

HOUSE No. 3971

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

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 appointment of retired police officers in the town of Canton.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>6/29/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>8/19/2021</i>

HOUSE No. 3971

By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 3971) of William C. Galvin (by vote of the town) relative to the appointment of retired police officers in the town of Canton. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the appointment of retired police officers in the town of Canton.

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 Select Board of Canton may appoint, as it deems necessary, retired police
2 officers as special police officers for the purpose of performing police details or any police duties
3 arising therefrom or during the course of police detail work, whether or not related to the detail
4 work. Such retired police officers must have been regular police officers and retired based upon
5 superannuation. Special police officers appointed pursuant to this act shall not be subject to the
6 maximum age restriction applied to regular police officers pursuant to Chapter 32 of the General
7 Laws or section 2 of chapter 415 of the acts of 1987; provided, however, that a special police
8 officer appointed pursuant to this act shall not be eligible to serve after the last day of the month
9 during which the officer reaches the age of 70. Such special police officers must pass a medical
10 examination, by a physician or other certified professional chosen by the Town, to determine that
11 the retired police officer is capable of performing the essential duties of a special police officer,
12 the cost of which medical examination shall be borne by the special police officer, prior to
13 performing police details.

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 appointed under this act shall, when performing the
17 duties under section 1, have the same power to make arrests and perform other police functions
18 as do regular police officers of the Town of Canton.

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

22 Section 5. Special police officers appointed under this act shall also be subject to the
23 rules and regulations, policies and procedures and requirements of the Chief of Police of the
24 Town of Canton, including restrictions on the type of detail assignments, requirements regarding
25 medical examinations to determine continuing capability to perform the duties of a special police
26 officer, requirements for training, requirements for firearms licensing and qualifications and
27 requirements regarding uniforms and equipment. Special police officers shall not be subject to
28 section 96B of chapter 41 of the General Laws.

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

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

36 incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any
37 calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of
38 the General Laws. Payment pursuant to said section 111F of said chapter 41 shall terminate not
39 later than the last day of the month during which the officer reached the age of 70. Special
40 police officers appointed under this act shall not be subject to section 85H of said chapter 32, nor
41 eligible for any benefits pursuant thereto.

42 Section 8. Appointment as a special police officer shall entitle any individual appointed
43 as such to assignment to any detail.

44 Section 9. Retired police officers, serving as special police officers under this Act shall
45 be subject to the limitations on hours worked and on payments to retired town employees under
46 paragraph (b) of section 91 of chapter 32 of the General Laws to the extent such law is in effect
47 during such service.

48 Section 10. This Act shall take effect upon its passage;