

34:5-182

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2004 **CHAPTER:** 172

NJSA: 34:5-182 (Prohibits dry cutting and grinding of masonry in certain cases)

BILL NO: S559 (Substituted for A2392)

SPONSOR(S): Adler and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Labor
SENATE: Labor

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** October 7, 2004

SENATE: October 25, 2004

DATE OF APPROVAL: December 9, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) 1st reprint enacted

S559

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A2392

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

For clippings see legislative history of L.2004 c.19

P.L. 2004, CHAPTER 172, *approved December 9, 2004*
Senate, No. 559 (*First Reprint*)

1 **AN ACT** prohibiting the dry cutting and dry grinding of masonry in
2 certain instances and supplementing P.L.1962, c.45 (C.34:5-166 et
3 seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. In order to protect the health and safety of employees against
9 the effects of silicosis and other respiratory diseases, the dry cutting
10 of masonry units by means of hand-held, gas-powered or electrical,
11 portable chop saws or skill saws and the dry grinding of masonry
12 materials shall be prohibited, except in instances in which it is
13 determined, in a manner consistent with all applicable standards
14 promulgated pursuant to the federal Occupational Safety and Health
15 Act of 1970 (29 U.S.C. 651 et seq.), that the use of water in the
16 cutting or grinding is not feasible. In any instance in which it is
17 determined pursuant to this section that the use of water in the cutting
18 or grinding is not feasible:

19 a. The employer shall use engineering and work practice controls
20 to control the dust, such as a vacuum with high efficiency particulate
21 air filter, or other dust control system;

22 b. Any dry cutting which occurs shall be done in a designated area
23 away from craftworkers if possible; and

24 c. The employer shall provide workers with full face respirators as
25 part of a complete respiratory program which includes training, the
26 proper selection of respiratory cartridges and fit-testing to ensure that
27 the workers are able to wear the respirators.

28 ¹The provisions of this section shall not apply to emergency service
29 personnel responding to emergency situations.¹

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31 2. This act shall take effect immediately.

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36 Prohibits dry cutting and grinding of masonry in certain cases.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALA committee amendments adopted May 17, 2004.

SENATE, No. 559

STATE OF NEW JERSEY
211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Senator JOHN H. ADLER

District 6 (Camden)

Senator NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Prohibits dry cutting and grinding of masonry in certain cases.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/2/2004)

1 AN ACT prohibiting the dry cutting and dry grinding of masonry in
2 certain instances and supplementing P.L.1962, c.45 (C.34:5-166 et
3 seq.).

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. In order to protect the health and safety of employees against
9 the effects of silicosis and other respiratory diseases, the dry cutting
10 of masonry units by means of hand-held, gas-powered or electrical,
11 portable chop saws or skill saws and the dry grinding of masonry
12 materials shall be prohibited, except in instances in which it is
13 determined, in a manner consistent with all applicable standards
14 promulgated pursuant to the federal Occupational Safety and Health
15 Act of 1970 (29 U.S.C. 651 et seq.), that the use of water in the
16 cutting or grinding is not feasible. In any instance in which it is
17 determined pursuant to this section that the use of water in the cutting
18 or grinding is not feasible:

19 a. The employer shall use engineering and work practice controls
20 to control the dust, such as a vacuum with high efficiency particulate
21 air filter, or other dust control system;

22 b. Any dry cutting which occurs shall be done in a designated area
23 away from craftworkers if possible; and

24 c. The employer shall provide workers with full face respirators as
25 part of a complete respiratory program which includes training, the
26 proper selection of respiratory cartridges and fit-testing to ensure that
27 the workers are able to wear the respirators.

28

29 2. This act shall take effect immediately.

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STATEMENT

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34 This bill prohibits the dry cutting of masonry units by means of
35 hand-held, gas-powered or electrical, portable chop saws or skill saws
36 and the dry grinding of masonry materials, except in instances in which
37 it is determined, in a manner consistent with all applicable standards
38 adopted by the federal Occupational Safety and Health Administration
39 (OSHA), that the use of water in the cutting or grinding is not feasible.
40 If the use of water in the cutting or grinding is not feasible:

41 1. The employer is required to use engineering and work practice
42 controls to control the dust;

43 2. Any dry cutting which occurs is required to be done in a
44 designated area away from craftworkers if possible; and

45 3. The employer is required to provide workers with full face
46 respirators as part of a respiratory program including training, the
47 proper selection of respiratory cartridges and fit-testing of respirators.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

SENATE, No. 559

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 17, 2004

The Assembly Labor Committee reports favorably and with committee amendments, Senate Bill No. 559.

As amended by the committee, this bill prohibits the dry cutting of masonry units by means of hand-held, gas-powered or electrical, portable chop saws or skill saws and the dry grinding of masonry materials, except in instances in which it is determined, in a manner consistent with all applicable standards adopted by the federal Occupational Safety and Health Administration (OSHA), that the use of water in the cutting or grinding is not feasible. If the use of water in the cutting or grinding is not feasible:

1. The employer is required to use engineering and work practice controls to control the dust;
2. Any dry cutting which occurs is required to be done in a designated area away from craftworkers if possible; and
3. The employer is required to provide workers with full face respirators as part of a respiratory program including training, the proper selection of respiratory cartridges and fit-testing of respirators.

COMMITTEE AMENDMENTS

The committee amended the bill, to exempt emergency service personnel responding to emergency situations from its provisions.

As amended by the committee, this bill is identical to Assembly Bill No. 2392(1R), also reported by the committee today.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 559

STATE OF NEW JERSEY

DATED: MARCH 22, 2004

The Senate Labor Committee reports favorably Senate Bill No. 559.

This bill prohibits the dry cutting of masonry units by means of hand-held, gas-powered or electrical, portable chop saws or skill saws and the dry grinding of masonry materials, except in instances in which it is determined, in a manner consistent with all applicable standards adopted by the federal Occupational Safety and Health Administration (OSHA), that the use of water in the cutting or grinding is not feasible. If the use of water in the cutting or grinding is not feasible:

1. The employer is required to use engineering and work practice controls to control the dust;
2. Any dry cutting which occurs is required to be done in a designated area away from craftworkers if possible; and
3. The employer is required to provide workers with full face respirators as part of a respiratory program including training, the proper selection of respiratory cartridges and fit-testing of respirators.

ASSEMBLY, No. 2392

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED FEBRUARY 24, 2004

Sponsored by:

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman DAVID R. MAYER

District 4 (Camden and Gloucester)

Co-Sponsored by:

Assemblymen Diegnan and Gibson

SYNOPSIS

Prohibits dry cutting and grinding of masonry in certain cases.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/7/2004)

1 AN ACT prohibiting the dry cutting and dry grinding of masonry in
2 certain instances and supplementing P.L.1962, c.45 (C.34:5-166 et
3 seq.).

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5 **BE IT ENACTED** by the Senate and General Assembly of
6 the State of New Jersey:

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12 materials shall be prohibited, except in instances in which it is
13 determined, in a manner consistent with all applicable standards
14 promulgated pursuant to the federal Occupational Safety and Health
15 Act of 1970 (29 U.S.C. 651 et seq.), that the use of water in the
16 cutting or grinding is not feasible. In any instance in which it is
17 determined pursuant to this section that the use of water in the cutting
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24 c. The employer shall provide workers with full face respirators as
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45 3. The employer is required to provide workers with full face
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47 proper selection of respiratory cartridges and fit-testing of respirators.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2392

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 17, 2004

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 2392.

As amended by the committee, this bill prohibits the dry cutting of masonry units by means of hand-held, gas-powered or electrical, portable chop saws or skill saws and the dry grinding of masonry materials, except in instances in which it is determined, in a manner consistent with all applicable standards adopted by the federal Occupational Safety and Health Administration (OSHA), that the use of water in the cutting or grinding is not feasible. If the use of water in the cutting or grinding is not feasible:

1. The employer is required to use engineering and work practice controls to control the dust;
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COMMITTEE AMENDMENTS

The committee amended the bill to exempt emergency service personnel responding to emergency situations from its provisions.

As amended by the committee, this bill is identical to Senate Bill No. 559(1R), also reported by the committee today.