

HOUSE No. 2488

The Commonwealth of Massachusetts

PRESENTED BY:

Paul J. Donato

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 standards and qualifications for the position of fire chief or chief engineer in cities, towns, fire districts, or authorities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>

HOUSE No. 2488

By Mr. Donato of Medford, a petition (accompanied by bill, House, No. 2488) of Paul J. Donato and others relative to standards and qualifications for the positions of fire chief and chief engineer in cities, towns, fire districts and authorities. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2186 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to standards and qualifications for the position of fire chief or chief engineer in cities, towns, fire districts, or authorities.

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. Notwithstanding any general or special law to the contrary, Chapter 6 of the
2 General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding after
3 section 165B, the following new section:-

4 Section 165C. No person shall be appointed, elected, or otherwise be qualified to hold the
5 position of fire chief or chief engineer in any city, town, fire district, or authority unless said
6 person shall have been certified by the Massachusetts Fire Service Commission pursuant to
7 Section 165B of Chapter 6 of the General Laws.

8 The State Fire Marshal shall not issue a delegation of authority to any person named as
9 fire chief or chief engineer who, at the time of their application for such delegation, has not
10 submitted a proper certificate issued by the Massachusetts Fire Service Commission.

11 The Marshal may, upon proper application, issue a temporary delegation of authority to a
12 city, town, fire district, or authority when there is no fire chief or chief engineer appointed or
13 elected. Such delegation shall not be valid for more than 180 days.

14 For purposes of this Section, fire chief or chief engineer shall mean, any person who
15 without regard to title is engaged full time or part time voluntary or paid in one or more of the
16 following activities directly or indirectly related to the operation of the fire department or board
17 of engineers including but not limited to: the administration, oversight, command control,
18 personnel decisions, budget matters or any other executive or management functions of a fire
19 department, however so organized.

20 SECTION 2.

21 Section 165B of Chapter 6 of the General Laws, as so appearing, is hereby amended by
22 adding, after line 56, the following new subsection:-

23 (6) the development of standards, in consultation with the Massachusetts Fire Training
24 Council, for the certification of fire chiefs and chief engineers in cities, towns,

25 fire districts, or authorities appointed or elected after the effective date of this act. In
26 creating such standards for certification, the Commission may promulgate all necessary rules and
27 regulations and shall consider all necessary qualifications to hold such positions including, but
28 not limited to: years of service, level of training, criminal history, character, and fitness. The Fire

29 Service Commission shall develop and implement equivalency certification standards for all
30 incumbents holding the position of fire chief or chief engineer in cities, towns, fire districts, or
31 authorities appointed or elected prior to the effective date of this act.

32 SECTION 3.

33 The Fire Service Commission shall develop and implement certification standards no
34 later than twenty-four months from the effective date of this act.