arising therefrom or during the course of police
4 detail work, regardless of whether or not related to the detail work. Only retired Revere police
5 officers who had retired based on superannuation pursuant to Section 5 of Chapter 32 shall be
6 eligible for appointment under this provision. The special police officers shall be subject to the
7 same maximum age restriction as applied to regular police officers under Chapter 32 of the
8 General Laws. Prior to performing police details, a special police officer shall be required to
9 pass a medical examination by a physician chosen by the city to determine that he is capable of
10 performing the essential duties of a special police officer. The cost of that medical examination
11 shall be borne by the special police officer. Any person appointed as a special police officer who
12 does not pass the required medical exam shall have his appointment automatically rescinded
13 without recourse to any appeal.

14 Section 2. Special police officers appointed under this act shall not be subject to Chapter
15 31 of the General Laws or to Section 99A of Chapter 41 of the General Laws.

16 Section 3. Special police officers shall, when performing the duties under Section 1,
17 have the same power to make arrests and perform other police functions as do regular police
18 officers of the City of Revere.

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

23 Section 5. Special police officers shall also be subject to the rules and regulations,
24 policies and procedures and requirements of the mayor and the chief of police of the city of
25 Revere, including restrictions on the type of detail assignments, requirements regarding medical
26 examination to determine continuing capability to perform the duties of a special police officer,
27 requirements for training, requirements for firearms licensing and qualifications and
28 requirements regarding uniforms and equipment. Special police officers shall not be subject to
29 Section 96B of Chapter 41 of the General Laws.

30 Section 6. Special police officers shall be sworn before the city clerk of the City of
31 Revere who shall keep a record of all such appointments.

32 Section 7. Special police officers appointed under this act shall be subject to Section 100
33 and Section 111F of Chapter 41 of the General Laws. The amount payable under said Section
34 111F of said Chapter 41 shall be calculated by averaging the amount earned over the prior 52
35 weeks as a special officer working police details, or averaged over such lesser period of time for

36 any officer designated as a special officer less than 52 weeks prior to the incapacity. In no event
37 shall payment under section 111F of said Chapter 41 exceed, in any calendar year, the limitation
38 on earning contained in paragraph (b) of Section 91 of Chapter 32 of the General Laws.
39 Payment under said Section 111F of said Chapter 41 shall terminate when a special police officer
40 reaches the age of 65. Special police officers appointed under this act shall not be subject to
41 Section 85I of said Chapter 32, nor eligible for any benefits pursuant to that section.

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

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

46