

Chap. 1098. AN ACT EXEMPTING CERTAIN GROUP RESIDENCES FROM THE REQUIREMENTS OF CERTAIN INSTITUTIONAL BUILDING STANDARDS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 143 of the General Laws is hereby amended by inserting after the definition of "Day care service for children" the following definition: —

"Group residence", a premises, licensed or operated by a department or agency of the commonwealth, for the residential care in any single building of not more than twelve unrelated persons between the ages of seven and fifteen, inclusive, or of not more than the number of persons sixteen years of age or over as may be approved by the licensing or operating department or agency, who are capable of self-preservation as certified in accordance with procedures established by the secretary of human services.

SECTION 2. The definition of "Institution" in said section 1 of said chapter 143, as most recently amended by section 20 of chapter 888 of the acts of 1970, is hereby further amended by adding the following words: — ; provided, however, that no group residence shall be considered an institution.

SECTION 3. Section 15 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 779 of the acts of 1971, and inserting in place thereof the following sentence: — No building which is designed to be used, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as a public building, a public or private school, a hotel or family hotel, or as a factory, workshop or mercantile or other establishment, and which has accommodations for ten or more employees, or as a clinic, hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home housing three or more patients, charitable home for the aged, a group residence, or as a day care service for children, licensed by and under the supervision of the department of public health, grandstand, stadium, bleacher or arena, or for the purpose of providing group care therein by a children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen and no building more than two stories in height designed to be used above the second story, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as an office building, dormitory, apartment house, boarding house, lodging house or tenement house, and to have eight or more rooms above said story, shall be erected, and no alteration shall be made therein, until a copy of the plans and specifications thereof has been deposited with a supervisor of plans by the person causing its erection or alteration or by the architect thereof.

SECTION 4. Section 21 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 3 of said chapter 779, and inserting in place thereof the following sentence: — The owner, lessee or mortgagee in possession of any building, in whole or in part, used as a public building, hotel or family hotel, or as a factory, workshop, mercantile or other establishment, and which has accommodations for ten or more employees, or of a clinic, hospital,

sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary, rest home, charitable home for the aged, a group residence, or of a day care service for children, licensed by and under the supervision of the department of public health, building used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, a grandstand, stadium, bleacher or arena, or of an office building, dormitory, apartment house, boarding house, lodging house or tenement house which has eight or more rooms above the second story, or in which ten or more persons are accommodated, lodge or reside above the second story, to which building sections fifteen to sixty, inclusive, apply, shall provide such building with proper egresses or other means of escape from fire sufficient for the use of all persons employed, lodged or resident therein; provided, that in all buildings subject to this section, other than mercantile establishments, hotels and buildings used solely for office purposes, such egresses or means of escape from fire shall also be sufficient for the use of all persons accommodated or assembled therein; and, in such mercantile establishments, hotels and buildings used solely for office purposes, shall be sufficient, to the greatest extent compatible, in the opinion of the inspector, with the reasonable use thereof, for the use of all persons accommodated or assembled therein; and provided, further, that no owner, lessee or mortgagee in possession of a building subject to any provision of this section shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary, and for thirty days has neglected or refused to provide the same.

SECTION 5. Said chapter 143 is hereby further amended by striking out section 33, as most recently amended by section 4 of said chapter 779, and inserting in place thereof the following section: —

Section 33. In every city, town and district wherein there is in force a building code, so-called, established under authority of section three or corresponding provisions of earlier law or established by or under authority of any other provision of law, the provisions of sections fifteen, seventeen, twenty, twenty-one, twenty-one A, twenty-one B, twenty-one C, twenty-four, twenty-five, twenty-eight, twenty-nine, thirty, thirty-one, forty-two, forty-three, forty-nine, fifty-one, fifty-two, fifty-three, fifty-four, fifty-seven and fifty-nine relative to buildings other than churches, theatres, special halls, public halls, schoolhouses and buildings owned or occupied by the commonwealth or by any county, or other than clinics, hospitals, sanatoria, convalescent or nursing homes, infirmary maintained in a city or town, private infirmaries, rest homes or charitable homes for the aged, licensed by and under the supervision of the department of public health, buildings used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, hotels, family hotels, grandstands, stadia, bleachers, arenas, or group residences licensed or operated by a department or agency of the commonwealth shall, unless otherwise provided, be enforced by the inspector of buildings of such city, town or district and the terms "super-

visor of plans", "chief of inspections" and "inspector", as used in said sections and in sections fifty-five and fifty-six, shall include an inspector of buildings of such city, town or district, and shall be enforced in accordance with the regulations authorized by section fifty-four; in all other cities and towns the provisions of said sections shall be enforced in accordance with their specific terms. *Approved November 15, 1971.*

Chap. 1099. AN ACT PROVIDING FOR THE APPOINTMENT OF REPRESENTATIVES OF THE PUBLIC ON CERTAIN BOARDS OF REGISTRATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by inserting after section 9A the following section:—

Section 9B. (a) A public member or a lay member of any board shall not be, nor shall he have been within the period of five years immediately preceding his appointment, any of the following:—

(1) An employer, or an officer, director, or substantially full-time representative of an employer or group of employers, of any licentiate of such board, except that this shall not preclude the appointment of a person who maintains infrequent employer status with such licentiate, or maintains a client, patient, or customer relationship with any such licentiate which does not constitute more than two per cent of the practice or business of the licentiate.

(2) A person maintaining a contractual relationship with a licentiate of such board, which would constitute more than two per cent of the practice or business of any such licentiate, or an officer, director, or substantially full-time representative of such person or group of persons.

(3) An employee of any licentiate of such board, or a representative of such employee, except that this shall not preclude the appointment of a person who maintains an infrequent employee relationship or a person rendering professional or related services to a licentiate if such employment or service does not constitute more than two per cent of the employment or practice of the member of the board.

(4) A spouse, parent, grandparent, stepmother, stepfather, stepson, stepdaughter, child, grandchild, brother, sister, half brother, half sister, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, niece, nephew, uncle, aunt, of a licentiate of such board.

(b) A public member, or a lay member, shall not have been engaged at any time within five years immediately preceding his appointment in pursuits which lie within the field of the industry or profession regulated by the board of which he is a member, nor shall he engage in any such pursuits during his term of office.

(c) If any board shall as a part of its functions delegate any duty or responsibility to be performed by a single member of such board, such delegation shall not be made solely to any public member or any lay member of the board in any of the following instances:

(1) The actual preparation of, the administration of, and the grading of, examinations.