

SENATE No. 917

The Commonwealth of Massachusetts

PRESENTED BY:

Mr. Brewer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the oversight of inspections.

PETITION OF:

NAME:

Mr. Brewer

James E. Timilty

DISTRICT/ADDRESS:

Worcester, Hampden, Hampshire and Franklin

Bristol and Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01367 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE OVERSIGHT OF INSPECTIONS.

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 3 of chapter 22, as so appearing in the 2004 Official Edition, is hereby
2 amended by striking out, in the title, after the word “Commissioner” the words “division of
3 inspection.”

4 SECTION 2. Section 3 of chapter 22, as so appearing, is hereby amended, in lines 2-4, by
5 striking out the words “There shall be in the department a division of inspection as established by
6 section four A, under the charge of a director to be known as the chief of inspections”

7 SECTION 3. Section 4A of chapter 22 of the General Laws, as so appearing in the 2004 Official
8 Edition, is hereby amended by striking out, in the title, after the words “22.4A” the words
9 “Division of inspection; chief of inspections.”

10 SECTION 4. Section 4A of chapter 22, as so appearing in the 2004 Official Edition, is hereby
11 amended, in lines 1-7, by striking out the words “There shall be within the department a division
12 to be known as the division of inspection. The commissioner shall appoint a chief of inspections,
13 who shall not be subject to the provisions of chapter thirty-one, who may be removed for cause,
14 and the position of chief of inspections shall be classified in accordance with section forty-five of
15 chapter thirty and the salary shall be determined in accordance with section forty-six C of said
16 chapter thirty.”

17 SECTION 5. Section 4A of chapter 22 of the General Laws, as so appearing in the 2004 Official
18 Edition, is hereby amended, in lines 9, by striking out the words “division of inspection” and
19 inserting in place thereof the following words:-department of public safety.

20 SECTION 6. Section 5 of chapter 22 of the General Laws, appearing in the 2004 Official
21 Edition, is hereby repealed.

22 SECTION 7. Section 6 of chapter 22 of the General Laws, as so appearing in the 2004 Official
23 Edition, is hereby amended, in lines 5-7, by striking out the words “District engineering
24 inspectors in the division of inspection shall not be over forty-five years of age when first
25 appointed, and shall not be subject to any civil service rules.”

26 SECTION 8. Section 6 of chapter 22 of the General Laws, as so appearing, is hereby amended
27 by striking out, in line 8, the words “division of inspection” and inserting in place thereof the
28 words:- department of public safety.

29 SECTION 9. Section 10 of chapter 22 of the General Laws, as so appearing in the 2004 Official
30 Edition, is hereby amended, in lines 2 and 3, by striking out the words “chief of inspections, or a
31 boiler inspector of the division of inspection designated by the commissioner” and inserting in
32 place thereof the following words:- commissioner or his designee.

33 SECTION 10. Section 11 of chapter 22 of the General Laws, as so appearing in the 2004
34 Official Edition, is hereby amended, in lines 4-8, by striking out the words “chief of inspections
35 in said department, with power to designate from time to time an inspector in said department to
36 act temporarily as a member of such board,” and inserting in place thereof the following words:-
37 commissioner or his designee

38 SECTION 11. Section 50 of chapter 143 of the General Laws, as so appearing in the 2004
39 Official Edition, is hereby amended by striking out, following the word “commissioner” in the
40 title, the words “chief of inspection or.”

41 SECTION 12. Section 50 of the chapter 143 of the General Laws, as so appearing in the 2004
42 Official Edition, is hereby amended, in line 2, by striking out the words “the chief of inspections
43 of the department”.

44 SECTION 13. Section 93 of chapter 143 of the General Laws, as so appearing in the 2004
45 Official Edition, is hereby amended, in lines 7-8, by striking out the words “the chief of
46 inspections of the division of inspection” and inserting in place thereof the following words:- the
47 commissioner.

48 SECTION 14. Section 93 of chapter 143 of the General Laws, as so appearing in the 2004
49 Official Edition, is hereby amended, in line 44, by striking out the words “the chief of
50 inspections” and inserting in place thereof the following words:- the commissioner.

51 SECTION 15. Section 94 of chapter 143 of the General Laws, as so appearing in the 2004
52 Official Edition, is hereby amended, in line 52, by striking out the words “the chief of
53 inspections” and inserting in place thereof the following words:- the commissioner.

54 SECTION 16. Section 1 of chapter 146 of the General Laws, as so appearing in the 2004
55 Official Edition, is hereby further amended, in line 13 by striking out the words “ ‘chief, the
56 chief of inspections of the department of public safety.’ ”

57 SECTION 17. Section 1 of chapter 146 of the General Laws, as so appearing in the 2004
58 Official Edition, is hereby further amended, in line 16, by striking out the words “ ‘Division’ ,
59 the division of inspection of the department of public safety.’ ”

60 SECTION 18. Section 1 of chapter 146 of the General Laws, as so appearing in the 2004
61 Official Edition, is hereby further amended, in lines 17 and 18 by striking out the words of the
62 division of inspection”.

63 SECTION 19. Section 13 of chapter 146 of the General Laws, as so appearing in the 2004
64 Official Edition, is hereby amended, in line 2 by striking out the word “division” and inserting in
65 place thereof the following word:-department.

66 SECTION 20. Section 13 of chapter 146 of the General Laws, as so appearing in the 2004
67 Official Edition, is hereby amended, in line 2 by striking out the word “chief” and inserting in
68 place thereof the following words:-commissioner or his designee.

69 SECTION 21. Section 13 of chapter 146 of the General Laws, as so appearing in the 2004
70 Official Edition, is hereby amended, in line 7, by striking out the words, “chief of inspections”
71 and inserting in place thereof the following words:- commissioner or his designee.

72 SECTION 22. Section 17 of chapter 146 of the General Laws, as so appearing in the 2004
73 Official Edition, is hereby amended, in line 2, by striking out the word “chief” and inserting in
74 place thereof the following word:- commissioner.

75 SECTION 23. Section 18 of chapter 146 of the General Laws, as so appearing in the 2004
76 Official Edition, is hereby amended, in line 1, by striking out the word “ chief” and inserting in
77 place thereof the following word:- commissioner.

78 SECTION 24. Section 18 of chapter 146 of the General Laws, as so appearing, is hereby
79 amended, in line 3, by striking out the word “chief” and inserting in place thereof the following
80 words:- commissioner.

81 SECTION 25. Section 19 of chapter 146 of the General Laws, as so appearing in the 2004
82 Official Edition, is hereby amended, in line 2, by striking out the word “chief” and inserting in
83 place thereof the following words:- commissioner or his designee.

84 SECTION 26. Section 21 of chapter 146 of the General Laws, as so appearing in the 2004
85 Official Edition, is hereby amended, in line 8, by striking the word “division” and inserting in
86 place thereof the word:- department.

87 SECTION 27. Section 21 of chapter 146 of the General Laws, as so appearing, is hereby
88 amended, in line 12, by striking the word “division” and inserting in place thereof the word:-
89 department.

90 SECTION 28. Section 22 of chapter 146 of the General Laws, as so appearing in the 2004
91 Official Edition, is hereby amended, in line 1, by striking the word “division” and inserting in
92 place thereof the word:- department.

93 SECTION 29. Section 23 of chapter 146 of the General Laws, as so appearing in the 2004
94 Official Edition, is hereby amended, in line 1, by striking the word “division” and inserting in
95 place thereof the word:- department.

96 SECTION 30. Section 24 of chapter 146 of the General Laws, as so appearing in the 2004
97 Official Edition, is hereby amended, in line 1, by striking the word “division” and inserting in
98 place thereof the word:- department.

99 SECTION 31. Section 24 of chapter 146 of the General Laws, as so appearing, is hereby
100 amended, in line 4, by striking the word “division” and inserting in place thereof the word:-
101 department.

102 SECTION 32. Section 26 of chapter 146 of the General Laws, as so appearing in the 2004
103 Official Edition, is hereby amended, in line 3, by striking the word “chief” and inserting in place
104 thereof the words:- commissioner.

105 SECTION 33. Section 27 of chapter 146 of the General Laws, as so appearing in the 2004
106 Official Edition, is hereby amended, in line 1, by striking the word “division” and inserting in
107 place thereof the word:- department.

108 SECTION 34. Section 29 of chapter 146 of the General Laws, as so appearing in the 2004
109 Official Edition, is hereby amended, in line 2, by striking the word “division” and inserting in
110 place thereof the word:- department.

111 SECTION 35. Section 30 of chapter 146 of the General Laws, as so appearing in the 2004
112 Official Edition, is hereby amended, in line 5, by striking the word “division” and inserting in
113 place thereof the word:- department.

114 SECTION 36. Section 31 of chapter 146 of the General Laws, as so appearing in the 2004
115 Official Edition, is hereby amended, in line 4, by striking the word “division” and inserting in
116 place thereof the word:- department.

117 SECTION 37. Section 32 of chapter 146 of the General Laws, as so appearing in the 2004
118 Official Edition, is hereby amended, in line 2, by striking the word “division” and inserting in
119 place thereof the word:- department.

120 SECTION 38. Section 34 of chapter 146 of the General Laws, as so appearing in the 2004
121 Official Edition, is hereby amended, in lines 7 and 8, by striking the word “division” and
122 inserting in place thereof the word:- department.

123 SECTION 39. Section 34 of chapter 146 of the General Laws, as so appearing, is hereby
124 amended, in line 31, by striking the word “division” and inserting in place thereof the word:-
125 department.

126 SECTION 40. Section 38 of chapter 146 of the General Laws, as so appearing in the 2004
127 Official Edition, is hereby amended, in line 5, by striking the word “division” and inserting in
128 place thereof the word:- department.

129 SECTION 41. Section 44 of chapter 146 of the General Laws, as so appearing in the 2004
130 Official Edition, is hereby amended, in line 2, by striking the word “division” and inserting in
131 place thereof the word:- department.

132 SECTION 42. Section 45A of chapter 146 of the General Laws, as so appearing in the 2004
133 Official Edition, is hereby amended, in line 10, by striking the word “division” and inserting in
134 place thereof the word:- department.

135 SECTION 43. Section 45A of chapter 146 of the General Laws, as so appearing, is hereby
136 amended, in line 17, by striking the word “division” and inserting in place thereof the word:-
137 department.

138 SECTION 44. Section 45A of chapter 146 of the General Laws, as so appearing is hereby
139 amended, in line 18, by striking the word “chief” and inserting in place thereof the words:-
140 commissioner.

141 SECTION 45. Section 45A of chapter 146 of the General Laws, as so appearing, is hereby
142 amended, in line 24, by striking the word “division” and inserting in place thereof the word:-
143 department.

144 SECTION 46. Section 45A of chapter 146 of the General Laws, as so appearing, is hereby
145 amended, in line 29, by striking the word “division” and inserting in place thereof the word:-
146 department.

147 SECTION 47. Section 45A of chapter 146 of the General Laws, as so appearing, is hereby
148 amended, in line 30, by striking the word “division” and inserting in place thereof the word:-
149 department.

150 SECTION 48. Section 49 of chapter 146 of the General Laws, as so appearing in the 2004
151 Official Edition, is hereby amended by striking out, in lines 44- 45, the words “in consultation
152 with the chief inspector.”

153 SECTION 49. Section 50A of chapter 146 of the General Laws, as so appearing in the 2004
154 Official Edition, is hereby amended, in line 47, by striking the words “chief of inspections” and
155 inserting in place thereof the following words:- the commissioner.

156 SECTION 50. Section 56 of chapter 146 of the General Laws, as so appearing in the 2004
157 Official Edition, is hereby amended, in line 1, by striking the word “chief” and inserting in place
158 thereof the words:- commissioner or his designee.

159 SECTION 51. Section 56 of chapter 146 of the General Laws, as so appearing, is hereby
160 amended, in line 4, by striking the word “chief” and inserting in place thereof the words:-
161 commissioner or his designee.

162 SECTION 52. Section 62 of chapter 146 of the General Laws, as so appearing in the 2004
163 Official Edition, is hereby amended, in line 29, by striking the word “division” and inserting in
164 place thereof the word:- department.

165 SECTION 53. Section 62 of chapter 146 of the General Laws, as so appearing, is hereby
166 amended, in line 32, by striking the word “chief” and inserting in place thereof the word:-
167 commissioner.

168 SECTION 54. Section 64 of chapter 146 of the General Laws, as so appearing in the 2004
169 Official Edition, is hereby amended, in lines 5 and 6, by striking the words “in consultation with
170 the chief.”

171 SECTION 55. Section 64 of chapter 146 of the General Laws, as so appearing, is hereby
172 amended, in line 10, by striking the word “chief” and inserting in place thereof the word:-
173 commissioner.

174 SECTION 56. Section 64 of chapter 146 of the General Laws, as so appearing, is hereby
175 amended, in line 24, by striking the words “chief, if such chief is a qualified examiner” and
176 inserting in place thereof the word:- commissioner.

177 SECTION 57. Section 64 of chapter 146 of the General Laws, as so appearing, is hereby
178 amended, in line 29, by striking the word “division” and inserting in place thereof the word:-
179 department.

180 SECTION 58. Section 66 of chapter 146 of the General Laws, as so appearing in the 2004
181 Official Edition, is hereby amended, in line 4, by striking the word “chief” and inserting in place
182 thereof the word:- commissioner.

183 SECTION 59. Section 67 of chapter 146 of the General Laws, as so appearing in the 2004
184 Official Edition, is hereby amended, in line 23, by striking the word “division” and inserting in
185 place thereof the word:- department.

186 SECTION 60. Section 67 of chapter 146 of the General Laws, as so appearing, is hereby
187 amended, in line 25, by striking the word “chief” and inserting in place thereof the word:-
188 commissioner.

189 SECTION 61. Section 67 of chapter 146 of the General Laws, as so appearing, is hereby
190 amended, in line 26, by striking the word “division” and inserting in place thereof the word:-
191 department.

192 SECTION 62. Section 67A of chapter 146 of the General Laws, as so appearing in the 2004
193 Official Edition, is hereby amended, in line 1, by striking “chief of inspections” and inserting in
194 place thereof the following words:- commissioner or his designee.

195 SECTION 63. Section 67A of chapter 146 of the General Laws, as so appearing, is hereby
196 amended, in line 2, by striking the word “division” and inserting in place thereof the following
197 word:- department.

198 SECTION 64. Section 67A of chapter 146 of the General Laws, as so appearing, is hereby
199 amended, in line 2, by striking the word “division” and inserting in place thereof the following
200 word:- department.

201 SECTION 65. Section 67A of chapter 146 of the General Laws, as so appearing, is hereby
202 further amended, in line 3, by striking “chief of inspections” and inserting in place thereof with
203 the following words:- commissioner.

204 SECTION 66. Section 70 of chapter 146 of the General Laws, as so appearing in the 2004
205 Official Edition, is hereby amended, in line 18, by striking “chief of inspections” and inserting in
206 place thereof the following words:- commissioner or his designee.

207 SECTION 67. Section 70 of chapter 146 of the General Laws, as so appearing, is hereby
208 amended, in lines 21 and 22, by striking the word “division” and inserting in place thereof the
209 following word:- department.

210 SECTION 68. Section 71 of chapter 146 of the General Laws, as so appearing in the 2004
211 Official Edition, is hereby amended, in line 27, by striking the word “division” and inserting in
212 place thereof the following word:- department.

213 SECTION 69. Section 71 of chapter 146 of the General Laws, as so appearing in the 2004
214 Official Edition, is hereby amended, in line 30, by striking the word “division” and inserting in
215 place thereof the following word:- department.

216 SECTION 70. Section 72 of chapter 146 of the General Laws, as so appearing in the 2004
217 Official Edition, is hereby amended, in line 1, by striking the word “division” and inserting in
218 place thereof the following word:- department.

219 SECTION 71. Section 72 of chapter 146 of the General Laws, as so appearing, is hereby
220 amended, in line 4, by striking “division” and inserting in place thereof the following word:-
221 department.

222 SECTION 72. Section 73 of chapter 146 of the General Laws, as so appearing in the 2004
223 Official Edition, is hereby amended, in line 7, by striking the words “chief of inspections” and
224 inserting in place thereof the following words:- commissioner or his designee.

225 SECTION 73. Section 77 of chapter 146 of the General Laws, as so appearing in the 2004
226 Official Edition, is hereby amended, in lines 2-3, by striking “chief of inspections” and inserting
227 in place thereof the following words:- commissioner.

228 SECTION 74. Section 77 of chapter 146 of the General Laws, as so appearing, is hereby
229 amended, in line 1, by striking the word “division” and inserting in place thereof the following
230 words:-department.

231 SECTION 75. Section 77 of chapter 146 of the General Laws, as so appearing, is hereby further
232 amended, in line 6, by striking the word “chief” and inserting in place thereof the following
233 word:- commissioner.

234 SECTION 76. Section 77 of chapter 146 of the General Laws, as so appearing, is hereby further
235 amended, in line 8, by striking the words “chief of inspections” and inserting in place thereof the
236 following words:- commissioner.

237 SECTION 77. Section 78 of chapter 146 of the General Laws, as so appearing in the 2004
238 Official Edition, is hereby amended, in lines 7 and 8, by striking the word “division” and
239 inserting in place thereof the following words:-department.

240 SECTION 78. Section 78 of chapter 146 of the General Laws, as so appearing, is hereby
241 amended, in line 12, by striking the word “division” and inserting in place thereof the following
242 words:-department.

243 SECTION 79. Section 78 of chapter 146 of the General Laws, as so appearing, is hereby
244 amended, in line 14, by striking the word “division” and inserting in place thereof the following
245 words:-department.

246 SECTION 80. Section 78 of chapter 146 of the General Laws, as so appearing, is hereby
247 amended, in line 20, by striking the word “division” and inserting in place thereof the following
248 words:-department.

249 SECTION 81. Section 77 of chapter 146 of the General Laws, as so appearing in the 2004
250 Official Edition, is hereby amended, in line 1, by striking the word “division” and inserting in
251 place thereof the following words:-department.

252 SECTION 82. Section 10G of chapter 148, as so appearing in the 2004 Official Edition, is
253 hereby amended, in line 8, by striking the words “chief of inspections of the department” and
254 inserting in place thereof the following words:- commissioner.