

HOUSE No. 4535

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 authorizing the appointment of retired firefighters as special firefighters in the city of Quincy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>3/22/2024</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>3/25/2024</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>3/25/2024</i>

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By Representative Chan of Quincy, a petition (accompanied by bill, House, No. 4535) of Tackey Chan, Bruce J. Ayers and John F. Keenan (with the approval of the mayor and the city council) that the city of Quincy be authorized to appoint retired firefighters as special firefighters in said city. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the appointment of retired firefighters as special firefighters in the city of Quincy.

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, the fire chief of
2 the city of Quincy may appoint, with the approval of the mayor, as the fire chief considers
3 necessary, retired Quincy firefighters as special firefighters to perform fire details or any duties
4 arising from fire details or during fire detail work, whether or not related to the detail work. The
5 fire chief may appoint only retired Quincy firefighters, who served as regular Quincy firefighters
6 and retired based on superannuation, as special firefighters, and shall establish department rules,
7 procedures and policies concerning these appointments. Special firefighters shall not be subject
8 to the same maximum age restrictions as applied to regular Quincy firefighters under chapter 32
9 of the General Laws. Prior to appointment under this act, a retired Quincy firefighter shall pass a
10 medical examination by a physician or other certified professional chosen or agreed to by the fire
11 department of the city of Quincy to determine whether the retired Quincy firefighter is capable of

12 performing the essential duties of a special firefighter under this act. The cost of the medical
13 examination shall be borne by the retired Quincy firefighter.

14 SECTION 2. Unless otherwise set forth in this act, chapter 31 of the General Laws,
15 chapter 32 of the General Laws, section 99A of chapter 41 of the General Laws, sections 100 and
16 111F of chapter 41 of the General Laws and chapter 152 of the General Laws and rules
17 promulgated under such laws shall not apply to special firefighters appointed under this act.

18 SECTION 3. When performing the duties set forth in section 1, special firefighters shall
19 have the same power to perform other firefighting as do regular firefighters of the city of Quincy.

20 SECTION 4. The fire chief, with the approval of the mayor, may remove or decline to
21 reappoint a special firefighter appointed under this act for any reason, with or without cause. A
22 special firefighter shall be appointed for a 1-year term and all benefits afforded to special
23 firefighters appointed under this act shall terminate upon the conclusion of the employment term.
24 A special firefighter's appointment shall automatically terminate upon the special firefighter
25 reaching their seventieth birthday.

26 SECTION 5. Special firefighters appointed under this act shall be subject to the rules,
27 regulations, policies, procedures and requirements as the fire chief may impose from time to time
28 including, but not limited to, restrictions on the type and number of detail assignments,
29 requirements regarding medical examinations to determine continued fitness and capability to
30 perform the duties of a special firefighter, requirements for training, cardiopulmonary
31 resuscitation and first aid credentials, requirements for maintaining of a medical or liability
32 insurance policy and requirements regarding uniforms, equipment and conduct while working
33 fire details.

34 SECTION 6. Special firefighters appointed under this act shall be sworn in by the city
35 clerk for the city of Quincy.

36 SECTION 7. Appointment as a special firefighter shall not entitle the appointee to
37 assignment to any detail.

38 SECTION 8. Special firefighters appointed under this act shall be subject to the
39 limitations on hours worked and on earnings restrictions as provided in paragraph (b) of section
40 91 of chapter 32 of the General Laws. The fire chief shall assign details to such special
41 firefighters in accordance with the procedures established through negotiation with the relevant
42 collective bargaining unit.

43 SECTION 9. This act shall take effect upon its passage.