

Massachusetts House of Representatives Bill Summary

Bill #: H.4482

Title: An Act establishing a regional fire district and department for the towns of Charlemont and Rowe

Sponsor: Rep. Natalie Blais and Sen. Paul Mark

Committee: Joint Committee on Municipalities and Regional Government

Hearing Date: September 23 to September 30, 2025 written testimony hearing

Current Law: MGL Chapter 40, powers and duties of cities and towns, includes several provisions that are applicable to districts.

MGL Chapter 44, Sections 9, 10 and 11 governs the right of districts to issue debt, the debt limit and method for retiring such debt.

MGL Chapter 48 governs fire departments and fire districts. Section 60 states that fire departments may be established in districts containing not less than 1,000 inhabitants, or not less than 500 inhabitants in towns the population of which does not exceed 2,000.

Note: The town of Charlemont has approximately 1,200 residents, and the town of Rowe has approximately 425 residents.

MGL Chapter 60 governs the collection of local taxes.

Summary: Section 1 of the bill authorizes the residents of the towns of Charlemont and Rowe to establish a regional fire district and fire department for the purpose of extinguishing fires within the district. The officers of the district would be in charge of and be responsible for the engines, apparatus and buildings.

Section 2 provides for the first meeting of the district to be called jointly by the select boards of both towns, who will provide a public notice with the date, time and location of the meeting. At the first meeting, voters shall elect by ballot a moderator, and a five-member prudential committee to serve staggered 3-year terms of office. This body shall constitute an elected board of fire commissioners. Authority for the district to conduct business shall be vested in the board, subject to instructions, rules and regulations that are imposed upon it by the district voters. A majority of commissioners shall constitute a quorum for conducting business, and any vacancies on the board shall be filled for the remaining unexpired term by the district at any legal meeting called for the purpose of

filling such vacancies. Officers of the district shall be sworn into office by the moderator or a justice of the peace, and the assessors, treasurer, collector and fire chief will be appointed by the prudential committee (board of fire commissioners).

Section 3 authorizes the fire district to raise by taxation an amount sufficient to pay annual expenses of operating the district, personnel costs, debt payments, equipment, buildings, etc. The district assessors would assess and apportion the sums of money needed to maintain the fire department, conforming to the laws governing town assessors. They would then send the list of tax assessments to the district collector, who shall have the same authority as collectors in towns. The money so collected would be given to the district treasurer, who shall hold the funds subject to the order of the prudential committee. The district would have the same legal authority for the collection of taxes as is given to municipalities under laws including Chapter 60.

Section 4 authorizes the regional fire district to borrow money as necessary for paying expenses and liabilities incurred, by issuing bonds or notes for those purposes. Each separate loan would have a term of not more than 30 years from the date of issuance, and such indebtedness would be subject to the provisions of Chapter 44 (municipal finance law) pertaining to districts.

Section 5 allows the district to expand into specific areas of abutting towns by a vote of the qualified voter residents of the district at a meeting called for that purpose. Such areas would need to be delineated by use of metes and bounds or other (legal) description required to establish the boundary of the expanded district. The inhabitants of the new area (registered voters) would enjoy all of the same benefits and be subject to the same responsibilities, including liabilities for district taxation and indebtedness.

Section 6 of the bill legally binds the inhabitants of the district to the provisions of this act and any subsequent acts relating to the district that are not inconsistent with the other sections of this act. The chief engineer and assistant engineers for the district, and all other members of the fire department, shall possess the same power and authority that are delegated to them, and be entitled to the same privileges and immunities.

Section 7 states that the district shall be subject to all general laws that apply to districts, unless those laws are inconsistent with the provisions of this special act.

Section 8 states that as long as the inhabitants of the regional fire district maintain the fire department to protect the inhabitants and property within the district's jurisdiction, then they will not be subject to taxation by the town for the maintenance and support of other fire departments that may exist in that town. (This appears to exempt those district inhabitants that reside within a portion of another town that has its own fire department)

Section 9 provides for the act to take effect upon its passage.