

HOUSE No. 4780

The Commonwealth of Massachusetts

PRESENTED BY:

Donald R. Berthiaume, Jr. and Peter J. Durant

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 extension for mandatory retirement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>6/12/2024</i>
<i>Peter J. Durant</i>	<i>Worcester and Hampshire</i>	<i>6/21/2024</i>

HOUSE No. 4780

By Representative Berthiaume of Spencer and Senator Durant, a joint petition (accompanied by bill, House, No. 4780) of Donald R. Berthiaume, Jr. and Peter J. Durant (by vote of the town) that the town of West Brookfield be authorized to continue the employment of Daniel Santos as deputy chief in the fire department of said town until the age of 70. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act extension for mandatory retirement.

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, Daniel Santos
2 may continue in his position as deputy chief in the fire department of the town of West
3 Brookfield until the age of 70; provided, that he is mentally and physically capable of performing
4 the duties of such position. The select board of the town of West Brookfield may, at the expense
5 of the fire chief of the town of West Brookfield, require Daniel Santos to be examined by an
6 impartial physician designated by the select board to determine such capability. Daniel Santos’
7 employment shall continue until he reaches the age of 70, his retirement, or his non-
8 reappointment or termination, whichever occurs first; provided, however, that he is mentally and
9 physically capable of performing the duties of the position.

10 SECTION 2. No further deductions shall be made from the regular compensation of
11 Daniel Santos under chapter 32 of the General Laws for any service performed subsequent to his

12 reaching the age of 65. Upon retirement from the position of deputy chief, Daniel Santos shall
13 receive a superannuation retirement allowance equal to that to which he would have been entitled
14 had he retired upon reaching the age of 65, if any.

15 SECTION 3. This act shall not entitle Daniel Santos to remain in service to the town of
16 West Brookfield if otherwise removed or suspended from office in accordance with applicable
17 laws, rules and regulations.

18 SECTION 4. This act shall take effect upon its passage.