

Mr. KING. I think one reason perhaps there was no objection is because in these type of cases where there is a conviction that the judges generally impose a maximum penalty, which is now permitted, but I suppose that is probably one reason why there was no objection to a \$100 minimum.

Mr. Dowdy. I was trying to catch up on some of this, and I don't know whether I followed your answers to Mr. Sisk's question about conflict of authority that might arise between your Industrial Safety and the Minimum Wage Board and the Department of Public Health and the Department of Licenses and Inspections, and building and construction regulations.

It seems difficult to me for a business or an industry, for instance, to have several departments of government making different rules about identical matters, and as I gather it here, you would make regulations concerning the way a building is built or some particular part of it?

Mr. GREENE. No, no, we make no regulations about how the building is built. That is the duty and the authority of the Department of Licenses and Inspections. The problem is this. That once the building is erected according to their regulations, the building gets changed. Many times it is changed and they know nothing about it.

Railings are torn down. They have added shelving in buildings, and sometimes they start using this as work platforms. Then when we make the inspections in the buildings, this is when we get involved in these problems of structural defects in the building.

Mr. Dowdy. Wouldn't they still have authority to make —

Mr. GREENE. If it is not covered by the building code, they do not take the authority. The point is that I have called the Building Department, involving a condition of some racks in a building, where apparently you could look at them and see where the board was swaying by the weight of material, and I called them to tell them about it, they said "They weren't put up with a permit", that we have nothing to do with it.

Now when we ordered these particular shelvings beefed up, because they had workers going in under these things and come out, we had these things beefed up, then they complied with it. There was no trouble, there was no conflict. The only conflict involved was when it came to these stair railings, and it happened to become a conflict when they had this grandfather clause in here about a building constructed after 1946.

Mr. KNEPP. Mr. Chairman, I wonder if I might state Mr. Greene's proposition in a slightly different way. The building code that is applicable to the construction of buildings or to their alteration is prospective only. It isn't retroactive except for some features that have to do with fire safety. But the building code is prospective, and the person who builds a building or alters a building does so for a certain proposed use.

Now what Mr. Greene is saying I believe is that after the building has been built, in accordance with the plans for a certain proposed use, the occupant of the building uses it in a different way than was proposed at the time of its construction.

He may, as Mr. Greene has said, he may put in more people than the building was intended to accommodate. He may use it for different