

By Mr. Craven of Boston, petition of James J. Craven, Jr., for legislation to provide protection from asbestos exposure. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE PROTECTION FROM ASBESTOS EXPOSURE.

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 adding at the end of the first sentence,
4 the following language: —

5 “and shall make reasonable rules and regulations for the protec-
6 tion of public and private employees from exposure to asbestos
7 fibers;”.

1 SECTION 2. 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 adding at the end of the first sentence of
4 the third paragraph the following language: —

5 “except in regard to protection from exposure to asbestos fibers
6 the penalty shall be 35% of the cost of the work and the commis-
7 sioner shall have all necessary powers to require compliance in-
8 cluding the power to institute and prosecute proceedings in the
9 superior court to restrain the work causing exposure.”.

1 SECTION 3. Section 6 of Chapter 149, as most recently
2 amended by Chapter 760 of the Acts of 1970, is hereby further
3 amended by adding at the end of the last sentence of the last
4 paragraph, the following:

5 “except in regard to protection from exposure to asbestos fib-
6 ers.”.

1 SECTION 4. Section 44C of Chapter 149 of the General Laws,
2 as most recently amended by Chapter 523 of the Acts of 1964, is
3 hereby further amended by striking out clause (18) of said section
4 and inserting in place thereof the following clauses: —

5 (18) “removal, encapsulation or enclosure of asbestos-contain-
6 ing materials; and

7 (19) any other class of work for which the awarding authority
8 deems it necessary or convenient to receive sub-bids;”.

1 SECTION 5. Chapter 23A of the General Laws is hereby
2 amended 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 promul-
5 gate a state asbestos code relative to the construction, alteration,
6 repair and inspection at buildings in which asbestos-containing
7 materials are used or are present. The board shall consist of the
8 Commissioner of Labor and Industries, the Commissioner of Pub-
9 lic Health, the Director of the Division of Occupational Hygiene,
10 Executive Director of the State Building Code Commission and a
11 representative of the Massachusetts Consumer’s Council.