

**HOUSE . . . . . No. 4124**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

*Dylan A. Fernandes and Julian Cyr*

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*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 Tisbury to modify fire department employment.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>9/10/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>9/10/2021</i>

**HOUSE . . . . . No. 4124**

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 4124) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Tisbury be authorized to continue the employment of certain employees of said town's fire department notwithstanding the mandatory retirement age. Public Service. [Local Approval Received.]

**The Commonwealth of Massachusetts**

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

An Act authorizing Tisbury to modify fire department employment.

*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. Notwithstanding any general or special law to the contrary, call firefighters,  
2 volunteer firefighters, and fire engineers for the Town of Tisbury who would be subject to  
3 mandatory retirement on the last day of the month in which they turn 65 years old may serve in  
4 such position until the age of 70, or until the date of retirement or non-reappointment, whichever  
5 occurs first; provided, however that no deductions from regular compensation shall be made  
6 under chapter 32 of the General Laws subsequent to reaching the age of 65 in connection with  
7 service to the Town for retirement or pension purposes; and provided that the employee is  
8 mentally and physically capable of performing the duties of the position. The Town may, at the  
9 employee’s own expense, require that the employees be examined by an impartial physician  
10 acceptable to the town.

11           SECTION 2. This Act shall take effect upon its passage.