

1 **SENATE FLOOR VERSION**

2 February 18, 2015

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 658

By: Justice of the Senate

6 **[ asbestos control - duties of the Commissioner of**  
7 **Labor - repealer - ~~effective date~~ -**  
8 **emergency ]**

9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 40 O.S. 2011, Section 453, is

11 amended to read as follows:

12 Section 453. A. The Commissioner of Labor shall have the power  
13 and duty to:

14 1. Develop and promulgate rules for the abatement of friable  
15 asbestos materials which shall be consistent with general industry  
16 standards;

17 2. Instruct and examine contractors, employees and supervisors  
18 on the safe abatement of friable asbestos materials;

19 3. Hire sufficient personnel to carry out the provisions of  
20 this act consistent with funds allocated and full-time-equivalent  
21 employees authorized;

22 4. Inspect all asbestos abatement projects, to issue, modify  
23 and revoke orders; to issue cease and desist orders; and to require  
24 mandamus and seek injunctive relief for enforcement of orders;

- 1        5. Inspect public buildings for the presence of friable  
2 asbestos materials;
- 3        6. Collect samples to determine the presence and condition of  
4 friable asbestos materials in public buildings;
- 5        7. Recommend appropriate abatement measures for friable  
6 asbestos materials in public buildings;
- 7        8. Make and enter into all contracts and agreements necessary  
8 or incidental to the performance of the Department's duties and the  
9 execution of its powers under the Oklahoma Asbestos Control Act  
10 including, but not limited to, contracts with the United States,  
11 other states, agencies, and political subdivisions of this state;
- 12        9. Accept grants from the United States government, its  
13 agencies and instrumentalities, and any other source. To these  
14 ends, the Department shall have the power to comply with such  
15 conditions and execute such agreements as may be necessary and  
16 desirable;
- 17        10. Supervise, administer, and enforce the provisions of the  
18 Oklahoma Asbestos Control Act rules promulgated thereunder;
- 19        11. Hold hearings;
- 20        12. Institute legal proceedings, including suits for  
21 injunctions for the enforcement of his orders, rules, and for the  
22 enforcement of penalties;
- 23        13. Investigate any violations of the Oklahoma Asbestos Control  
24 Act; ~~and~~

1 14. Exercise all incidental powers which are necessary to carry  
2 out the provisions of the Oklahoma Asbestos Control Act; and

3 15. To perform such other duties as the Commissioner of Labor  
4 may determine are essential to the protection of public health from  
5 hazards posed by friable asbestos materials.

6 B. The violations of any rule shall be grounds for the  
7 Commissioner to evoke any penalties set forth in Section 456 of this  
8 title.

9 C. The Commissioner of Labor shall be the primary authority  
10 regarding the regulation of asbestos abatement in the State of  
11 Oklahoma at the abatement site through the completion of the on-site  
12 abatement.

13 SECTION 2. REPEALER 40 O.S. 2011, Section 457, is hereby  
14 repealed.

15 ~~SECTION 3. This act shall become effective July 1, 2015.~~

16 ~~SECTION 4. It being immediately necessary for the preservation~~  
17 ~~of the public peace, health and safety, an emergency is hereby~~  
18 ~~declared to exist, by reason whereof this act shall take effect and~~  
19 ~~be in full force from and after its passage and approval.~~

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
21 February 18, 2015 - DO PASS AS AMENDED  
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