

HOUSE No. 7507

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 18, 1973.

The committee on Ways and Means, to whom was referred the Bill establishing a board of state examiners of steamfitters and regulating the business of steam fitting (printed as, House, No. 4139), report that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 7507).

For the committee,

RAYMOND S. PECK.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A BOARD OF STATE EXAMINERS OF STEAM-FITTERS AND REGULATING THE BUSINESS OF STEAMFITTING.

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. Chapter 13 of the General Laws is hereby
2 amended by inserting after section 38, under the caption,
3 BOARD OF STATE EXAMINERS OF STEAMFITTERS, the
4 following three sections: —

5 *Section 38A.* There shall be a board of state examiners of
6 steamfitters, in sections thirty-eight B and thirty-eight C called
7 the examiners, consisting of five members, citizens of the
8 commonwealth, two of whom shall have had at least ten years'
9 continuous practical experience as a steamfitter operating his
10 own business, one of whom shall have had at least ten years'
11 continuous practical experience being employed and earning
12 wages as a steamfitter, one shall be the commissioner of public
13 health or his designee, and one shall be a representative of the
14 public, subject to the provisions of section nine B.

15 As the term of office of a member expires, his successor shall
16 be appointed by the governor to serve for three years. The gover-
17 nor shall designate the chairman of the board and may at any
18 time change such designation. When making an appointment to
19 the board, the governor shall designate the appointee as the
20 steamfitter having operated his own business, the steamfitter hav-
21 ing been employed for wages, or public member of the board.

22 Said board shall appoint an executive secretary who is a citizen
23 of the commonwealth and has had at least ten years' continuous
24 practical experience as a steamfitter. He shall receive his neces-
25 sary traveling expenses incurred in the performance of his duties.

26 No member of the board shall be eligible for appointment as
27 secretary.

28 *Section 38B.* The examiners shall hold regular meetings each
29 month at such times and places as they may designate.

30 *Section 38C.* There shall be paid by the commonwealth to

31 the chairman of the examiners a salary of seven hundred and
32 fifty dollars and to each other member thereof a salary of five
33 hundred dollars and to each member thereof his necessary travel-
34 ing expenses actually incurred in attending meetings of the ex-
35 aminers. The division of registration shall furnish the examiners
36 with such clerical assistance as may be necessary.

1 SECTION 2. The General Laws are hereby amended by in-
2 serting after chapter 142 the following chapter: —

3 CHAPTER 142A
4 SUPERVISION OF STEAMFITTERS

5 *Section 1.* In this chapter the following words shall have the
6 following meanings: — “Examiners”, the board of state exam-
7 iners of steamfitters appointed under section thirty-eight A of
8 chapter thirteen. “Journeyman steamfitter”, a person who him-
9 self does any work in steamfitting subject to regulation under
10 this chapter. “Master steamfitter”, a person who is regularly en-
11 gaged in the business of steamfitting and who, by himself a jour-
12 neyman steamfitter in his employ, performs steamfitting work.
13 “Apprentice”, a person who is learning and working at the busi-
14 ness of steamfitting under the direct supervision of a master
15 steamfitter or a journeyman steamfitter. “Learner steamfitter”, a
16 person over the age for apprentice under any agreement, law, rule
17 or regulation who is learning and working at the business of
18 steamfitting under the direct supervision of a master steamfitter
19 or a journeyman steamfitter. “Steamfitter”, a person who does
20 the work of the installation, repair, replacement, maintenance or
21 alteration of any apparatus for piping, appliances, devices or ac-
22 cessories for heating systems, including apparatus and piping for
23 the general use or conveyance of steam and associated pumping
24 equipment but excluding sheet metal work, air conditioning and
25 refrigeration systems and boilers.

26 *Section 2.* No person shall engage in the business of a steam-
27 fitter or work as a steamfitter or as an apprentice, nor solicit, by
28 sign, listing, or any other form of advertisement, work regulated
29 or controlled by this chapter or any rule or regulation made
30 hereunder, unless he is lawfully registered, or has been licensed,
31 by the examiners as provided in this chapter.

32 The license or certificate of a journeyman or learner steam-
33 fitter or an apprentice shall be exhibited whenever required by
34 the regulations of the examiners.

35 The license or certificate of a master steamfitter shall at all
36 times be displayed conspicuously within his place of business.

37 A master steamfitter may secure a license and a certificate to
38 conduct a steamfitting business as a corporation or as a partner in
39 a partnership.

40 *Section 3.* Every apprentice before starting his apprentice-
41 ship and every learner steamfitter before starting employment
42 under a verbal agreement for instruction, shall file an application
43 with the examiners accompanied by the appropriate fee request-
44 ing that he be issued the appropriate license and may begin to
45 work as such after such filing. Said application shall be made on a
46 form to be furnished by the examiners, and shall require the
47 applicant to state his age, the date on which he is to commence
48 his apprenticeship or instruction, the name and address of his em-
49 ployer, and such other information as the examiners may require.
50 Upon receipt thereof the examiners shall license said applicant as
51 an apprentice, or as a learner steamfitter, and shall forthwith mail
52 to him a certificate to that effect.

53 A person may be employed as an apprentice, or as a learner
54 steamfitter, by a master steamfitter only. An apprentice and a
55 learner steamfitter shall work under the direct supervision of a
56 master steamfitter or a journeyman steamfitter. A master steam-
57 fitter may employ one or more apprentices and learner steam-
58 fitters, but not more than one apprentice or learner steamfitter
59 may work under the direct supervision of a master steamfitter or
60 a journeyman steamfitter.

61 *Section 4.* The examiners may make such rules as they deem
62 proper for the performance of their duties and rules governing
63 the qualifications of applicants for examination. They shall ex-
64 amine each applicant desiring to engage in the business of a
65 master steamfitter or to work as a journeyman steamfitter, and
66 shall subject him to a practical test satisfactory to the examiners
67 who, if satisfied of his competence shall issue to him a license as
68 applied for.

69 They shall hold frequent examinations in Boston and, twice in
70 each year, hold examinations at five other convenient places
71 within the commonwealth. Public notice shall be given of all

72 examinations. Every application for examination shall be in the
73 handwriting of the applicant who shall be notified by the exam-
74 iners of the time and place of examination. The examiners shall
75 without payment of any fee, issue a probationary license in force
76 for six months to a person who having worked as an apprentice,
77 or as a learner steamfitter under a verbal agreement for instruc-
78 tion, for not less than three years, presents an application there-
79 for with the signed endorsement of his employers agreeing to be
80 responsible for all work done under the license and to have the
81 licensee at the expiration of the license, present himself for ex-
82 amination as a journeyman.

83 They shall grant a credit of five percent to the examination
84 standing of each applicant who is a veteran, as defined in clause
85 forty-third of section seven of chapter four.

86 *Section 5.* The fee for the first license of a master steamfitter
87 shall be fifteen dollars; for any renewal thereof twenty dollars;
88 and for an examination therefor, five dollars. The fee for the first
89 license of a journeyman shall be five dollars; for any renewal
90 thereof ten dollars; and for an examination therefor, five dollars.
91 The fee for the first license of an apprentice and for a learner
92 steamfitter shall be two dollars; and for any renewal thereof four
93 dollars.

94 *Section 6.* Licenses and certificates issued by the examiners
95 shall be valid throughout the commonwealth, but shall not be
96 assignable or transferrable. The examiners shall forward to the
97 board of health of each town, or to the inspector of buildings
98 having control of the enforcement of regulations relative to
99 steamfitting in such town, the names and addresses of all persons
100 in such town to whom such licenses have been granted. Licenses
101 shall be issued for two years and may be renewed every two years
102 on or before May first, or, in case of absence, sickness or other
103 disability of the holder, on or before such later date as the exam-
104 iners may permit, upon payment of the required fee. Each holder
105 of a master steamfitter's certificate or license shall register his
106 name and business address with said inspector of buildings if he
107 has such control, otherwise with the board of health, in the town
108 wherein he desires to engage in business as a master steamfitter.
109 Any such license or certificate may, after notice and hearing, be
110 suspended or revoked by the examiners upon the violation by the

111 holder thereof of any statute, ordinance, by-law, rule or regula-
112 tion relative to steamfitting, upon failure or refusal of the holder
113 thereof to comply with the rules and requirements of the exam-
114 iners, or for other sufficient cause. In case of failure to renew a
115 license as aforesaid on or before May first in any year or such
116 later date as the examiners may permit as aforesaid, the person
117 named therein may, upon payment of the said fee and, at the
118 discretion of the examiners, a deferred renewal fee of ten dollars,
119 increased by such additional fees as would have been payable had
120 such license been continuously renewed, receive a deferred re-
121 newal thereof which shall expire on the ensuing first day of May;
122 provided, that such renewed license shall not constitute its holder
123 a licensee for any period preceding its issue.

124 *Section 7.* In each city and town the inspector of plumbing
125 appointed pursuant to the provisions of chapter one hundred
126 forty-two shall exercise the powers of an inspector of steamfit-
127 ting, and shall carry out similar inspection and reporting duties
128 with respect to steamfitting as performed for plumbing.

129 *Sectio, 8.* In all cities and towns the examiners, subject to the
130 approval of the department of public health, shall make and from
131 time to time in like manner alter, amend and repeal rules and
132 regulations relative to the construction, alteration, repair and in-
133 spection of steamfitting in such cities and towns, which rules and
134 regulations shall be reasonable, uniform, and based on generally
135 accepted standards of steamfitting practice; provided, however,
136 that the application of such rules and regulations may be varied
137 by the examiners in a particular city or town upon petition of
138 the board of health or health department thereof.

139 *Section 9.* Whoever violates any provision of this chapter
140 shall be punished by a fine of not more than one hundred dollars.

