

HOUSE No. 4383

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 31, 2014.

The committee on Ways and Means to whom was referred the Senate Bill establishing the 104th fighter wing fire department (Senate, No. 1145, amended), reports recommending that the same ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4383.

For the committee,

BRIAN S. DEMPSEY.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

By striking out all after the enacting clause and inserting in place thereof the following:

1 "SECTION 1. The forty-seventh paragraph of section 7 of chapter 4 of the General Laws,
2 as appearing in the 2012 Official Edition, is hereby amended by inserting after the word
3 'Airport', in line 418, the following words:- members of the 104th fighter wing fire department.

4 SECTION 2. Subsection (g) of subdivision (2) of section 3 of chapter 32 of the General
5 Laws, as so appearing , is hereby amended by inserting after the word 'department;', in line 287,
6 the following words:- members of the 104th fighter wing fire department;.

7 SECTION 3. Section 94 of said chapter 32, as so appearing, is hereby amended by
8 inserting after the word 'Airport,' in line 13, the following words:- members of the 104th fighter
9 wing fire department.

10 SECTION 4. Section 94A of said chapter 32, as so appearing, is hereby amended by
11 inserting after the word 'Airport,' in line 8, the following words:- members of the 104th fighter
12 wing fire department.

13 SECTION 5. Section 94B of said chapter 32, as so appearing, is hereby amended by
14 inserting after the word 'Airport,' in line 10, the following words:- members of the 104th fighter
15 wing fire department.

16 SECTION 6. Section 100 of said chapter 32, as so appearing, is hereby amended by
17 adding the following paragraph:-

18 For purposes of this section, the word 'firefighter' shall include members of the 104th
19 fighter wing fire department.

20 SECTION 7. Section 100A of said chapter 32, as so appearing, is hereby amended by
21 adding the following subsection:-

22 (i) This section shall apply to members of the 104th fighter wing fire department killed in
23 the line of duty.

24 SECTION 8. The first paragraph of section 111F of chapter 41 of the General Laws, as so
25 appearing, is hereby amended by striking out the last sentence and inserting in place thereof the
26 following sentence:- This section shall also apply to any permanent crash crewman, crash
27 boatman, fire controlman or assistant fire controlman employed at the General Edward Lawrence
28 Logan International Airport, members of the Massachusetts military reservation fire department
29 and members of the 104th fighter wing fire department and, for the purposes of this section, the
30 Massachusetts Port Authority, the Massachusetts military reservation and the Barnes Air
31 National Guard Base shall be fire districts.

32 SECTION 9. Section 1 of chapter 148 of the General Laws, as so appearing, is hereby
33 amended by inserting after the word 'district', in line 7, the following words:- , the 104th fighter
34 wing fire department.

35 SECTION 10. Section 30A of chapter 149 of the General Laws, as so appearing, is
36 hereby amended by inserting after the word 'department;', in line 29, the following words:-
37 members of the 104th fighter wing fire department;

38 SECTION 11. Notwithstanding any general or special law to the contrary, firefighters of
39 the 104th fighter wing fire department shall be considered public employees under chapter 150E
40 of the General Laws and may organize to negotiate the wages, hours and conditions of their
41 employment. This section shall not apply to the chief, deputy chief and the assistant chief.

42 SECTION 12. Notwithstanding any general or special law to the contrary, for overtime
43 purposes only, firefighters of the 104th fighter wing fire department may be classified as so-
44 called '7(k) eligible' under the Fair Labor Standards Act, 29 U.S.C. § 207(k).".