

HOUSE No. 4212

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo J. Puppolo, Jr.

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 Relative to the police department of the town of Wilbraham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>6/18/2012</i>

HOUSE No. 4212

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 4212) of Angelo J. Puppolo, Jr. (by vote of the town) for legislation to authorize the appointment of special police officers in the town of Wilbraham. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve
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An Act Relative to the police department of the town of Wilbraham.

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 chief of police, with the approval of the board of selectmen of the town
2 of Wilbraham, may appoint, as he deems necessary, retired police officers of the town as special
3 police officers for the purpose of performing police details or any police duties arising there from
4 or during the course of police detail work, whether or not related to the detail work. The retired
5 police officers shall have been regular Wilbraham police officers who retired based upon
6 superannuation. Each appointment shall be made conditional upon the satisfactory completion of
7 the medical examination.

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

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

13 SECTION 4. Special police officers shall be appointed under this act shall be appointed
14 for an indefinite term, subject to removal by the police chief, with the approval of the board of
15 selectmen, at any time, upon 14 days written notice. Upon request, the police chief shall provide
16 the reasons for such removal in writing.

17 SECTION 5. Special police officers appointed under this act shall be subject to the rules
18 and regulations, policies and procedures and requirements of the board of selectmen and the
19 chief of police in the town of Wilbraham, including restrictions on the type of detail assignments,
20 requirements regarding medical examinations to determine continuing capability to perform the
21 duties of a special police officer, requirements for training, requirements for firearms
22 qualifications and licensing and requirements regarding uniforms and equipment, with all costs
23 of compliance to be incurred by the special police officers. Special police officers appointed
24 under this act shall not be subject to section 96B of chapter 41 of the General Laws.

25 SECTION 6. Special police officers appointed under this act shall be sworn before the
26 town clerk who shall keep a record of all such appointments.

27 SECTION 7. Special police officers appointed under this act shall be subject to sections
28 100 and 111F of chapter 41 of the General Laws. The amount payable under said section 111F of
29 said chapter 41 to an incapacitated special police officer shall be calculated by averaging the
30 amount earned over the prior 52 weeks as a special police officer working details, or averaged
31 over such lesser period of time for any officer designated as special police officers less than 52
32 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter
33 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section
34 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall

35 terminate when a special police officer reaches the age of 65. In the event the age limitation
36 applicable to regular police officers serving a town is increased from 65 years of age, the
37 termination of benefits under said section 111F of said chapter 41, as provided herein to special
38 police officers, shall terminate at such higher age limit, but in no event shall the benefits extend
39 beyond the age of 70 for any special police officer. Special police officers appointed under this
40 act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant
41 thereto.

42 SECTION 8. An appointment as a special police officer under this act shall allow, but not
43 entitle, any individual appointed as such to assignment to any detail, as authorized by the police
44 chief.

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

48 SECTION 10. Retired police officers of the town of Wilbraham, serving as special
49 police officers under this act shall not be eligible for unemployment benefits relative to their
50 service as special police officers under this act.

51 SECTION 11. Retired police officers of the town of Wilbraham, serving as special
52 police officers under this act shall be subject to General Laws Chapter 32, Section 91.