HOUSE . . . . . No. 1116.

Commonwealth of Massachusetts.

House of Representatives, March 4, 1902.

The committees on Public Lighting and Public Service, sitting jointly, to whom was referred so much of the Governor's address (Senate, No. 1) under the title of "Commissions" as relates to the inspector of gas and gas meters, report the accompanying bill.

For the Committee,

HAROLD P. MOSELEY.

House of Representatives, March 7, 1902.

The committee on Ways and Means, to whom was referred the bill to transfer the powers and duties of the inspector of gas meters and of illuminating gas to the Board of Gas and Electric Light Commissioners, report that the same ought to pass.

For the Committee,

BENJ. C. DEAN.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Two.

AN ACT

To transfer the Powers and Duties of the Inspector of Gas Meters and of Illuminating Gas to the Board of Gas and Electric Light Commissioners.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The powers and duties heretofore conferred and imposed upon the inspector of gas meters and of illuminating gas are hereby conferred and imposed upon the board of gas and electric light commissioners. The care and custody of all property of the Commonwealth in the possession of said inspector is hereby transferred to said board.

SECTION 2. Said board shall have an inspector and one or more assistant inspectors who shall be appointed by the governor, with the advice and consent of the council, for a term of three years from the date of their respective appointments,

and shall be sworn to the faithful performance of their official duties. The inspector, assistant inspectors and the deputy inspectors hereinafter provided for shall not be pecuniarily interested, directly or indirectly, in the manufacture or sale of illuminating gas, gas meters or any article or commodity used by gas light companies or used for any purpose connected with the consumption of gas or with gas companies and shall not give certificates or written opinions to a maker or vendor of any such article or commodity.

SECTION 3. Said inspectors, subject to the rules and regulations prescribed by the board, shall make the inspections of gas required by section fourteen of chapter fifty-eight of the Revised Laws, and shall inspect, examine, ascertain and prove the accuracy of all gas meters which are used for measuring the quantity of illuminating gas and are to be furnished to or for the use of any person, and shall seal, stamp or mark every such meter, if found to be correct, with some suitable device which shall be recorded in the office of the secretary of the Commonwealth and with the name of the inspector, the date of the inspection and the number of burners which the meter is calculated to supply. They shall also perform such other duties and make such report of their doings as the board may require.

SECTION 4. If the inspectors at any time are unable to fully perform the duties required by this

act, the board shall appoint for temporary service one or more deputy inspectors of meters, and shall determine their compensation. Any person now in the service of the inspector of gas and gas meters may be appointed or employed as such deputy without civil service examination. Such deputies shall be sworn, shall act under the direction of said board, shall not be connected with or employed by any gas company, and from their decisions the gas company or the consumer may appeal to the board.

SECTION 5. For examining, comparing and testing meters, with or without stamping them, the board may collect a fee of twenty-five cents for each meter delivering not more than a cubic foot of gas in four revolutions, vibrations or complete repetitions of its action, and for each meter so delivering more than a cubic foot, a fee of thirty cents with twenty cents added for every additional cubic foot so delivered. The board shall designate one of its members to receive said fees, who shall give a bond to the treasurer and receiver-general in the penal sum of five thousand dollars. All fees so received shall be paid into the treasury of the Commonwealth quarterly, on the last day of March, June, September and December of each year.

SECTION 6. The salary of the inspector shall be twenty-five hundred dollars, the salary of the first assistant inspector shall be fifteen hundred

dollars, and the salary of the second assistant inspector, if there be one appointed, shall be twelve hundred dollars; and the board may expend not more than five thousand dollars annually for the compensation of deputies and for necessary apparatus, travelling expenses, office rent and expenses, and other necessary expenses incidental to the duties of said inspectors.

SECTION 7. The amount of the salaries and expenses incurred by the board under this act, less the amount deposited with the treasurer and receiver-general from the fees for the inspection of meters, shall be borne by the several gas companies in proportion to their gross earnings, and shall be assessed and recovered in the manner provided by section ten of chapter one hundred and eleven for the assessment and recovery of the expenses of the railroad commissioners. If at any time, however, the amount collected under the provisions of section five shall exceed the amount of such salaries and expenses, such excess shall be applied to reduce the annual assessment levied upon the several gas companies for the annual expenses of the board under the provisions of chapter one hundred and twenty-one of the Revised Laws.

SECTION 8. Sections one, two, three, four, five, six and seven of chapter fifty-eight, and so much of section seven of chapter nine, of the Revised Laws as relates to the annual report of

the inspector of gas and gas meters, are hereby repealed.

SECTION 9. So much of this act as relates to the appointment of the inspector and assistant inspectors shall take effect upon its passage, and the remainder of this act shall take effect as soon as said officers are appointed and qualified.