

By Mr. Brewer of Barre, petition of Leo Santa Maris and Stephen M. Brewer relative to the certification of certain employees in fire and draft stopping. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT TO ENHANCE PUBLIC SAFETY BY CERTIFYING EMPLOYEES
IN FIRE STOPPING AND DRAFT STOPPING.

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

1 Chapter 148 of the General Laws is hereby amended by inserting
2 after section 58 the following new sections: —

3 Section 59. No contractor shall employ any employee to
4 perform fire stopping or draft stopping as defined and required
5 by the Massachusetts State Building Code who does not have a
6 certificate in fire stopping and draft stopping issued by the
7 Department of Public Safety Fire Prevention Board. No permit
8 for construction shall be granted under the Massachusetts State
9 Building Code until the contractor who will perform the work
10 has established that his employees are certified pursuant to
11 this section.

12 Section 59A. Certificates required under section 59 shall be
13 issued by the Department of Public Safety Fire Prevention Board.
14 The Board shall promulgate rules and regulations requiring
15 minimum standards for an employee certified in fire stopping and
16 draft stopping. Such standards shall include (a) at least three days
17 of classroom and hands-on training, and experience; (b) knowl-
18 edge of fire stopping and draft stopping materials and installa-
19 tion; (c) proper procedure to ensure that the safety and health
20 of workers and the general public are protected; and any
21 other standard the Board deems essential to fire protection
22 and prevention.

23 Section 59B. An applicant for a certificate in fire stopping and
24 draft stopping shall pay a fee to be determined by the Secretary

25 of Administration and Finance which shall be retained by the
26 Department and used for the administration and enforcement of
27 these sections.

28 Section 59C. Any contractor found in violation of these
29 sections shall pay a fine of \$100 to the Commonwealth, subject
30 to a right of appeal under the provisions of Chapter 30A of the
31 General Laws. Any contractor found to have committed a second
32 violation of these sections shall be debarred from bidding on any
33 public works contracts for two months. Any third or subsequent
34 violation of these sections shall debar the contractor for not less
35 than six months and not more than three years. Said debarments
36 shall be imposed by the Division of Capital Planning and Operations
37 under the system mandated in section forty-four C of chapter
38 one hundred and forty-nine of the General Laws.

39 Section 59D. The Board shall promulgate rules and regula-
40 tions required by this act within 180 days of its passage.