

expenditure shall be made and no liability incurred hereunder until such acceptance of this act.

*Approved August 6, 1957.*

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*Chap. 637* AN ACT FURTHER REGULATING THE LICENSING OF PERSONS ENGAGED IN THE CONSTRUCTION OF ELEVATORS, MOVING STAIRWAYS AND DUMBWAITERS AND ESTABLISHING A BOARD OF EXAMINERS THEREFOR.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 143 of the General Laws is hereby amended by striking out section 71A, as appearing in section 1 of chapter 626 of the acts of 1945, and inserting in place thereof the following section:— *Section 71A.* There shall be in the department a board to consist of not less than three examiners to be appointed by and serve at the pleasure of the commissioner. Members of said board, excepting the chairman, shall be employees of the department and shall serve without compensation for the performance of their duties as such examiners. The chairman shall be a licensed elevator engineer or a licensed elevator constructor, maintenance man and repairman having not less than ten years' practical experience in the construction, maintenance and repair of elevators. The chairman shall receive such compensation as the commissioner may from time to time determine. Each member shall receive from the commonwealth all expenses necessarily incurred by him in the performance of his duties. As used in sections seventy-one B and seventy-one C, board shall mean the board of examiners appointed under the provisions of this section.

SECTION 2. Said chapter 143 is hereby further amended by striking out section 71B, as amended by chapter 474 of the acts of 1956, and inserting in place thereof the following section:— *Section 71B.* No person shall work as an elevator constructor, maintenance man and repairman in the construction, maintenance or repair of elevators unless he holds a license therefor granted by the board, or a temporary license therefor granted by the commissioner. This section shall not apply to any person who furnishes the commissioner with satisfactory proof that he has worked as an elevator constructor, maintenance man or repairman without direct and immediate supervision for not less than five years immediately prior to July seventeenth, nineteen hundred and forty-five, and such person shall, upon making application for a license and paying the license fee of five dollars, be entitled to receive a license without examination. This section shall not apply to the replacement of fuses, oiling, greasing nor to minor repairs or minor work in connection with maintenance.

SECTION 3. Said chapter 143 is hereby further amended by striking out section 71C, as appearing in section 1 of chapter 626 of the acts of 1945, and inserting in place thereof the following section:— *Section 71C.* (1) The board shall hold

frequent examinations in such city or cities in the commonwealth as it deems necessary. Public notice shall be given of all examinations. Each applicant for a license who furnishes satisfactory proof that he has worked as an elevator constructor, maintenance man or repairman, or as a helper under the direct and immediate supervision of a licensed elevator constructor, maintenance man and repairman, for not less than two years shall be entitled to be examined. A fee of ten dollars shall accompany each application. The board shall subject each applicant to a written examination and to such practical tests as it may deem necessary, and if found by the board to be qualified, the applicant shall be granted a license as an elevator constructor, maintenance man and repairman. Each application shall entitle the applicant to one examination. Licenses shall be issued for two years, shall be valid throughout the commonwealth but shall not be assignable or transferable. The fee for each renewal thereof shall be two dollars if the license is renewed within thirty days after the date of its expiration, and if not so renewed shall be five dollars. Any license may, after notice and hearing, be suspended or revoked by the board for a violation by the holder of any statute or regulation relative to elevators, for incompetency or untrustworthiness of the holder, or for other sufficient cause. Upon suspension or revocation of a license, the holder thereof shall deliver the certificate of such license forthwith to the board. Any applicant or holder of a license aggrieved by the action of the board in denying, revoking or suspending a license may, within ten days, appeal therefrom to the board of elevator regulations whose decision shall be final. Failure of the board to act upon any application for a period of sixty days after the filing thereof shall be deemed to constitute a denial.

(2) Whenever the commissioner finds that an emergency exists in the commonwealth due to disaster or an act of God and that the number of persons in the commonwealth holding licenses granted by the board is insufficient to cope with the emergency, he may issue temporary licenses to such non-residents as have been certified to him by recognized elevator companies doing business in the commonwealth as qualified and competent, and furnish such proof of competency as the commissioner may require. Each such license shall recite that it is valid for the period of one week from the date thereof and for such particular elevators or geographical areas as the commissioner may designate and otherwise shall entitle the licensee to the rights and privileges of a license issued under subdivision (1) of this section. A temporary license may be renewed by the commissioner from week to week during the existence of the emergency. No fee shall be charged for any such license or renewal thereof. No appeal shall lie from any decision, finding or action by the commissioner under this subdivision.

SECTION 4. Said chapter 143 is hereby further amended by striking out section 71D, inserted by chapter 495 of the

acts of 1946, and inserting in place thereof the following section: — *Section 71D*. Whoever works as a constructor, maintenance man and repairman in the construction, maintenance or repair of elevators without a license, or during the suspension thereof, or without a temporary license, or whoever violates any provision of section seventy-one B or seventy-one C, shall be punished by a fine of not less than fifty nor more than three hundred dollars, or by imprisonment for not more than six months.

SECTION 4A. Said chapter 143 is hereby further amended by striking out section 71E, inserted by chapter 475 of the acts of 1956, and inserting in place thereof the following section: — *Section 71E*. As used in sections sixty-two through seventy-one F, the term “elevator” shall include moving stairways and dumbwaiters.

SECTION 5. Said chapter 143 is hereby further amended by inserting after said section 71E the following section: — *Section 71F*. Such license or temporary license shall not be required for the installation of signal systems, fans, telephones, electric light fixtures, illuminated thresholds and feed wires to the terminals on the elevator main line control, nor shall they apply to electrical work in connection with the interlocking devices, so called, on other than automatic elevators, if such installation is made by a person licensed under chapter one hundred and forty-one.

SECTION 6. Section two of chapter six hundred and twenty-six of the acts of nineteen hundred and forty-five is hereby repealed. *Approved August 6, 1957.*

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*Chap. 638* AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO LEASE LAND AT INSTITUTIONS UNDER ITS CONTROL FOR THE ERECTION OF CHAPELS THEREON.

*Be it enacted, etc., as follows:*

Chapter 123 of the General Laws is hereby amended by inserting after section 6 the following section: — *Section 6A*. The department, after a determination by the commissioner, subject to the approval of the trustees of the respective institutions, that it is in the best interests of the patients, may lease, upon such terms and conditions as may be stipulated by the commissioner, sufficient land belonging to state institutions described in section twenty-five for the purpose of constructing thereon chapels for the use of the patients of said institutions. The lease shall remain in full force and effect so long as a chapel for said patients is maintained thereon and so long as it shall be maintained in a physical condition satisfactory to the superintendent and to the commissioner of mental health.

The commissioner shall select the lessees in each case, and the design and location of each chapel shall be subject to his approval.

Nothing contained herein shall be construed to deprive any patient, regardless of his religious belief, of an equal op-