

By Mr. Bassett of Lynn, petition of the Mass. State Building Trades Council, AFL-CIO, and Timothy A. Bassett relative to providing protection from exposure to asbestos. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT TO PROVIDE PROTECTION FROM EXPOSURE TO ASBESTOS.

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. Section 6 of Chapter 149 of the General Laws as
2 most recently amended by Chapter 760 of the Acts of 1970 is
3 hereby further amended by striking the first sentence of the third
4 paragraph and inserting in place thereof the following: — “whoever
5 violates any rule, regulation or requirement made by the department
6 under authority hereof shall be punished by a fine of not
7 more than five hundred dollars for each offense.”

1 SECTION 2. Section 44F of Chapter 149 of the General Laws
2 as most recently amended by Chapter 579 of the Acts of 1980 is
3 hereby further amended by striking out clause “r” of subsection 1
4 and inserting in place thereof the following clauses:
5 (r) “removal, encapsulation or enclosure of asbestos containing
6 materials; and
7 (s) “any other class of work for which the awarding authority
8 deems it necessary or convenient to receive sub-bids;”

1 SECTION 3. Chapter 23 of the General Laws is hereby amended
2 ed by adding after Section 6 the following new section: —
3 Section 6A. There shall be within the Department an asbestos
4 control board which shall have the authority to adopt and promulgate
5 a state asbestos code relative to the use and handling of
6 asbestos or asbestos-containing materials in the construction,
7 demolition, alteration and repair of all buildings and structures

8 except those residential buildings which are owner occupied. The
9 board shall consist of the Commissioner of Labor and Industries,
10 the Director of Division of Occupational Hygiene, the Commis-
11 sioner of Public Health, The Commissioner of Public Safety and
12 three members to be appointed by the Governor for a term of three
13 years, including a Building Commission from a city or town in the
14 Commonwealth, a member of the Mass. State Building and Con-
15 struction Trades Council, AFL-CIO, and a member of the Asso-
16 ciated General Contractors of Mass.

1 SECTION 4. Section 19 of Chapter 23B of the General Laws as
2 appearing in Section 1 of Chapter 802 of the Acts of 1972 is hereby
3 amended by striking out the last sentence and inserting in place
4 thereof the following: —

5 “The specialized codes referred to in this section shall include,
6 but not be limited to, the state plumbing code, electrical code,
7 asbestos code, fire safety code and elevator code.”