

HOUSE No. 03683

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day and

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 passage of the accompanying bill:

An act relative to emergency management assistance compacts.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

.....
James J. O'Day

.....
14th Worcester

.....
Harriette L. Chandler

.....
First Worcester

[Pin Slip]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An act relative to emergency management assistance compacts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 40 of the General Laws is hereby amended by adding the following section:-
- 2 Section 61. The following terms as used in this chapter shall, unless a different meaning clearly
- 3 appears from the context, have the following meanings:-
- 4 “Emergency management assistance compact”, the interstate compact established in chapter 339
- 5 of the acts of 2000 that provides for mutual assistance between the commonwealth and certain
- 6 other states in managing any emergency disaster that is duly declared by the governor.
- 7 “Governmental unit”, a city, town, county, regional transit authority established under chapter
- 8 161B, water or sewer commission or district established under chapter 40N or by special law,
- 9 fire district, regional health district established under chapter 111, a regional school district or a
- 10 law enforcement council.

11 “International emergency management assistance compact”, the international compact as
12 established in section 58 of chapter 300 of the acts of 2002 that provides for mutual aid between
13 the commonwealth and certain other New England states and and the Canadian provinces of
14 Quebec, New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland and such other
15 states and provinces as may hereafter become a party to this compact.

16 “States” shall mean the several states, the Commonwealth of Puerto Rico, the District of
17 Columbia, and all U.S. territorial possessions.

18 The director of the Massachusetts emergency management agency or his designee shall be the
19 persons authorized under the emergency management assistance compact and the international
20 emergency management assistance compact to (i) receive, coordinate, and answer all requests to
21 the commonwealth to provide mutual aid assistance to another state or country pursuant to the
22 emergency management assistance compact and the international emergency management
23 assistance compact, and (ii) make and coordinate all requests on behalf of the commonwealth to
24 another state or country to receive mutual aid assistance pursuant to the emergency management
25 assistance compact and the international emergency management assistance compact.

26 The Massachusetts emergency management agency shall be the agency of the commonwealth
27 authorized to dispatch resources of the commonwealth or of a governmental unit to another state
28 or country to provide mutual aid assistance pursuant to the emergency management assistance
29 compact and the international emergency management assistance compact. Employees of a
30 governmental unit who, at the request and with the express approval of both their employer and
31 the Massachusetts emergency management agency, render mutual aid assistance to another state
32 or country pursuant to the emergency management assistance compact or the international

33 emergency management assistance compact shall be deemed to be emergency forces and officers
34 of the commonwealth for the limited purpose of effectuating the purposes of the emergency
35 management assistance compact and the international emergency management assistance
36 compact.

37 Employees of the commonwealth or a governmental unit who, at the request of and with the
38 express approval of both their employer and the Massachusetts emergency management agency,
39 render mutual aid assistance to another state or country pursuant to the emergency management
40 assistance compact or the international emergency management assistance compact shall, except
41 as otherwise provided for herein or in the emergency management assistance compact or the
42 international emergency management assistance compact, be provided the same rights,
43 responsibilities, and protections that they would be entitled to receive if they were operating in
44 their own geographical jurisdiction. Employees rendering such mutual aid shall continue to be
45 compensated by and receive benefits from their employers for the duration of their deployment.

46 The Massachusetts emergency management agency, on behalf of the commonwealth, shall
47 request reimbursement for the commonwealth and other governmental units rendering aid from
48 the state or country receiving such aid as provided in the emergency management assistance
49 compact and the international emergency management assistance compact. Upon receipt of
50 reimbursement by the state or country receiving such aid, the commonwealth shall, in turn,
51 reimburse each governmental unit for the reasonable expenses incurred in rendering mutual aid
52 assistance under the emergency management assistance compact or the international emergency
53 management assistance compact at the request of and with the express approval of the
54 Massachusetts emergency management agency, including direct and indirect payroll costs,
55 overtime costs, travel costs, repair costs, replacement costs, costs of materials and supplies, and

56 injury or death benefits. The reimbursement to each governmental unit shall not exceed the
57 amount reimbursed to the commonwealth by the state or country receiving such aid.