

HOUSE No. 2565

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

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 technical rescue services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>1/17/2025</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>1/23/2025</i>

HOUSE No. 2565

By Representative Arciero of Westford, a petition (accompanied by bill, House, No. 2565) of James Arciero and David T. Vieira relative to technical rescue services. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to technical rescue services.

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. Section 2 of Chapter 22D, as so appearing, is hereby amended by striking
2 out the word “and” in line 11.

3 Section 2. Section 2 of Chapter 22D, as so appearing, is further amended by striking
4 out in lines 11, 12, 13 and 14 the words “of hazardous materials under the charge of a director to
5 be known as the director of hazardous materials, the director of hazardous materials shall
6 administer the regional hazardous material response teams” and inserting in place thereof, the
7 following new language:- and a division of special operations under the charge of a director to
8 be known as the director of special operations. The special operations division shall include the
9 include hazardous materials emergency response teams and technical rescue emergency response
10 teams.

11 Section 3. Section 6 of Chapter 22D, as so appearing, is hereby amended by striking
12 out subsection (a) in its entirety and inserting the following new language:

(a) The State Fire Marshal shall divide the commonwealth into technical rescue regions and may amend the number of such regions as needed. The State Fire Marshal shall provide for the organization and coordination of technical rescue services and training, the acquisition of technical rescue equipment and the receipt and distribution of funds.

Section 4. Section 6 of Chapter 22D, as so appearing, is hereby amended by striking out the in line 6 of subsection (a), the words “each technical rescue region” and inserting in place thereof the following new words: the state fire marshal

Section 5. Section 6 of Chapter 22D, as so appearing, is hereby amended by striking out subsection (b) in its entirety and inserting the following new language:

(b) There is hereby established within the department a technical rescue coordinating council, which shall serve as an advisory board to the state fire marshal. Said board shall review the development of standards, rules, procedures and regulations for technical rescue emergency response and cost recovery. The board shall consist of the secretary of public safety or a designee; the state fire marshal or a designee; and five members to be appointed by the governor, 2 of whom shall be members of the Fire Chief’s Association of Massachusetts, Inc., 2 of whom shall be members of the Professional Fire Fighters of Massachusetts; and 1 of whom shall be selected from a list comprised of 1 nominee from each technical rescue region. The governor shall appoint members for a term of 3 years and any such member shall be eligible for reappointment. A person shall not receive compensation for service as a member of the council but may receive reimbursement for all expenses necessarily incurred in connection with the member's official duties. A member shall hold office until a successor is appointed.

34 The majority of the council shall constitute a quorum to conduct business but a lesser
35 number may adjourn from time to time. Every two years, the council shall elect a chair and vice-
36 chair from among its members.

37 Section 6: Section 6 of Chapter 22D, as so appearing, is hereby further amended by
38 striking in line 32 of subsection (c), the word “develop” and inserting in its place, the following
39 new language:- advise the state fire marshal on the development of

40 Section 7: Section 6 of Chapter 22D, as so appearing, is hereby further amended by
41 striking out in line 36 of subsection (d), the word “establish” and inserting in its place, the
42 following new language:- advise the state fire marshal on the establishment of

43 Section 8. Section 6 of Chapter 22D, as so appearing, is hereby further amended by
44 striking out subsection section (e) in its entirety and inserting the following new paragraphs:

45 The department, acting through the division of special operations, administered by the
46 state fire marshal or his designee, shall prepare and from time to time update a technical rescue
47 response plan.

48 The department may, at the request of the local fire department or on its own authority,
49 dispatch member departments of the technical rescue response plan to a site in the
50 commonwealth for the purpose of conducting a technical rescue response. During a technical
51 rescue response, the team leader shall have complete operational authority for technical rescue
52 emergency response team operations at all times. Once the team leader has determined that the
53 imminent danger of the technical rescue incident has been satisfactorily mitigated, the team
54 leader shall thereafter notify the incident commander. The incident commander shall have
55 authority over the technical rescue response site during a technical rescue response.

Section 9. Section 6 of Chapter 22D, as so appearing, is hereby further amended by adding the following new paragraph at the end of subsection (f):- Any technical rescue response action taken by a member department under the technical rescue response plan shall be deemed to have been taken on behalf of the department and for the benefit of the commonwealth for the purpose of implementing the provisions of this chapter.

Section 10. Section 6 of Chapter 22D, as so appearing, is hereby further amended by striking out in line 54 of subsection (g) the words “the department of fire services, in consultation with the technical rescue coordinating council may promulgate,” and inserting in place, the following new language:- the state fire marshal may promulgate rules and

Section 11. Section 6 of Chapter 22D, as so appearing, is hereby further amended by adding the following new subsection:

(h) The commonwealth shall, subject to appropriation, reimburse a municipality for costs incurred for the technical rescue response of its qualified members of a technical rescue response team and shall pay an annual stipend up to \$5,000 to each qualified member of that team. Qualification shall be established by the state fire marshal.

Section 12. Section 2DDDDD of Chapter 29, as so appearing, is hereby amended by striking out in lines 2 and 3, the second sentence in its entirety.

Section 13. Section 2DDDDD of Chapter 29, as so appearing, is hereby amended inserting in line 4 after the word “contract”, the following new words: for services or otherwise

75 Section 14. Section 2DDDDD of Chapter 29, as so appearing, is hereby amended by
76 inserting in line15 after the word “expended”, the following new words: “by the state fire
77 marshal, as head of the department of fire services, who shall act as administrator of the fund,”