

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy J. Toomey, Jr.

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 investigations of fires and explosions by the state fire marshal.

PETITION OF:

NAME:

Timothy J. Toomey, Jr.

DISTRICT/ADDRESS:

26th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2391 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO INVESTIGATIONS OF FIRES AND EXPLOSIONS BY THE STATE FIRE
MARSHAL.

*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. Chapter 148 of the Massachusetts General Laws, as appearing in the 2006
2 Official Edition is hereby amended by inserting, after section 3 the following new section:—
3 Section 3A. Notwithstanding any general or special law to the contrary, whenever the marshal
4 has reason to believe that a fire or explosion of suspicious origin may be directly related to the
5 delivery of electricity or gas by an electric or gas company, as defined in M.G.L c. 164, he shall
6 have exclusive jurisdiction to investigate the cause and origin of said fire or explosion, until such
7 time as he has concluded his investigation. The marshal may require said electric or gas
8 company, as the case may be, to provide payment for laboratory analysis, as he shall deem
9 necessary, to carry out said investigation. The laboratory testing shall remain confidential and
10 not available to any persons, including said gas or electric companies or other regulatory

- 11 agencies until the marshal has concluded his investigation or sooner if the marshal has
- 12 determined the sharing of such information is in the public's interest.