

**HOUSE . . . . . No. 3683**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James J. O'Day and Harriette L. Chandler*

*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 emergency management assistance compacts.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*James J. O'Day*

*14th Worcester*

*Harriette L. Chandler*

**HOUSE . . . . . No. 3683**

By Representative O'Day of West Boylston and Senator Chandler, a joint petition (accompanied by bill, House, No. 3683) of James J. O'Day and Harriette L. Chandler relative to emergency management assistance compacts. Public Safety and Homeland Security.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Eleven**

An act relative to emergency management assistance compacts.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 40 of the General Laws is hereby amended by adding the following section:-

2 Section 61. The following terms as used in this chapter shall, unless a different meaning  
3 clearly appears from the context, have the following meanings:-

4 “Emergency management assistance compact”, the interstate compact established in  
5 chapter 339 of the acts of 2000 that provides for mutual assistance between the commonwealth  
6 and certain other states in managing any emergency disaster that is duly declared by the  
7 governor.

8 “Governmental unit”, a city, town, county, regional transit authority established under  
9 chapter 161B, water or sewer commission or district established under chapter 40N or by special  
10 law, fire district, regional health district established under chapter 111, a regional school district  
11 or a law enforcement council.

12 “International emergency management assistance compact”, the international compact as  
13 established in section 58 of chapter 300 of the acts of 2002 that provides for mutual aid between  
14 the commonwealth and certain other New England states and and the Canadian provinces of  
15 Quebec, New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland and such other  
16 states and provinces as may hereafter become a party to this compact.

17 “States” shall mean the several states, the Commonwealth of Puerto Rico, the District of  
18 Columbia, and all U.S. territorial possessions.

19 The director of the Massachusetts emergency management agency or his designee shall  
20 be the persons authorized under the emergency management assistance compact and the  
21 international emergency management assistance compact to (i) receive, coordinate, and answer  
22 all requests to the commonwealth to provide mutual aid assistance to another state or country  
23 pursuant to the emergency management assistance compact and the international emergency  
24 management assistance compact, and (ii) make and coordinate all requests on behalf of the  
25 commonwealth to another state or country to receive mutual aid assistance pursuant to the  
26 emergency management assistance compact and the international emergency management  
27 assistance compact.

28 The Massachusetts emergency management agency shall be the agency of the  
29 commonwealth authorized to dispatch resources of the commonwealth or of a governmental unit  
30 to another state or country to provide mutual aid assistance pursuant to the emergency  
31 management assistance compact and the international emergency management assistance  
32 compact. Employees of a governmental unit who, at the request and with the express approval of  
33 both their employer and the Massachusetts emergency management agency, render mutual aid

34 assistance to another state or country pursuant to the emergency management assistance compact  
35 or the international emergency management assistance compact shall be deemed to be  
36 emergency forces and officers of the commonwealth for the limited purpose of effectuating the  
37 purposes of the emergency management assistance compact and the international emergency  
38 management assistance compact.

39 Employees of the commonwealth or a governmental unit who, at the request of and with  
40 the express approval of both their employer and the Massachusetts emergency management  
41 agency, render mutual aid assistance to another state or country pursuant to the emergency  
42 management assistance compact or the international emergency management assistance compact  
43 shall, except as otherwise provided for herein or in the emergency management assistance  
44 compact or the international emergency management assistance compact, be provided the same  
45 rights, responsibilities, and protections that they would be entitled to receive if they were  
46 operating in their own geographical jurisdiction. Employees rendering such mutual aid shall  
47 continue to be compensated by and receive benefits from their employers for the duration of their  
48 deployment.

49 The Massachusetts emergency management agency, on behalf of the commonwealth,  
50 shall request reimbursement for the commonwealth and other governmental units rendering aid  
51 from the state or country receiving such aid as provided in the emergency management  
52 assistance compact and the international emergency management assistance compact. Upon  
53 receipt of reimbursement by the state or country receiving such aid, the commonwealth shall, in  
54 turn, reimburse each governmental unit for the reasonable expenses incurred in rendering mutual  
55 aid assistance under the emergency management assistance compact or the international  
56 emergency management assistance compact at the request of and with the express approval of

57 the Massachusetts emergency management agency, including direct and indirect payroll costs,  
58 overtime costs, travel costs, repair costs, replacement costs, costs of materials and supplies, and  
59 injury or death benefits. The reimbursement to each governmental unit shall not exceed the  
60 amount reimbursed to the commonwealth by the state or country receiving such aid.