

Relative to the Availability and Condition of Community Disaster Facilities

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

Notwithstanding any general or special law to the contrary, there shall be a special commission to investigate, study, and make a report on the number, location, availability, condition, and fire safety rating of facilities in each city and town throughout the Commonwealth of Massachusetts, that are designated for use as, or could be used as, approved temporary evacuation shelters in the event of natural or man made disasters, including, but not limited to terrorist attacks or other acts of war, hurricanes, flooding, blizzards, draught, extended heat waves, and fire. The commission shall also report on the number of said shelters that are compliant with ADA for people with mobility disabilities, where wheelchair and scooter users could receive assistance and passage ways and rest rooms are sized to accommodate mobility devices.

Said commission shall identify and compare, and report upon the utility of fire proof materials and systems currently available that would provide additional and optimum protection from death, injury, and collateral property damage or loss from fire starting from within a structure, or reaching the perimeter from external sources of spreading fire. Said commission shall also identify and compare and report upon the utility of materials and systems currently available that would provide additional and optimum protection from death, injury, and collateral property damage or loss from extreme weather conditions, terrorism, or other acts of war for able bodied and disabled residents in the commonwealth as well as property damage or loss, and injury to or death of first responders. The report shall including commentary on whether buildings have passageways and stairwells build of non-combustible 1-B construction to provide first responders with safe entry, exit, and staging areas. Buildings currently designated in Massachusetts as temporary evacuation facilities shall be assessed and compared for safety and durability to those used in 1-B fireproof construction currently required only in Massachusetts hospitals and nursing homes. Said analyses shall include, but not be limited to cost, durability under stated disaster conditions, and safety rating comparisons. The commission shall include a list of the number and location of schools in the commonwealth or other public buildings that have been or are planned to be built using 1-B fireproof construction and whether that building standard would protect or hold citizens safely in the event of emergency disaster evacuations. The commission shall also report on the number of school buildings and public structures that are in the queue for scheduling or scheduled to proceed with new construction or major renovations.

The commission shall consist of 11 members: The House and Senate Chairs of The Joint Committee on Public Safety and Homeland Security, whom shall chair said commission; Director of the Massachusetts Emergency Management Agency, or her designee; the State Fire Marshal or his designee; The Chair of The Board of Building Regulations and Standards or his designee; a representative of the Fire Chiefs Association of Massachusetts; a representative of the Boston Society of Architects; a representative of the Associated General Contractors of Massachusetts; a representative of The Fire Safety Construction Advisory Council; and a representative of the Massachusetts Municipal Association, and a representative from the American Red Cross of New England. The commission shall file its report, including its findings and recommendations and drafts of legislation necessary, if any, to carry out its recommendations, by filing the same with the clerks of the House of Representatives and the Senate no later than December 31, 2007.

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