

SENATE No. 378

By Ms. Amick, a petition (accompanied by bill, Senate, No. 378) of Carol C. Amick for legislation to make certain changes in the program for the prevention and control of lead poisoning. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-eight.

AN ACT MAKING CERTAIN CHANGES IN THE PROGRAM FOR THE
PREVENTION AND CONTROL OF LEAD POISONING.

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 194 of chapter 111 of the General Laws,
2 as appearing in section 1 of chapter 1081 of the acts of 1971,
3 is hereby amended by inserting after the word "dwellings", in
4 lines 3 and 11, in each instance, the words: —

5 , other than owner-occupied single family dwellings,
6 and by inserting after the word "dwelling", in line 26 and in
7 line 31, in each instance, the words: —

8 , other than a single family dwelling occupied by the owners
9 thereof.

1 SECTION 2. The second paragraph of section 197 of said
2 chapter 111, as so appearing, is hereby amended by striking
3 out paragraphs (a) and (b) and inserting in place thereof the
4 following two paragraphs:

5 (a) All cracking, scaling, peeling or loose paint, plaster, or
6 other materials on both exterior or interior surfaces shall be
7 adequately covered, or shall be removed by sanding, scraping,
8 or wire-brushing, or other methods acceptable to the depart-
9 ment before such surfaces are repainted, but such provision
10 shall not be construed as requiring the removal of any ma-
11 terial from that portion of said surfaces which is not cracking,
12 scaling, peeling, or loose.

13 (b) All paint, plaster, or other material below the four foot
14 level shall be removed by sanding, scraping, or wire-brushing,

15 or other methods acceptable to the department, from horizon-
16 tal protruding fixtures including interior window sills, stair
17 rails and porch railings; from doors and door frames within
18 four inches from the vertical edge and below the four foot
19 level; and all other exterior and interior protruding horizontal
20 surfaces or fixtures within four inches of the vertical edge and
21 below the four foot level that may be readily chewed by chil-
22 dren under six years of age.

1 SECTION 3. The third paragraph of said section 197 of said
2 chapter 111, as so appearing, is hereby amended by striking
3 out, in line 2, the word "whenever" and inserting in place
4 thereof the words: —

5 , other than single family dwellings occupied by the owners,
6 whenever."

1 SECTION 4. The first paragraph of section 198 of said chap-
2 ter 111, as so appearing, is hereby amended by inserting after
3 the word "sections", in line 5, the words: —

4 ; provided, however, that any owner cited with such a viola-
5 tion shall be allowed at least thirty days in which to correct
6 such violation, unless the child or children under the age of six
7 residing therein require hospitalization for treatment of lead
8 poisoning, in which case the violation shall be cured within
9 seven days.