

HOUSE No. 3484

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

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 creation of the Commonwealth Technical Rescue Regions and Coordinating Council.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	<i>1/16/2015</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>8/12/2019</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>8/12/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>8/12/2019</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>8/12/2019</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>8/12/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>8/12/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>8/12/2019</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>8/12/2019</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>8/12/2019</i>

HOUSE No. 3484

By Mr. Timilty of Milton, a petition (accompanied by bill, House, No. 3484) of Walter F. Timilty and others for legislation to establish technical rescue regions in the Commonwealth to coordinate certain rescue services. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the creation of the Commonwealth Technical Rescue Regions and Coordinating Council.

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 General Laws, as appearing in the 2012 Official Edition, are hereby
2 amended by inserting after Chapter 22E, the following chapter:-

3 Chapter 22F

4 TECHNICAL RESCUE REGIONS

5 Section 1. The secretary of the executive office of public safety, hereinafter referred to as
6 the secretary, and the state fire marshal, shall, in consultation with the Fire Chiefs' Association
7 of Massachusetts, Inc., create technical rescue regions across the commonwealth.

8 Each region shall provide for organization and coordination of technical rescue training,
9 emergency technical rescue services, acquisition of emergency equipment, and receipt and
10 distribution of federal, state and private monies received by appropriation, grant or as
11 compensation for services provided under contract, as a means of providing resources to the city

12 and town member fire departments for the coordinated delivery of technical rescue services. The
13 regions shall be comprised of 5 distinct geographical areas encompassing the commonwealth;
14 provided, that the secretary may change such number of regions from time to time as needed.
15 The overall coordination of the regions shall be conducted by the technical rescue coordinating
16 council.

17 Section 2. (a) There shall be within the department of fire services of the executive office
18 of public safety, but not under its control, a technical rescue coordinating council, hereinafter
19 referred to as the council. The council shall oversee and review the development of uniform
20 standards, rules, procedures and regulations for the operation of a statewide regional technical
21 rescue services program and the development of cost recovery mechanisms for certain technical
22 rescue services provided by their regions; provided, however, that there shall be no cost recovery
23 where (i) the responsible party is a resident of the commonwealth, (ii) the activity was not
24 commercial in nature and (iii) the conduct which necessitated technical rescue services was not
25 unlawful or reckless.

26 (b) The council may collect funds on behalf of the technical rescue regions, intended as
27 compensation under contract, including but not limited to, any company who designates a fire
28 department as a stand-by rescue team in order to meet the requirements imposed by 29 C.F.R.
29 1910 through the United States Occupational Safety and Health Administration. The funds shall
30 be deposited into the Technical Rescue Services Fund, established by section 2RRRR of chapter
31 29. The council shall receive and distribute to the technical rescue regions, any federal, state and
32 private monies received by appropriation, grant, compensation for services provided under
33 contract or by cost recovery for the purposes of delivering technical rescue services to the
34 technical rescue regions and their member fire departments.

35 (c) The council shall consist of the governor's secretary of executive office of public
36 safety and security or designee, ex officio; the state fire marshal or designee, ex-officio; the
37 president of the Fire Chiefs' Association of Massachusetts, Inc., or a designee; the president of
38 the Massachusetts Call and Volunteer Firefighters Association, Inc., or designee; 2 members of
39 the Professional Fire Fighters of Massachusetts, of which 1 shall be a member of the technical
40 rescue association; a state region member holding the rank of chief, 1 from each of the
41 designated state technical rescue regions established pursuant to section 1; provided, that the
42 chief is either an active member of the state technical rescue district team or has otherwise been
43 qualified by meeting the requirements for technical rescuer as provided for in chapter 4 of NFPA
44 1006: Standard for Technical Rescuer Professional Qualifications of the National Fire Protection
45 Association, Inc. Each of the state region members shall be appointed, by the governor, from a
46 list of 2 names submitted by the Fire Chiefs' Association of Massachusetts, Inc., for each region
47 established pursuant to section 1. No person shall receive compensation for service as a member
48 of the council but shall receive from the commonwealth, reimbursement for all expenses
49 necessarily incurred in connection with his or her official duties.

50 The governor shall appoint each member for a term of 3 years. Any member shall be
51 eligible for reappointment. The majority of the council shall constitute a quorum to conduct
52 business but a lesser number may adjourn from time to time. The council shall annually elect a
53 chair and vice-chair from its members; provided, however, that no member shall serve as chair or
54 vice-chair for more than 2 consecutive years. The department of fire services may, subject to
55 appropriation, employ an executive secretary and may employ such clerical, technical or other
56 assistants as may be required to assist the council in the performance of its duties.

57 Section 3. The council, in addition to other powers conferred to it by this chapter, shall
58 assist in the coordination of all persons and agencies in the state concerned with technical rescue
59 services. Distribution and use of funds by the council, for use by the technical rescue regions,
60 shall be governed by the rules and regulations promulgated by the council. Such rules and
61 regulations shall recognize the following goals and objectives for the use and disbursement of
62 such funds:

- 63 (1) maintenance and operation of technical rescue regions;
- 64 (2) maintenance and operation of regional technical rescue equipment; and
- 65 (3) training of regional technical rescue personnel to include initial and in service
66 training including but not limited to payment of backfill and overtime for team members.

67 Section 4. The council shall make an annual report to the secretary on or before June 30,
68 which shall include but not be limited to, an accounting of all monies received and distributed as
69 authorized by this chapter.

70 SECTION 2. Chapter 29 of the General Laws is hereby amended by inserting after
71 section 2QQQQ the following section:-

72 Section 2RRRR. There shall be established and set up on the books of the
73 commonwealth a separate fund, to be known as the Technical Rescue Services Fund consisting
74 of any amounts appropriated by the general court or received by appropriation, grant or as
75 compensation for services under contract or reimbursement for associated costs of technical
76 rescue services, including but not limited to costs for administration, personnel, overtime and
77 fringe benefits incurred by the department of fire services pursuant to chapter 22E of the and any

78 income derived from the interest thereon. All monies credited to the fund shall be used, not
79 subject to appropriation, for the purposes provided for in said chapter 22D½. No expenditure
80 made from the fund shall cause the fund to become deficit at the close of the fiscal year.

81 SECTION 3. Section 1 shall take effect on July 1, 2015.