

HOUSE No. 1993

The Commonwealth of Massachusetts.

EXECUTIVE DEPARTMENT, BOSTON, April 21st, 1917.

To the Honorable Senate and House of Representatives.

I return herewith without my approval an act "Relative to Roofing Materials Permissible for Use on Buildings in the City of Boston." Until a year ago the Boston building law did not permit the use of asphalt shingles. Chapter 277 of the Special Acts of 1916 added to the material which might be used to cover buildings — "Asphalt shingles of a quality, weight and thickness satisfactory to the Building Commissioner." That officer has refused to approve the kind of asphalt shingles that have been submitted to him. The pending bill proposes to divest him of authority in the premises, and while it does not establish a standard for Massachusetts, it provides for the use of such shingles as may comply with the specifications of and approved by the Underwriters Laboratories Incorporated, a corporation existing under the laws of the State of Illinois. It would seem anomalous to subject the Boston building law to a standard which may be set up not by a national bureau of standards, but by a corporation existing in one of the states and over which the Commonwealth would have no control. I do not doubt that the business of the corporation whose standard it is proposed to adopt is wisely conducted, but it seems to me that the act of last year proceeded on the rational theory of having the standards of the Boston building law maintained and the power to change them reposed in the hands of the law-making power of the Commonwealth or of the officers who were established to administer the law. If it

should appear that too much power was given to the Building Commissioner in the act of 1916 an appeal might well be provided to some board under the laws of the Commonwealth.

But what I have said relates to an incongruity in the structure of the law and to an objection which may seem to be ideal. The building law of the city of Boston is, I am informed, the most advanced building law of any city in the country and under the administration of its present head the tendency has been toward a reduction in fire losses which constitute one of the great drains upon society. I think we should not take the responsibility of weakening any of the restraints of this law. The pending bill is opposed by the Building Commissioner of Boston, by the Fire Commissioner of Boston and by the Fire Prevention Commissioner of the Metropolitan District. These are the leading officers whose jurisdiction extends over the subject. In the face of their unanimous and positive opposition and in view of the incongruity in the structure of the law itself I do not feel warranted in giving the bill my approval. I recognize fully the good purposes inspiring those who are urging the passage of the law, but I do not think we should throw away any of the safeguards established for the protection of the public. The mayor of the city has also expressed a strong opposition to the bill. For the reasons which I have given I am constrained to withhold my approval from the bill.

SAMUEL W. McCALL.

