

HOUSE BILL 798
EMERGENCY BILL

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C2

2003 Regular Session
3r0031

By: **Chairman, Economic Matters Committee (By Request - Departmental -
Labor, Licensing and Regulation)**

Introduced and read first time: February 7, 2003

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **Elevator Renovators and Refinishers**

3 FOR the purpose of establishing certain elevator renovator licenses; establishing
4 certain fees for the elevator renovator licenses; requiring the Elevator Safety
5 Review Board to adopt certain regulations regarding elevator renovators;
6 requiring certain elevator renovators to hold a license by a certain date; defining
7 certain terms; providing for the effective date of certain provisions of this Act;
8 providing for the termination of certain provisions of this Act; making this Act
9 an emergency measure; and generally relating to elevator renovators and
10 refinishers.

11 BY repealing and reenacting, with amendments,
12 Article 89 - Miscellaneous Business, Work, and Safety Provisions
13 Section 49C(a), (g)(3), (h), (i), (j), and (n)
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2002 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article 89 - Miscellaneous Business, Work, and Safety Provisions
18 Section 49C(m)
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2002 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article - Public Safety

1 Section 12-801(a), (b), (g), and (h) and 12-831
2 Annotated Code of Maryland
3 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2003)

4 BY repealing and reenacting, with amendments,
5 Article - Public Safety
6 Section 12-801(i) through (n), inclusive, 12-824, 12-826, 12-827, 12-828, and
7 12-832
8 Annotated Code of Maryland
9 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2003)

10 BY adding to
11 Article - Public Safety
12 Section 12-801(i), (j), and (k)
13 Annotated Code of Maryland
14 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of
15 2003)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 89 - Miscellaneous Business, Work, and Safety Provisions**

19 49C.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) "Board" means the Elevator Safety Review Board.

22 (3) (i) "Elevator apprentice" means a person who works under the
23 direct supervision of a licensed elevator mechanic OR A LICENSED ELEVATOR
24 RENOVATOR MECHANIC.

25 (ii) "Elevator apprentice" includes a person commonly known as an
26 elevator helper while working under the direct supervision of a licensed elevator
27 mechanic OR A LICENSED ELEVATOR RENOVATOR MECHANIC.

28 (4) "Elevator contractor" means a person who is engaged in the business
29 of erecting, constructing, wiring, altering, replacing, maintaining, repairing,
30 dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks.

31 (5) "ELEVATOR REFINISHER" MEANS A PERSON WHO IS ENGAGED IN
32 THE REFINISHING OF EXISTING METAL AND WOOD ELEMENTS IN ELEVATOR CABS,
33 INCLUDING THE STRIPPING OF OLD LACQUER ON WOOD AND BRONZE ITEMS,
34 STAINING WOOD TO MATCH EXISTING FINISHES, CLEANING, POLISHING, OXIDIZING,
35 PAINTING, LACQUERING, AND THE REMOVING OF SCRATCHES TO MAINTAIN
36 EXISTING FINISHES.

1 (6) "ELEVATOR RENOVATOR CONTRACTOR" MEANS A PERSON WHO IS
2 ENGAGED IN THE BUSINESS OF PERFORMING WORK:

3 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL
4 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
5 CEILING, FLOOR, RAIL, OR HANDLE; AND

6 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING
7 OPERATION.

8 (7) "ELEVATOR RENOVATOR MECHANIC" MEANS A PERSON WHO
9 PERFORMS WORK:

10 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL
11 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
12 CEILING, FLOOR, RAIL, OR HANDLE; AND

13 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING
14 OPERATION.

15 [(5)] (8) "Elevator mechanic" means a person who is engaged in erecting,
16 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or
17 servicing elevators, dumbwaiters, escalators, and moving walks.

18 [(6)] (9) "License" includes:

19 (i) An elevator contractor license; [and]

20 (ii) An elevator mechanic license;

21 (III) AN ELEVATOR RENOVATOR CONTRACTOR LICENSE; AND

22 (IV) AN ELEVATOR RENOVATOR MECHANIC LICENSE.

23 (g) (3) (i) The Board shall establish fees for the application, issuance, and
24 renewal of licenses issued under this section.

25 (ii) The total amount of fees in subparagraph (i) of this paragraph
26 may not exceed \$100 per year for an elevator mechanic OR ELEVATOR RENOVATOR
27 MECHANIC and \$150 per year for an elevator contractor OR AN ELEVATOR
28 RENOVATOR CONTRACTOR which may be collected for the 2-year period of the
29 license.

30 (h) (1) Except as otherwise provided in this section, a person shall be
31 licensed by the Board as an elevator mechanic before the person erects, constructs,
32 wires, alters, replaces, maintains, repairs, dismantles, or services elevators,
33 dumbwaiters, escalators, and moving walks in the State.

34 (2) (i) Except as otherwise provided in this section, a person shall be
35 licensed by the Board as an elevator contractor before the person engages in the
36 business of erecting, constructing, wiring, altering, replacing, maintaining, repairing,

1 dismantling, or servicing elevators, dumbwaiters, escalators, and moving walks in the
2 State.

3 (ii) A licensed elevator contractor is not required for removing or
4 dismantling conveyances that are destroyed as a result of a complete demolition of a
5 building or where the hoistway or wellway is demolished back to the basic support
6 structure.

7 (3) (I) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON
8 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR CONTRACTOR
9 BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR RENOVATING.

10 (II) BY JUNE 1, 2004, A PERSON WHO ENGAGES IN THE BUSINESS OF
11 ELEVATOR RENOVATING FOR A BUSINESS INCORPORATED BEFORE JANUARY 1, 2002,
12 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR CONTRACTOR
13 BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR RENOVATING.

14 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON
15 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR MECHANIC
16 BEFORE THE PERSON PERFORMS ELEVATOR RENOVATOR WORK.

17 [(3)] (5) A license is not required for an elevator apprentice.

18 (6) A LICENSE IS NOT REQUIRED FOR AN ELEVATOR REFINISHER.

19 (i) (1) An applicant for an elevator mechanic license shall:

20 (i) Have an acceptable combination of documented experience and
21 education credits, with at least 3 years of recent and active work experience in the
22 elevator industry, in construction, maintenance, and service/repair, as verified by
23 current and previous employers and satisfactorily complete a written examination
24 administered by the Board on the most recent referenced codes and standards;

25 (ii) Upon completion of 3 years of work experience as provided in
26 item (i) of this paragraph, have a certificate of completion of the mechanic
27 examination of a nationally recognized training program for the elevator industry
28 such as the National Elevator Industry Educational Program or its equivalent; or

29 (iii) Have a certificate of completion of an apprenticeship program
30 for elevator mechanics, with standards substantially equal to those of this section and
31 registered with the Bureau of Apprenticeship and Training, U.S. Department of
32 Labor, or a State apprenticeship council.

33 (2) An applicant who provides the Board with acceptable proof that the
34 applicant has worked as an elevator contractor or maintenance or repair person is
35 entitled to a license without examination if the applicant:

36 (i) Possesses sufficient ability and skill and a minimum of 3 years
37 of experience that is acceptable to the Board; and

1 (ii) Applies for the license on or before September 30, 2002.

2 (3) An applicant for an elevator contractor license shall have at least 5
3 years of work experience in the elevator industry in construction, maintenance,
4 service, or repair.

5 (4) THE BOARD SHALL ADOPT REGULATIONS GOVERNING:

6 (I) THE QUALIFICATION OF AN APPLICANT FOR AN ELEVATOR
7 RENOVATOR CONTRACTOR LICENSE AND AN APPLICANT FOR AN ELEVATOR
8 RENOVATOR MECHANIC LICENSE; AND

9 (II) THE SCOPE OF PRACTICE OF A LICENSED ELEVATOR
10 RENOVATOR CONTRACTOR AND A LICENSED ELEVATOR RENOVATOR MECHANIC.

11 (j) (1) An applicant for a license shall:

12 (i) Submit to the Board an application on the form that the Board
13 provides;

14 (ii) Submit to the Board any proof of eligibility the Board requires;
15 and

16 (iii) Pay to the Board or a designee of the Board, a nonrefundable
17 application fee set by the Board.

18 (2) Each application shall contain the following information:

19 (i) If an individual, the name, residence, and business address of
20 the applicant;

21 (ii) If a partnership, the name, residence, and business address of
22 each partner;

23 (iii) If a domestic corporation, the name and business address of the
24 corporation and the name and residence address of the principal officer of the
25 corporation and if a corporation other than a domestic corporation, the name and
26 address of an agent located locally who shall be authorized to accept service of
27 process;

28 (iv) The number of years the applicant has engaged in the business
29 of installing, altering, repairing, RENOVATING, or servicing elevators;

30 (v) The approximate number of individuals, if any, to be employed
31 by the elevator contractor OR ELEVATOR RENOVATOR CONTRACTOR applicant, and if
32 applicable, satisfactory evidence that the employees are or will be covered by workers'
33 compensation insurance;

34 (vi) Satisfactory evidence that the applicant is or will be covered by
35 general liability, personal injury, and property damage insurance; and

1 (vii) Any other information that the Board requires.

2 (m) (1) If an applicant qualifies for a license under this section, the Board
3 shall send the applicant a notice that states:

4 (i) The applicant has qualified for a license; and

5 (ii) On receipt of a license fee set by the Board, the Board shall
6 issue a license to the applicant.

7 (2) On payment of the license fee, the Board shall issue a license to each
8 applicant who meets the requirements of this section.

9 (n) (1) While an elevator mechanic license is in effect, it authorizes the
10 licensee to erect, construct, wire, alter, replace, maintain, repair, dismantle, or service
11 elevators, dumbwaiters, escalators, and moving walks under the direct supervision of
12 a licensed elevator contractor.

13 (2) While an elevator contractor license is in effect, it authorizes the
14 licensee to engage in the business of erecting, constructing, wiring, altering,
15 replacing, maintaining, repairing, dismantling, or servicing elevators, dumbwaiters,
16 escalators, and moving walks.

17 (3) WHILE AN ELEVATOR RENOVATOR CONTRACTOR LICENSE IS IN
18 EFFECT, IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF
19 PERFORMING WORK:

20 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL
21 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
22 CEILING, FLOOR, RAIL, OR HANDLE; AND

23 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING
24 OPERATION.

25 (4) WHILE AN ELEVATOR RENOVATOR MECHANIC LICENSE IS IN
26 EFFECT, IT AUTHORIZES THE LICENSEE TO PERFORM WORK:

27 (I) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL
28 OR INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
29 CEILING, FLOOR, RAIL, OR HANDLE; AND

30 (II) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING
31 OPERATION.

32 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
33 read as follows:

Article - Public Safety

1 12-801.

2 (a) In this subtitle the following words have the meanings indicated.

3 (b) "Board" means the Elevator Safety Review Board.

4 (g) "Elevator contractor" means a person who is engaged in the business of
5 erecting, constructing, wiring, altering, replacing, maintaining, repairing,
6 dismantling, or servicing elevator units.

7 (h) "Elevator mechanic" means a person who is engaged in erecting,
8 constructing, wiring, altering, replacing, maintaining, repairing, dismantling, or
9 servicing elevator units.

10 (I) "ELEVATOR REFINISHER" MEANS A PERSON WHO IS ENGAGED IN THE
11 REFINISHING OF EXISTING METAL AND WOOD ELEMENTS IN ELEVATOR CABS,
12 INCLUDING THE STRIPPING OF OLD LACQUER ON WOOD AND BRONZE ITEMS,
13 STAINING WOOD TO MATCH EXISTING FINISHES, CLEANING, POLISHING, OXIDIZING,
14 PAINTING, LACQUERING, AND THE REMOVING OF SCRATCHES TO MAINTAIN
15 EXISTING FINISHES.

16 (J) "ELEVATOR RENOVATOR CONTRACTOR" MEANS A PERSON WHO IS
17 ENGAGED IN THE BUSINESS OF PERFORMING WORK:

18 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR
19 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
20 CEILING, FLOOR, RAIL, OR HANDLE; AND

21 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

22 (K) "ELEVATOR RENOVATOR MECHANIC" MEANS A PERSON WHO PERFORMS
23 WORK:

24 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR
25 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
26 CEILING, FLOOR, RAIL, OR HANDLE; AND

27 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

28 [(i)] (L) "Elevator unit" includes an elevator, escalator, dumbwaiter, and
29 moving walk.

30 [(j)] (M) "Escalator" means a power driven, inclined, continuous stairway used
31 for raising and lowering passengers.

32 [(k)] (N) "License" includes:

33 (1) an elevator contractor license; [and]

- 1 (2) an elevator mechanic license;
- 2 (3) AN ELEVATOR RENOVATOR CONTRACTOR LICENSE; AND
- 3 (4) AN ELEVATOR RENOVATOR MECHANIC LICENSE.

4 [(l)] (O) "Moving walk" means a type of passenger-carrying device on which
5 passengers stand or walk and in which the passenger-carrying surface remains
6 parallel to its direction of motion and is uninterrupted.

7 [(m)] (P) "Safety Code" means the American National Standard/American
8 Society of Mechanical Engineers Safety Code for elevators, dumbwaiters, escalators,
9 and moving walks, known as ANSI A17.1-1971, and all subsequent amendments and
10 revisions to it, as adopted by the Commissioner.

11 [(n)] (Q) "Secretary" means the Secretary of Labor, Licensing, and Regulation.
12 12-824.

13 (a) The Board shall establish fees for the application, issuance, and renewal of
14 licenses issued under Part III of this subtitle.

15 (b) The total amount of fees established under subsection (a) of this section
16 may not exceed, for the 2-year term of the license:

17 (1) \$100 per year for an elevator mechanic OR ELEVATOR RENOVATOR
18 MECHANIC; and

19 (2) \$150 per year for an elevator contractor OR ELEVATOR RENOVATOR
20 CONTRACTOR.

21 12-826.

22 (a) Except as otherwise provided in Part III of this subtitle, a person shall be
23 licensed by the Board as an elevator mechanic before the person erects, constructs,
24 wires, alters, replaces, maintains, repairs, dismantles, or services elevator units in
25 the State.

26 (b) Except as otherwise provided in Part III of this subtitle, a person shall be
27 licensed by the Board as an elevator contractor before the person engages in the
28 business of erecting, constructing, wiring, altering, replacing, maintaining, repairing,
29 dismantling, or servicing elevator units in the State.

30 (C) (1) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A
31 PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR
32 CONTRACTOR BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR
33 RENOVATING.

34 (2) BY JUNE 1, 2004, A PERSON WHO ENGAGES IN THE BUSINESS OF
35 ELEVATOR RENOVATING FOR A BUSINESS INCORPORATED BEFORE JANUARY 1, 2002,

1 SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR CONTRACTOR
2 BEFORE THE PERSON ENGAGES IN THE BUSINESS OF ELEVATOR RENOVATING.

3 (D) EXCEPT AS OTHERWISE PROVIDED IN PART III OF THIS SUBTITLE, A
4 PERSON SHALL BE LICENSED BY THE BOARD AS AN ELEVATOR RENOVATOR
5 MECHANIC BEFORE THE PERSON PERFORMS ELEVATOR RENOVATOR WORK.

6 [(c)] (E) (1) A licensed elevator contractor is not required for removing or
7 dismantling an elevator unit if:

8 (i) the elevator unit is destroyed as a result of a complete
9 demolition of a building; or

10 (ii) a hoistway or wellway is demolished back to the basic support
11 structure.

12 (2) (i) An individual who works as an elevator apprentice under the
13 direct supervision of a licensed elevator mechanic OR LICENSED ELEVATOR
14 RENOVATOR MECHANIC need not obtain a license.

15 (ii) An individual commonly known as an elevator helper who
16 works under the direct supervision of a licensed elevator mechanic OR A LICENSED
17 ELEVATOR RENOVATOR MECHANIC need not obtain a license.

18 (3) AN ELEVATOR REFINISHER NEED NOT OBTAIN A LICENSE.

19 12-827.

20 (a) An applicant for an elevator mechanic license shall:

21 (1) (i) have an acceptable combination of documented experience and
22 education credits, with at least 3 years of recent and active work experience in the
23 elevator industry, in construction, maintenance, and service or repair, as verified by
24 current and previous employers; and

25 (ii) pass a written examination administered by the Board on the
26 Safety Code;

27 (2) (i) have completed at least 3 years of recent and active work
28 experience in the elevator industry, in construction, maintenance, and service or
29 repair, as verified by current and previous employers; and

30 (ii) have a certificate of completion of the mechanic examination of
31 a nationally recognized training program for the elevator industry such as the
32 National Elevator Industry Educational Program or its equivalent; or

33 (3) have a certificate of completion of an apprenticeship program for
34 elevator mechanics that has standards substantially equivalent to those of Part III of
35 this subtitle and is registered with the Bureau of Apprenticeship and Training of the
36 U.S. Department of Labor or a state apprenticeship council.

1 (b) An applicant for an elevator contractor license shall have at least 5 years of
2 work experience in the elevator industry in construction, maintenance, service, or
3 repair.

4 (C) THE BOARD SHALL ADOPT REGULATIONS GOVERNING:

5 (1) THE QUALIFICATIONS OF AN APPLICANT FOR AN ELEVATOR
6 RENOVATOR CONTRACTOR LICENSE AND AN APPLICANT FOR AN ELEVATOR
7 RENOVATOR MECHANIC LICENSE; AND

8 (2) THE SCOPE OF PRACTICE OF A LICENSED ELEVATOR RENOVATOR
9 CONTRACTOR AND A LICENSED ELEVATOR RENOVATOR MECHANIC.

10 12-828.

11 (a) (1) An applicant for a license shall:

12 (i) submit to the Board an application on the form that the Board
13 provides;

14 (ii) submit to the Board any proof of eligibility that the Board
15 requires; and

16 (iii) pay to the Board or designee of the Board an application fee set
17 by the Board.

18 (2) The application fee is nonrefundable.

19 (b) Each application shall contain the following information:

20 (1) if the applicant is an individual, the name, residence, and business
21 address of the applicant;

22 (2) if the applicant is a partnership, the name, residence, and business
23 address of each general partner;

24 (3) if the applicant is a domestic corporation, the name and business
25 address of the corporation and the name and residence address of the principal officer
26 of the corporation;

27 (4) if the applicant is a corporation other than a domestic corporation,
28 the name and address of the resident agent;

29 (5) the number of years the applicant has engaged in the business of
30 installing, altering, repairing, RENOVATING, or servicing elevators;

31 (6) the approximate number of individuals, if any, to be employed by an
32 applicant that is an elevator contractor OR ELEVATOR RENOVATOR CONTRACTOR
33 and, if applicable, evidence satisfactory to the Board that the employees are or will be
34 covered by workers' compensation insurance;

1 (7) evidence satisfactory to the Board that the applicant is or will be
2 covered by general liability, personal injury, and property damage insurance; and

3 (8) any other information that the Board requires.

4 12-831.

5 (a) If an applicant qualifies for a license under Part III of this subtitle, the
6 Board shall send the applicant a notice that states:

7 (1) the applicant has qualified for a license; and

8 (2) on receipt of a license fee set by the Board, the Board shall issue a
9 license to the applicant.

10 (b) On payment of the license fee, the Board shall issue a license to each
11 applicant who meets the requirements of Part III of this subtitle.

12 12-832.

13 (a) While an elevator mechanic license is in effect, it authorizes the licensee to
14 erect, construct, wire, alter, replace, maintain, repair, dismantle, or service elevator
15 units under the direct supervision of a licensed elevator contractor.

16 (b) While an elevator contractor license is in effect, it authorizes the licensee
17 to engage in the business of erecting, constructing, wiring, altering, replacing,
18 maintaining, repairing, dismantling, or servicing elevator units.

19 (C) WHILE AN ELEVATOR RENOVATOR CONTRACTOR LICENSE IS IN EFFECT,
20 IT AUTHORIZES THE LICENSEE TO ENGAGE IN THE BUSINESS OF PERFORMING
21 WORK:

22 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR
23 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
24 CEILING, FLOOR, RAIL, OR HANDLE; AND

25 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

26 (D) WHILE AN ELEVATOR RENOVATOR MECHANIC LICENSE IS IN EFFECT, IT
27 AUTHORIZES THE LICENSEE TO PERFORM WORK:

28 (1) ON THE INTERIOR OF AN ELEVATOR INVOLVING THE REMOVAL OR
29 INSTALLATION OF THE NONSTRUCTURAL SURFACE OF THE ELEVATOR'S WALL,
30 CEILING, FLOOR, RAIL, OR HANDLE; AND

31 (2) THAT DOES NOT AFFECT THE ELEVATOR'S MOVING OPERATION.

32 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
33 take effect on the taking effect of Chapter ____ (S.B. 1) of the Acts of the General
34 Assembly of 2003. If Section 2 of this Act takes effect, Section 1 of this Act shall be
35 abrogated and of no further force and effect.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety,
3 has been passed by a yea and nay vote supported by three-fifths of all the members
4 elected to each of the two Houses of the General Assembly, and, except as provided in
5 Section 3 of this Act, shall take effect from the date it is enacted.