

ACTS  
and  
RESOLVES

PASSED BY THE

**General Court of Massachusetts**

IN THE YEAR

1960

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PUBLISHED BY

**JOSEPH D. WARD**

**Secretary of the Commonwealth**

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ACTS AND RESOLVES

OF

MASSACHUSETTS

1960

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☞ The General Court, which was chosen November 4, 1958, assembled on Wednesday, the sixth day of January, 1960, for its second annual session.

His Excellency FOSTER FURCOLO and His Honor ROBERT F. MURPHY continued to serve as Governor and Lieutenant Governor, respectively, for the political year of 1960.

# ACTS.

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- Chap. 1.** AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO APPROPRIATE A SUM OF MONEY TO ADVERTISE THE ADVANTAGES OF SAID TOWN.

*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 town of Marblehead may, by majority vote, appropriate each year a sum, not exceeding four thousand dollars, for advertising the recreational and other advantages of said town. The money so appropriated shall be expended under the direction of the selectmen.

SECTION 2. This act shall take effect upon its passage.

*Approved January 25, 1960.*

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- Chap. 2.** AN ACT INCREASING THE AMOUNT THE TOWN OF CHATHAM MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES.

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

SECTION 1. Section 1 of chapter 52 of the acts of 1953 is hereby amended by striking out, in lines 2 and 3, the words "twenty-five hundred" and inserting in place thereof the words:—three thousand,—so as to read as follows:—*Section 1.* The town of Chatham may, by a majority vote, appropriate each year a sum not exceeding three thousand dollars for advertising the advantages of the town. The money so appropriated by said town shall be expended under the direction of the selectmen.

SECTION 2. This act shall take effect upon its passage.

*Approved January 25, 1960.*

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- Chap. 3.** AN ACT AUTHORIZING MUNICIPALITIES TO APPROPRIATE MONEY FOR HEARING AIDS FOR NEEDY SCHOOL CHILDREN.

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

Clause (40) of section 5 of chapter 40 of the General Laws, inserted by chapter 185 of the acts of 1937, is hereby amended by striking out, in line 1, the words "and spectacles" and inserting in place thereof the words:— , spectacles and hearing aids,—so as to read as follows:—

(40) To provide eyeglasses, spectacles and hearing aids for school children eighteen years of age or under who are in need thereof and whose parents or guardians are financially unable to furnish the same. Money so appropriated shall be expended under the direction of the mayor and city council of a city and the selectmen of a town.

*Approved January 25, 1960.*

**Chap. 4.** AN ACT PROVIDING LIFE TENURE FOR SHERWOOD WINCHESTER, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF LUNENBURG.

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

SECTION 1. The tenure of office of Sherwood Winchester, incumbent of the office of chief of police of the town of Lunenburg, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Lunenburg present and voting thereon at an annual town meeting. *Approved January 26, 1960.*

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**Chap. 5.** AN ACT PROVIDING LIFE TENURE FOR GEORGE W. WATSON, INCUMBENT OF THE OFFICE OF LIEUTENANT OF POLICE OF THE TOWN OF DRACUT.

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

SECTION 1. The tenure of office of George W. Watson, the incumbent of the office of lieutenant of police of the town of Dracut, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at an annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing life tenure for George W. Watson, incumbent of the office of lieutenant of police of the town of Dracut', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved January 26, 1960.*

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**Chap. 6.** AN ACT TO PROVIDE UNLIMITED TENURE FOR DONALD MACDONALD, INCUMBENT OF THE OFFICE OF HARBORMASTER OF THE TOWN OF PLYMOUTH.

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

SECTION 1. The tenure of office of Donald MacDonald, incumbent of the office of harbormaster of the town of Plymouth, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance by said town at the annual town meeting in the year nineteen hundred and sixty in

the form of the following question, which shall be placed on the official ballot to be used for the election of town officers at said meeting:—  
 “Shall an act passed by the General Court in the current year, entitled ‘An Act to provide unlimited tenure for Donald MacDonald, incumbent of the office of harbor-master of the town of Plymouth’, be accepted?” If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.  
*Approved January 26, 1960.*

**Chap. 7.** AN ACT PROVIDING LIFE TENURE FOR AUGUST R. FUNKE, INCUMBENT OF THE OFFICE OF TOWN TREASURER OF THE TOWN OF NORTH ATTLEBOROUGH.

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

SECTION 1. The tenure of office of August R. Funke, incumbent of the office of town treasurer of the town of North Attleborough, shall be unlimited. Said incumbent shall not be removed or suspended from office, except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town election to be held in the current year, in the form of the following question which shall be placed upon the official ballot to be used in said election:—“Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled ‘An Act providing life tenure for August R. Funke, incumbent of the office of town treasurer of the town of North Attleborough’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.  
*Approved January 26, 1960.*

**Chap. 8.** AN ACT PROVIDING LIFE TENURE FOR HERBERT J. JASON, CHIEF OF POLICE OF THE TOWN OF YARMOUTH.

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

SECTION 1. The tenure of office of Herbert J. Jason, incumbent of the office of chief of police of the town of Yarmouth, shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—“Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled ‘An Act providing life tenure for Herbert J. Jason, chief of police of the town of Yarmouth’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved January 27, 1960.*

**Chap. 9.** AN ACT PLACING THE POSITIONS OF REGULAR OR PERMANENT MEMBERS OF THE POLICE FORCE OF THE TOWN OF NORTH READING UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The positions of regular or permanent members of the police force, of the town of North Reading shall, upon the effective date of this act, be subject to the civil service laws and rules relative to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of each such position on said effective date shall be subjected to a qualifying examination for such position by the division of civil service, and, if he passes said examination, shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of North Reading at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the positions of regular or permanent members of the police force of the town of North Reading under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved January 27, 1960.*

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**Chap. 10.** AN ACT VALIDATING AND CONFIRMING THE LOCATION AND LAYING OUT OF SEWERS IN THE TOWN OF WESTBOROUGH.

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

SECTION 1. The location and laying out of all sewers laid out during the years nineteen hundred and fifty-eight and nineteen hundred and fifty-nine by the board of sewer commissioners of the town of Westborough, in so far as such location and laying out may be invalid by reason of failure to comply with any applicable provisions of the General Laws, is hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved January 27, 1960.*

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**Chap. 11.** AN ACT EXTENDING THE TIME FOR ACCEPTANCE OF AN ACT ESTABLISHING A FIFTY-SIX HOUR WEEK FOR THE PERMANENT MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF WARE.

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

SECTION 1. Chapter 79 of the acts of 1959 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* This act shall be submitted for acceptance by the voters of said town at its annual town meeting in the year nineteen

hundred and sixty in the form of the following question, which shall be placed on the official ballot to be used at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act establishing a fifty-six hour week for the permanent members of the fire department in the town of Ware', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

SECTION 2. This act shall take effect upon its passage.

*Approved January 27, 1960.*

**Chap. 12.** AN ACT AUTHORIZING THE TOWN OF OXFORD TO SELL AND CONVEY TO THE FIRST CONGREGATIONAL CHURCH OF OXFORD CERTAIN PARK LAND.

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

SECTION 1. The town of Oxford is hereby authorized to sell and convey to the First Congregational Church of Oxford, certain park land situated on the easterly side of Main Street, Oxford, bounded and described as follows:—

Beginning at a point at the intersection of the easterly line of Main Street and the southeasterly line, now or formerly, of East Main Street at land formerly of Irving J. Johnson; thence northeasterly along said southeasterly line of East Main Street by said land formerly of said Johnson to a point at land now or formerly of the Roman Catholic Bishop of Worcester; thence westerly along a line in continuation of the boundary line between said land of the Roman Catholic Bishop of Worcester and land formerly of said Johnson to a point on the easterly line of Main Street; thence southerly along the easterly line of said Main Street to the point of beginning.

SECTION 2. This act shall take effect upon its acceptance during the current year by the board of selectmen of the town of Oxford.

*Approved January 27, 1960.*

**Chap. 13.** AN ACT AUTHORIZING THE TOWN OF SPENCER TO ALLOW THE USE OF ITS EQUIPMENT WITH ITS OPERATOR ON PRIVATE PROPERTY FOR CERTAIN PURPOSES.

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

SECTION 1. For the purpose of utilizing its mechanical equipment to the greatest extent, furnishing more continuous employment for its employees and increasing the taxable value of the real estate within its boundaries, the town of Spencer is hereby granted authority to enter into agreements, through its selectmen, to rent its mechanical equipment with the operator thereof, when not needed for the use of the town, to private individuals for use on private property within the boundaries of said town. Said authority to enter into an agreement shall not be exercised unless and until the selectmen of the town have in their possession releases executed by the private individual and all employees of the town to be employed on such work to save the

town harmless on account of any loss, cost or damages ensuing from the performance of such a rental agreement, including loss, cost or damages to equipment so rented, reasonable wear and tear excepted; nor until a cash deposit equal in amount to the estimated rentals to be paid under said agreement, as determined by the selectmen, is paid over to the town; nor until policies of workmen's compensation insurance and public liability insurance satisfactory to the selectmen have been taken out by the private individual or individuals covering the proposed work.

The costs of said rentals shall be paid by said private individuals. All bills and pay rolls chargeable for work done under such rental agreement shall be plainly marked to indicate that the work was done under authority of and in pursuance of said agreement, and shall be charged against the advance cash deposit which shall be credited on the books of the town in a separate account. Any excess of said charges over the cash deposit shall be paid over by the private individual to the town upon demand of the selectmen or the town treasurer. Any remaining balance in the special cash deposit account, after the completion of the rental agreement, shall be returned to the private individual.

The equipment and employees of the town of Spencer, while engaged in performing work under any said rental agreement, shall be deemed to be engaged in the service of the private individual, except that the service of any town employee thereunder shall be deemed creditable service within the meaning of section one of chapter thirty-two of the General Laws, and shall constitute public employment within the meaning of chapter thirty-one of the General Laws if applicable now or hereafter in the town of Spencer to said employees.

SECTION 2. This act shall take full effect upon its acceptance by vote of the inhabitants of the town of Spencer at a town meeting, but not otherwise.

*Approved January 27, 1960.*

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**Chap. 14.** AN ACT AUTHORIZING FIRE DEPARTMENTS TO RESPOND TO  
CALLS FOR AID FROM AREAS UNDER FEDERAL JURISDICTION.

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

Section 59A of chapter 48 of the General Laws, as appearing in chapter 77 of the acts of 1949, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Cities, towns and fire districts may, by ordinance or by-law, or by vote of the board of aldermen, selectmen or of the prudential committee or board exercising similar powers, authorize their respective fire departments to go to aid another city, town, fire district or area under federal jurisdiction in this commonwealth or in any adjoining state in extinguishing fires therein, and while in the performance of their duties in extending such aid the members of such departments shall have the same immunities and privileges as if performing the same within their respective cities, towns or districts.

*Approved February 1, 1960.*

**Chap. 15.** AN ACT RELATIVE TO THE DUTY OF PARENTS AND CITY AND TOWN CLERKS IN FILING VERIFICATION RETURNS OF BIRTHS, AND THE MANNER OF CORRECTING INCONSISTENCIES THEREWITH, IN THE ORIGINAL BIRTH REPORT.

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

SECTION 1. Section 4A of chapter 46 of the General Laws, inserted by chapter 434 of the acts of 1941, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Each city and town clerk, upon receipt of the return of a birth of a child in his town, shall mail to the parents of such child a form of return, which shall be filled out by the parents and returned immediately to said clerk for the purpose of verifying the original return of said birth or of supplying deficiencies therein.

SECTION 2. Said section 4A of said chapter 46 is hereby further amended by adding at the end the following paragraph:—

A clerk receiving any such verification form shall file the same with the original return of birth, and shall correct said original return by drawing a line through such facts appearing thereon that differ from, and by inserting facts so as to correspond in all respects to, the verification form.

*Approved February 1, 1960.*

**Chap. 16.** AN ACT ESTABLISHING A TIME LIMIT FOR FILING APPLICATIONS FOR ABSENT VOTING BALLOTS.

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

Section 89 of chapter 54 of the General Laws, as most recently amended by section 3 of chapter 404 of the acts of 1936, is hereby further amended by inserting after the second sentence the following sentence:—No such application shall be deemed to be seasonably filed unless it is received in the office of the city or town clerk or the registrars of voters before noon on the day preceding the election for which such absent voting ballot is requested.

*Approved February 1, 1960.*

**Chap. 17.** AN ACT INCREASING THE FEE FOR ENTERING NOTICE OF CERTAIN MARRIAGE INTENTIONS AND ISSUING CERTIFICATES THEREOF.

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

Section 34 of chapter 262 of the General Laws is hereby amended by striking out clause (42), as appearing in section 1 of chapter 550 of the acts of 1948, and inserting in place thereof the following clause:—

(42) For entering notice of intention of marriage and issuing certificate thereof, two dollars, except when one or both parties dwell outside the commonwealth, four dollars.

*Approved February 1, 1960.*



**Chap. 18.** AN ACT TO CLARIFY THE TIME WITHIN WHICH CERTAIN BLIND PERSONS MAY FILE APPLICATIONS FOR EXEMPTION FROM TAXATION OF CERTAIN REAL ESTATE.

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

Clause Thirty-seventh of section 5 of chapter 59 of the General Laws, as most recently amended by section 1 of chapter 444 of the acts of 1959, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—Notwithstanding any contrary provision of this chapter or chapter sixty, application for abatement or exemption as provided in this clause may be made on or before October first of the year following the year to which the tax relates.

*Approved February 1, 1960.*

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**Chap. 19.** AN ACT RELATIVE TO THE BY-LAWS OF CORPORATIONS ORGANIZED FOR CHARITABLE AND CERTAIN OTHER PURPOSES.

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

Chapter 180 of the General Laws is hereby amended by striking out section 7, as amended by chapter 170 of the acts of 1955, and inserting in place thereof the following section:—*Section 7.* The corporation may prescribe by its by-laws the manner in which, and the officers and agents by whom, its purposes may be accomplished, except that such by-laws may not restrict the right of the members thereof to offer nominations from the floor at the annual meeting of the corporation, nor prevent any member thereof from receiving a copy of the by-laws upon written request, but may require that for such nominations from the floor to be valid a notice signed by not less than seven members, giving the names of such nominees, be first filed with the corporation's recording officer not later than ten days prior to the date of the annual meeting. Instead of the directors and other officers to be chosen at the first meeting, the corporation may have a board of other officers with the powers of directors, and presiding, financial and recording officers with the powers of president, treasurer and clerk; and its certificate of organization may be made, signed and sworn to by its presiding, financial and recording officers and a majority of its other officers having the powers of directors; and the certificate issued by the state secretary under section twelve of chapter one hundred and fifty-six shall be modified to correspond with the facts in each case.

*Approved February 1, 1960.*

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**Chap. 20.** AN ACT PROVIDING THAT SCHOOL LIBRARIANS SHALL BE CERTIFIED BY THE BOARD OF EDUCATION.

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

SECTION 1. Chapter 71 of the General Laws is hereby amended by striking out section 38G, as most recently amended by chapter 122 of the acts of 1956, and inserting in place thereof the following section:—*Section 38G.* The board of education, hereinafter referred to as the board, shall grant certificates upon application to teachers, principals,

supervisors, directors, school librarians, superintendents and assistant superintendents of schools who furnish the board with satisfactory proof that they (1) are American citizens, (2) are in good health, (3) are of sound moral character, (4) possess a bachelor's degree or an earned higher academic degree or are graduates of a normal school approved by the board, and (5) meet such requirements as to courses of study and semester hours therein as may be established and put into effect by said board; provided, nevertheless, that no requirements respecting such courses of study and semester hours therein shall take effect prior to three years subsequent to their promulgation by said board. The board may adopt such rules and regulations as may be necessary for the proper conduct of its duties in granting such certificates.

No person shall be eligible for employment by a school committee as a teacher, principal, supervisor, director, school librarian, superintendent or assistant superintendent unless he has been granted a certificate by the board; provided, however, that nothing herein shall be construed to prevent a school committee from prescribing additional qualifications; and provided, further, that a school committee may upon its request be exempt from the requirements of this section by the department for any one school year when compliance therewith would in the opinion of the department constitute a great hardship in the securing of teachers for the schools of a town. This section shall not apply to trade, vocational, temporary substitute teachers or exchange teachers.

SECTION 2. Section thirty-eight G of chapter seventy-one of the General Laws, as amended by section one of this act, shall not apply to any person employed as a school librarian by a school committee on or before the effective date of this act.

*Approved February 1, 1960.*

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**Chap. 21.** AN ACT RELATIVE TO FILING COPIES OF RECORDS OF BIRTHS, MARRIAGES AND DEATHS AND AMENDMENTS AND CORRECTIONS IN SUCH RECORDS, WITH THE STATE SECRETARY.

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

SECTION 1. Chapter 46 of the General Laws is hereby amended by striking out section 17, as amended by section 2 of chapter 269 of the acts of 1939, and inserting in place thereof the following section:—  
*Section 17.* The clerk of each town and of each city containing not more than ninety thousand inhabitants shall, not later than sixty days, and the clerk of each city containing more than ninety thousand inhabitants shall, not later than ninety days, following every month in which births occur in such town or city, transmit to the state secretary upon forms furnished by him, certified copies of the records of such births and certified copies of such amendments and corrections in birth, marriage and death records as have not been previously returned. The clerk of each city and town shall on or before the tenth day of the second month following every month in which marriages are solemnized transmit to the state secretary upon forms furnished by him, certified copies of such marriage records as the state secretary

may determine. On the copy of the record of any marriage the written notice of intention to enter into which was accompanied by a certificate under section twenty A of chapter two hundred and seven, such clerk shall cause to be stamped or typed the word "Impounded" or the abbreviation "Imp." The clerk of each city and town shall annually, not later than March first, report to the state secretary on forms furnished by him, the number of intentions filed in the clerk's office, and the number of intentions on which licenses were not issued, or, if issued, were not returned to the clerk. The clerk of each city and town shall, on or before the tenth day of every month, transmit to the state secretary upon forms furnished by him, certified copies of the records of deaths occurring therein during the preceding month or, in case no such deaths have occurred, a certificate of such fact.

SECTION 2. This act shall take effect on the first day of October, nineteen hundred and sixty. *Approved February 1, 1960.*

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**Chap. 22.** AN ACT EXTENDING THE TIME WITHIN WHICH AN ACT PROVIDING TENURE OF OFFICE FOR WALTER PELLETIER, THE SERGEANT OF POLICE OF THE TOWN OF LANCASTER, MAY BE ACCEPTED.

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

SECTION 1. Chapter 95 of the acts of 1959 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* This act shall be submitted to the voters of the town of Lancaster at the annual town meeting to be held in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and fifty-nine, entitled 'An Act providing tenure of office for Walter Pelletier, the sergeant of police of the town of Lancaster', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall take full effect.

SECTION 2. This act shall take effect upon its passage.

*Approved February 1, 1960.*

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**Chap. 23.** AN ACT VALIDATING AND CONFIRMING THE LAYING OUT, ALTERATION, RELOCATION, DISCONTINUANCE OR ACCEPTANCE OF PUBLIC WAYS IN THE TOWN OF HOLDEN.

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

SECTION 1. The laying out, alteration, relocation, discontinuance or acceptance of all highways and other ways from January first, nineteen hundred and fifty-five to December thirty-first, nineteen hundred and fifty-nine, inclusive, by the selectmen of the town of Holden, in so far as such laying out, alteration, relocation, discontinuance or acceptance may be invalid by reason of failure to comply with the provisions of chapters seventy-nine, eighty and eighty-two of the General Laws, is hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved February 1, 1960.*

**Chap. 24.** AN ACT AUTHORIZING CO-OPERATIVE BANKS AND CREDIT UNIONS TO MAKE LOANS TO MEMBERS AND DEPOSITORS IN ANTICIPATION OF DIVIDENDS.

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

SECTION 1. Chapter 170 of the General Laws is hereby amended by inserting after section 25 the following section:—*Section 25A.* Such corporation shall, upon application by a depositor or by either of two joint depositors therein, make a loan to him, secured by his deposit book or paid-up certificate, in an amount not exceeding said deposit account or the value of said paid-up certificate, for a time not extending beyond the end of the dividend period in which the loan was made. Said corporation may charge the depositor interest for, or may collect discount in advance upon, the loan at a rate not exceeding one per cent more than the rate of the next preceding ordinary dividend of such corporation, and if an extra dividend shall have been paid therewith, not exceeding one per cent more than the combined rates of such ordinary and extra dividends; provided, that a minimum of one dollar may be charged or collected as such interest or discount in the case of any such loan. The corporation shall keep posted in a conspicuous place in its banking rooms a notice containing the substance of this section, in such form as the commissioner may prescribe.

SECTION 2. Subdivision (A) of section 24 of chapter 171 of the General Laws is hereby amended by inserting after paragraph 6 the following paragraph:—

7. Such credit union shall, upon application by a depositor or shareholder or by either of two joint depositors or shareholders therein, make a loan to him, secured by his passbook in an amount not exceeding said deposit or share account for a time not extending beyond the end of the dividend period in which the loan was made. Said credit union may charge the depositor or shareholder interest for, or may collect discount in advance upon, the loan at a rate not exceeding one per cent more than the rate of the next preceding ordinary dividend of said credit union, and if an extra dividend shall have been paid therewith, not exceeding one per cent more than the combined rates of such ordinary and extra dividends; provided, that a minimum of one dollar may be charged or collected as such interest or discount in the case of any such loan. The credit union shall keep posted in a conspicuous place in its banking quarters a notice containing the substance of this section, in such form as the commissioner may prescribe.

*Approved February 2, 1960.*

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**Chap. 25.** AN ACT AUTHORIZING CERTAIN IMPROVEMENTS OF QUARTERS OF A CREDIT UNION.

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

Section 21 of chapter 171 of the General Laws, as most recently amended by section 1 of chapter 151 of the acts of 1957, is hereby further amended by striking out the last sentence and inserting in place thereof the following two sentences:—Subject to such approval and to the approval of the commissioner a credit union may invest a

sum not exceeding its guaranty fund and other surplus accounts for the purchase of a suitable site and the erection or preparation of a suitable building or for alterations, improvements or additions thereto for the convenient transaction of its business. Subject to approval as heretofore provided a credit union may expend a sum not exceeding its guaranty fund and other surplus accounts for the alterations, improvements and additions to any premises leased by it for the convenient transaction of its business. *Approved February 2, 1960.*

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**Chap. 26.** AN ACT AUTHORIZING A CREDIT UNION TO CHANGE THE LOCATION OF ITS BANKING OFFICE.

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

Chapter 171 of the General Laws is hereby amended by inserting after section 21 the following section:—*Section 21A.* A credit union may by a two thirds vote of the members present and voting at an annual meeting or a special meeting called for the purpose and with the approval of the commissioner of banks change the location of its office.

*Approved February 2, 1960.*

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**Chap. 27.** AN ACT RELATIVE TO THE SAFEKEEPING OF CERTAIN SECURITIES AND PASSBOOKS OF DEPOSITORS IN BANKS.

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

Chapter 167 of the General Laws is hereby amended by inserting after section 6 the following section:—*Section 6A.* A bank may, with the written permission of, and under conditions prescribed by, the commissioner, receive and hold for its depositors for safekeeping any securities issued or guaranteed by the United States or any instrumentality thereof. Such corporation may also, with such authority, hold for safekeeping the passbooks of its depositors.

*Approved February 2, 1960.*

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**Chap. 28.** AN ACT DESIGNATING THE ADDITIONAL VEHICULAR TUNNEL BEING CONSTRUCTED UNDER BOSTON HARBOR AS THE LIEUTENANT WILLIAM F. CALLAHAN, JR. TUNNEL.

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

**SECTION 1.** The additional vehicular tunnel under Boston Harbor now being constructed under the provisions of section two of chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-eight, by the Massachusetts Turnpike Authority, shall be designated and known as the Lieutenant William F. Callahan, Jr. Tunnel, in honor of Lieutenant William F. Callahan, Jr., who, as a member of the armed forces of the United States, was killed in action in World War II. Said Authority shall erect thereon suitable tablets or markers bearing said designation.

**SECTION 2.** This act shall take effect upon its passage.

*Approved February 4, 1960.*

**Chap. 29.** AN ACT PROVIDING FOR AN ELEVEN AND THREE TENTHS PER CENT INCREASE IN THE ANNUAL COMPENSATION OF PERMANENT UNIFORMED MEMBERS OF THE FIRE-FIGHTING FORCE AND PERMANENT UNIFORMED MEMBERS OF THE POLICE FORCE IN THE TOWN OF WESTWOOD.

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

SECTION 1. Notwithstanding any provision of law to the contrary, the annual compensation of the permanent members of the uniformed fire-fighting force and the permanent members of the uniformed police force in the town of Westwood shall be increased by eleven and three tenths per cent.

SECTION 2. This act shall be submitted for acceptance by said town at its annual town meeting in the current year in the form of the following question, which shall be placed on the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the current year, entitled 'An Act providing for an eleven and three tenths per cent increase in the annual compensation of permanent, uniformed members of the fire-fighting force and permanent, uniformed members of the police force in the town of Westwood', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved February 4, 1960.*

**Chap. 30.** AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF WARE WITH REFERENCE TO THE CONSTRUCTION OF A NEW HIGH SCHOOL AS PROPOSED BY THE SCHOOL BUILDING COMMITTEE OF SAID TOWN.

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

SECTION 1. For the purpose of ascertaining the will of the voters of the town of Ware with reference to the construction of a new high school as proposed by the school building committee of said town, there shall be placed upon the official ballot to be used at the annual town election in the year nineteen hundred and sixty the following question:—"Shall the town of Ware construct a new high school building as proposed by the school building committee of said town?" If a majority of the votes in answer to said question is in the affirmative, it shall be deemed and taken to be the will of the voters of said town that a new high school building as proposed by the school building committee shall be constructed, but if a majority of such votes is in the negative, it shall be deemed and taken to be the will of the voters that said building shall not be constructed.

SECTION 2. This act shall take effect upon its passage.

*Approved February 4, 1960.*

- Chap. 31.** AN ACT VALIDATING AND CONFIRMING THE ACTION TAKEN BY THE TURNERS FALLS FIRE DISTRICT AT ITS ANNUAL MEETING IN FEBRUARY, NINETEEN HUNDRED AND FIFTY-NINE IN ADOPTING A CERTAIN BY-LAW AND AUTHORIZING THE ESTABLISHMENT OF A RESERVE FUND BY SAID DISTRICT.

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

SECTION 1. The action taken by the Turners Falls Fire District at its annual meeting in February, nineteen hundred and fifty-nine, in adopting the by-law relative to the creation of the Turners Falls Fire District Finance Committee, is hereby validated and confirmed.

SECTION 2. In order to provide for extraordinary or unforeseen expenditures, the said fire district may at its annual meeting appropriate a sum not exceeding five per cent of the tax levy of the preceding year to be known as the reserve fund. No direct drafts against said fund shall be made, but transfers from said fund may from time to time be voted by said finance committee and said committee shall make such transfers as are so voted.

SECTION 3. This act shall take effect upon its passage.

*Approved February 4, 1960.*

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- Chap. 32.** AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF YARMOUTH MAY APPROPRIATE FOR PUBLIC AMUSEMENTS.

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

SECTION 1. Section 1 of chapter 225 of the acts of 1946, as amended by section 1 of chapter 14 of the acts of 1955, is hereby further amended by striking out, in line 3, the word "two" and inserting in place thereof the word:—three,—so as to read as follows:—*Section 1.* The town of Yarmouth may, by a majority vote, appropriate each year a sum not exceeding three thousand dollars for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

SECTION 2. This act shall take effect upon its passage.

*Approved February 4, 1960.*

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- Chap. 33.** AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF BOURNE MAY EXPEND FOR ADVERTISING PURPOSES.

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

SECTION 1. Section 1 of chapter 124 of the acts of 1952, as amended by chapter 219 of the acts of 1958, is hereby further amended by striking out, in line 2, the words "five thousand" and inserting in place thereof the words:—seventy-five hundred,—so as to read as follows:—*Section 1.* The town of Bourne may annually appropriate a sum, not exceeding seventy-five hundred dollars, for the purpose of advertising the advantages of the town, with special reference to its facilities for summer vacation, recreation, seashore, residential and small manufacturing purposes. The money so appropriated shall be expended under the direction of the selectmen.

SECTION 2. This act shall take effect upon its passage.

*Approved February 4, 1960.*

- Chap. 34.** AN ACT PROVIDING THAT THE OFFICE OF DIRECTOR OF RECREATION IN THE TOWN OF EASTHAMPTON SHALL BE PLACED UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of director of recreation in the town of Easthampton shall be subject to the civil service laws and rules, and the tenure of office of the incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of said office on the effective date of this act shall be subjected by the division of civil service to a qualifying examination, and, if he passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting to be held in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing that the office of director of recreation in the town of Easthampton shall be placed under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved February 4, 1960.*

- Chap. 35.** AN ACT EXTENDING THE TIME WITHIN WHICH CERTAIN SOLDIERS AND SAILORS AND THEIR WIVES, WIDOWS, FATHERS OR MOTHERS MAY FILE APPLICATION FOR ABATEMENT OR EXEMPTION OF TAXES.

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

Chapter 534 of the acts of 1949 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 88 of the acts of 1959, and inserting in place thereof the following section:—

*Section 3.* Application for abatement or exemption, as provided in sections one and two, of taxes levied in the year nineteen hundred and fifty-nine may be made not later than October first, nineteen hundred and sixty, notwithstanding any provision of law to the contrary.

*Approved February 4, 1960.*

- Chap. 36.** AN ACT PLACING THE OFFICE OF SERGEANT OF POLICE IN THE POLICE FORCE OF THE TOWN OF DRACUT UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of sergeant of police in the police force of the town of Dracut shall be subject to the civil service laws and rules, and the tenure of office of any incumbent thereof, shall be unlimited,



subject, however, to said laws. Any incumbent of said office on the effective date of this act shall be subjected to a qualifying examination by the division of civil service and, if he passes said examination, shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted to the voters of said town at an annual town meeting in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the office of sergeant of police in the police force of the town of Dracut under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved February 4, 1960.*

**Chap. 37.** AN ACT AUTHORIZING THE BOARD OF PUBLIC WORKS IN THE TOWN OF WINCHENDON TO EXERCISE THE POWERS OF THE PARK DEPARTMENT.

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

SECTION 1. Section 2 of chapter 43 of the acts of 1936 is hereby amended by inserting after the word "streets", in line 7, the words:—, park department,—so as to read as follows:—*Section 2.* Upon the qualification of the initial members of the board, the board shall have all the powers, rights and duties now or from time to time vested by general or special law in the following boards, departments and officers in said town, to wit: water commissioners, sewer commissioners, cemetery commissioners, highway department including the superintendent of streets, park department, and the tree warden, and such boards, departments and offices shall thereupon be abolished during such time as this act is in effect as to them, respectively. No contracts or liabilities in force on the date when this act becomes fully effective shall be affected by such abolition, but the board shall in all respects be the lawful successor of the boards, departments and offices so abolished.

SECTION 2. This act shall be submitted to the voters of the town of Winchendon at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act authorizing the board of public works in the town of Winchendon to exercise the powers of the park department', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved February 4, 1960.*

**Chap. 38.** AN ACT ESTABLISHING A RECREATION COMMISSION IN THE TOWN OF NATICK AND VESTING IT WITH THE DUTIES OF THE PARK DEPARTMENT.

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

SECTION 1. There shall be established in the town of Natick a recreation commission to consist of five members who shall be elected at large by the registered voters of said town, and who shall serve for terms of two years. The said commission, in addition to supervising and maintaining all parks, reservations and other outdoor recreational facilities of the town, with the exception of those recreation facilities under the jurisdiction of the school department, shall, upon the abolition of the park department, exercise and perform all the former powers and duties vested by law in the park department.

SECTION 2. The park department of the town of Natick is hereby abolished. Nothing in this act shall be deemed to affect the rights of any person who was an employee of said department on the effective date of this act, and such person shall hereafter serve under the recreation commission established under section one.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the town of Natick at the annual town meeting to be held in the year nineteen hundred and sixty, in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled, 'An Act establishing a recreation commission in the town of Natick and vesting it with the duties of the park department', be accepted?" If a majority of the voters voting thereon, vote in the affirmative in answer to the said question, members of said recreation commission shall be elected at the annual town meeting in the year nineteen hundred and sixty-one and upon said election this act shall take full effect.

*Approved February 4, 1960.*

**Chap. 39.** AN ACT AUTHORIZING THE CITY OF QUINCY TO CONVEY CERTAIN PARK DEPARTMENT LAND TO LILLIAN VENTI.

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

SECTION 1. The city of Quincy, with the approval of its board of park commissioners, shall upon the affirmative vote of the city council with the approval of the mayor, convey to Lillian Venti, of said Quincy, upon the payment of consideration fixed by said city council, the land consisting of approximately fifty-eight thousand nine hundred and ninety-nine square feet on the easterly side of Vining street in said city, which land was taken from Antonio Venti, the late husband of said Lillian Venti, by, and described in, an order of taking by said city on June fifteenth, nineteen hundred and thirty-seven.

SECTION 2. This act shall take effect upon its passage.

*Approved February 8, 1960.*

- Chap. 40.** AN ACT REPEALING THE LAW RESTRICTING THE DISPOSITION OF CERTAIN PROPERTY IN OR ADJACENT TO THE TOWN OF LINCOLN OWNED BY THE CITY OF CAMBRIDGE.

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

SECTION 1. Chapter three hundred and seventy-five of the acts of nineteen hundred and fifty-two is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

*Approved February 8, 1960.*

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- Chap. 41.** AN ACT AUTHORIZING THE CITY OF QUINCY TO RECONVEY TO MICHAEL E. HUSSON AND OLGA HUSSON A CERTAIN PARCEL OF LAND TAKEN BY SAID CITY FOR PARK PURPOSES.

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

SECTION 1. Notwithstanding the provisions of any general or special law, the city of Quincy is hereby authorized to reconvey to Michael E. Husson and Olga Husson, husband and wife, both of Quincy, for a consideration to be determined by the city council of said city, a certain parcel of land taken by said city for park and recreation purposes described as follows:—A certain parcel of land shown as lot 1007 on a plan entitled "Subdivision Plan of Land in Quincy, by Ernest W. Branch, Inc., Civil Engineers, dated October 11, 1955" and being numbered 2006-127, being a subdivision of Lot 102 shown on plan 2006-124, filed with certificate of title number 54803, Norfolk County Registry District of the Land Court, bounded and described as follows:—Westerly by Landsdowne Street, 30.0 feet; Northerly by lot 834A on said plan, 90.00 feet; Easterly by lot 1006 on said plan, 30.00 feet; and Southerly by lot 1006 on said plan, 90.00 feet.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Quincy subject to the provisions of its charter, but not otherwise.

*Approved February 8, 1960.*

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- Chap. 42.** AN ACT RELATIVE TO PROOF OF ISSUES IN PETITIONS UNDER THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

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

Section 9 of chapter 273A of the General Laws, as amended by chapter 74 of the acts of 1957, is hereby further amended by adding at the end the following sentence:—A statement under oath or under the penalties of perjury made by the petitioner and contained in such petition shall so far as relevant constitute prima facie evidence on the issues of the existence of the duties to support defined in sections three and four, of the fact of failure to provide such support and of the fact of the unreasonableness of such failure.

*Approved February 8, 1960.*

**Chap. 43.** AN ACT REGULATING THE MANUFACTURE AND SALE OF CULTURED MILK PRODUCTS.

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

Chapter 94 of the General Laws is hereby amended by inserting after section 48D the following section:—*Section 48E.* For the purposes of this section, a cultured milk product is hereby defined as consisting of milk, skimmed milk or cream to which a culture of organisms not injurious to health has been added and fermented. No person shall manufacture a cultured milk product for sale except in an establishment licensed under section forty-eight A for the pasteurization of milk; nor shall any person, himself or by his agent, sell, deliver or distribute, or have in his custody or possession with intent to sell, deliver or distribute, any cultured milk product in any town where an inspector of milk is appointed unless he is licensed under section forty by such an inspector of milk. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each offence.

*Approved February 8, 1960.*

**Chap. 44.** AN ACT RELATIVE TO THE INDEX OF ADOPTION CASES.

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

Section 5C of chapter 210 of the General Laws, as most recently amended by chapter 59 of the acts of 1958, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—This section shall apply to the index of the court of all such entries, a separate index of which shall be provided.

*Approved February 8, 1960.*

**Chap. 45.** AN ACT FURTHER DEFINING “MILK PRODUCT” AND DEFINING “BUTTERMILK POWDER”.

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

SECTION 1. Section 65G of chapter 94 of the General Laws is hereby amended by striking out the paragraph defining “Milk product”, as amended by section 1 of chapter 468 of the acts of 1959, and inserting in place thereof the following paragraph:—

“Milk product”, includes pure, clean and wholesome milk fat, butter, evaporated milk, skimmed milk, condensed milk, sweetened condensed milk, condensed skimmed milk, sweetened condensed skimmed milk, dried milk, dried skimmed milk, whey powder and buttermilk powder.

SECTION 2. Said section 65G of said chapter 94 is hereby further amended by inserting before the paragraph defining “Department”, as appearing in section 1 of chapter 373 of the acts of 1934, the following paragraph:—“Buttermilk powder”, the product resulting from the dehydration of the fluid by-product of the churning of milk and cream into butter.

*Approved February 8, 1960.*

**Chap. 46.** AN ACT RELATIVE TO THE OBSERVANCE OF TEACHERS' DAY.  
*Be it enacted, etc., as follows:*

Chapter 6 of the General Laws is hereby amended by inserting after section 12W, inserted by chapter 358 of the acts of 1959, the following section:—*Section 12X.* The governor shall annually issue a proclamation setting aside the first Sunday in June as Teachers' Day and recommending that said day be observed in appropriate manner by the public in honoring the teachers of the commonwealth.

*Approved February 8, 1960.*

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**Chap. 47.** AN ACT FURTHER DEFINING THE DUTIES OF ASSISTANT TOWN CLERK.

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

Section 19 of chapter 41 of the General Laws is hereby amended by striking out the second sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following two sentences:—The assistant town clerk shall, in the absence of the clerk, perform his duties and have the powers and be subject to the requirements and penalties applicable to him, unless a temporary clerk is elected or appointed pursuant to section fourteen. Such duties and powers shall include acting as clerk of the board of registrars of voters, in a town where the town clerk performs this function; provided, that equal representation of the two leading political parties on said board, in accordance with section eighteen of chapter fifty-one, is not affected thereby.

*Approved February 8, 1960.*

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**Chap. 48.** AN ACT FURTHER DEFINING THE DUTIES OF THE ATTENDING PHYSICIAN OR OTHER OFFICER RELATIVE TO THE FILING OF CERTAIN CERTIFICATES OF BIRTH AND DEATH.

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

SECTION 1. Section 2A of chapter 46 of the General Laws, as most recently amended by chapter 324 of the acts of 1954, is hereby amended by inserting after the word "births", the second time it appears in line 2, the words:—, or fetal deaths.

SECTION 2. The first paragraph of section 3 of said chapter 46 is hereby amended by striking out the third sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:—Except in cases where a child is born dead, said physician or officer shall, within fifteen days after such birth, mail or deliver to the clerk or registrar of the town where such birth occurred, a report stating the facts hereinabove required to be shown on said record and also the said written request, if any; provided, that if said report is not so made within forty-eight hours after such birth, said physician or officer shall, within said forty-eight hours, mail or deliver to said clerk or registrar a notice stating the date and place of the birth, the street number, if any, the ward number, if in a city, and the family name.

SECTION 3. Said chapter 46 is hereby further amended by striking

out section 9, as most recently amended by section 2 of chapter 48 of the acts of 1959, and inserting in place thereof the following section:—

*Section 9.* A physician or registered hospital medical officer shall forthwith, after the death of a person whom he has attended during his last illness, at the request of an undertaker or other authorized person or of any member of the family of the deceased, furnish for registration a standard certificate of death, stating to the best of his knowledge and belief the name of the deceased, his supposed age, the disease of which he died, defined as required by section one, where same was contracted, the duration of his last illness, when last seen alive by the physician or officer and the date of his death. Said physician or officer shall print or type on every certificate furnished by him under this section and section nine A the cause, or causes, of death and, directly below his signature, his name. A physician or officer attending at the birth of a child dying immediately thereafter shall forthwith furnish for registration a certificate stating that to the best of his knowledge and belief such child died immediately after birth. Both the birth and death of such child shall be recorded.

SECTION 4. Said chapter 46 is hereby further amended by inserting after section 9 the following two sections:—*Section 9A.* When a child is born dead, after a period of gestation of not less than twenty weeks, and in the fetus there is no attempt at respiration, no action of heart and no movement of voluntary muscle, the physician or officer attending at the birth of such child shall forthwith furnish for registration, at the request of an undertaker or other authorized person or of any member of the family of the deceased, a certificate of fetal death on a form which shall be prepared by the secretary of state as required by section sixteen. Town clerks shall record certificates of fetal death in the town register of deaths in the same manner as a death certificate, but they shall not be required to record such certificates in the town register of births.

*Section 9B.* A physician or officer neglecting or refusing to furnish a certificate as provided in section nine or section nine A, or making a false statement therein, shall forfeit not more than fifty dollars.

SECTION 5. The first sentence of section 11 of said chapter 46, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word “nine”, in line 3, the words:—or section nine A.

SECTION 6. Section 12 of said chapter 46, as most recently amended by chapter 439 of the acts of 1945, is hereby further amended by inserting after the word “sex”, in line 23, the words:—and no record of fetal death.

SECTION 7. Said chapter 46 is hereby further amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 24.* In any statement of births, deaths and fetal deaths printed by a town the name of an illegitimate child or of its parents or of the parents of a child born dead shall not be printed, but the word “illegitimate” or “fetal death” shall be used in place thereof. A town violating this section shall forfeit to the mother of such child not more than one hundred dollars.

SECTION 8. This act shall take effect on October first, nineteen hundred and sixty.

*Approved February 8, 1960.*

**Chap. 49.** AN ACT PROVIDING THAT IN CERTAIN TAKINGS BY EMINENT DOMAIN NOTICE THEREOF BE GIVEN TO THE LOCAL TAX COLLECTOR.

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

The first sentence of section 8 of chapter 79 of the General Laws, as appearing in section 1 of chapter 187 of the acts of 1936, is hereby amended by inserting after the word "taking", in line 6, the words:—, and to the collector of taxes of the city or town in which the land taken is located,—so as to read as follows:—Immediately after the right to damages becomes vested, the board of officers who have made a taking under this chapter shall give notice thereof to every person, including every mortgagee of record, whose property has been taken or who is otherwise entitled to damages on account of such taking, and to the collector of taxes of the city or town in which the land taken is located.

*Approved February 8, 1960.*

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**Chap. 50.** AN ACT AUTHORIZING THE TOWN OF SWAMPSCOTT TO CONVEY CERTAIN PARK LAND TO THE SWAMPSCOTT HOUSING AUTHORITY FOR THE ERECTION THEREON OF HOUSING FOR ELDERLY PERSONS.

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

SECTION 1. The town of Swampscott is hereby authorized to convey to the Swampscott Housing Authority for a nominal consideration the following described parcel of park land to be used by said authority for the erection thereon of housing for elderly persons:—

Beginning at a point on the westerly boundary of land belonging to John S. and Gladys M. Brown; thence running southwesterly by Yarmouth Street a distance of sixty-three and 68/100ths feet; thence turning and running southeasterly by land belonging to Anthony and Rose Mary Cappuccio a distance of seventy-six and 59/100ths feet; thence turning and running northeasterly by land belonging to the Town of Swampscott a distance of thirty-six and 25/100ths feet; thence turning and running northerly by lands belonging to Philomena Losano and to said John S. and Gladys M. Brown a distance of eighty-one and 34/100ths feet to the point of beginning and containing three thousand eight hundred and twenty-seven square feet of land as shown on plan of land on file with said Swampscott Housing Authority entitled "Plan of Land surveyed for the Swampscott Housing Authority situated in Swampscott, Mass.—June 30, 1959—scale 1" = 30'—George H. Melcher, Town Engineer."

SECTION 2. This act shall take effect upon its passage.

*Approved February 10, 1960.*

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**Chap. 51.** AN ACT VALIDATING THE ACTS AND PROCEEDINGS OF THE TOWN OF WILMINGTON AT AN ADJOURNED SPECIAL TOWN MEETING HELD ON JULY FIRST, NINETEEN HUNDRED AND FIFTY-NINE.

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

SECTION 1. The acts and proceedings of the town of Wilmington

at the adjourned special meeting held on July first, nineteen hundred and fifty-nine, including without limitation its act in voting to borrow four hundred thousand dollars under chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, are hereby confirmed and declared valid, notwithstanding the failure to give notice of the adjournment as required by the by-laws of said town, to the same extent as if the said adjourned special meeting had been called, held, conducted and adjourned in strict compliance with the law and said by-laws.

SECTION 2. This act shall take effect upon its passage.

*Approved February 10, 1960.*

**Chap. 52.** AN ACT PROVIDING FOR THE PAYMENT BY THE TOWN OF ADAMS OF CERTAIN COMPENSATION FOR ACCUMULATED SICK LEAVE TO CERTAIN EMPLOYEES UPON THEIR RETIREMENT AND VALIDATING AND CONFIRMING CERTAIN ACTION OF SAID TOWN RELATIVE THERETO.

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

SECTION 1. The town of Adams may provide that any employee of said town who upon retirement at age sixty-five or over has accumulated sick leave due him, shall be compensated for each day thereof, not to exceed sixty days, at his rate of pay immediately prior to his retirement.

SECTION 2. The acts and proceedings of the town of Adams at its annual town meeting held on March seventeenth, nineteen hundred and fifty-eight in voting to grant compensation for accumulated sick leave, not to exceed sixty days, to town employees upon their retirement at the age of sixty-five or over, and all acts done in pursuance thereof, are hereby confirmed and validated to the same extent as if the provisions of section one were in effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved February 10, 1960.*

**Chap. 53.** AN ACT EXTENDING THE TIME WITHIN WHICH CREDIT UNIONS SHALL MAKE THEIR ANNUAL REPORTS TO THE COMMISSIONER OF BANKS.

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

Section 27 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as amended by section 5 of chapter 592 of the acts of 1949, and inserting in place thereof the following sentence:—Within thirty days after the last business day of June in each year, every credit union shall make to the commissioner a report in such form as he may prescribe, signed by the president, treasurer and a majority of the auditing committee, who shall make oath that the report is correct according to their best knowledge and belief.

*Approved February 10, 1960.*



**Chap. 54.** AN ACT RELATIVE TO THE AGGREGATE AMOUNT THAT MAY BE INVESTED IN CERTAIN REAL ESTATE LOANS BY CO-OPERATIVE BANKS.

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

Section 24 of chapter 170 of the General Laws is hereby amended by striking out subsection 4, as most recently amended by section 2 of chapter 108 of the acts of 1959, and inserting in place thereof the following subsection:—

4. The principal sum of any loan secured by a mortgage on any one parcel of real estate shall when made, or the unpaid principal balance outstanding on any loan so secured shall when acquired, not exceed twenty-five thousand dollars; provided, that the aggregate amount of loans, as to each of which the unpaid balance of principal outstanding is more than twenty thousand dollars, shall not at any one time exceed twenty per cent of the deposits of the corporation; and, further provided, that loans over twenty thousand dollars and not exceeding twenty-five thousand dollars shall not exceed seventy-five per cent of the value of the mortgaged property as certified by the security committee.

*Approved February 10, 1960.*

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**Chap. 55.** AN ACT PROVIDING FOR THE VERIFICATION OF CERTAIN ACCOUNTS OF CREDIT UNIONS AT LEAST ONCE IN EVERY THREE CALENDAR YEARS.

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

Chapter 171 of the General Laws is hereby amended by striking out section 17, as most recently amended by chapter 33 of the acts of 1956, and inserting in place thereof the following section:—*Section 17.* The auditing committee shall keep fully informed at all times as to the financial condition of the credit union; shall examine carefully the cash and accounts of the credit union monthly; shall certify the monthly statements submitted by the treasurer; shall make a thorough audit of the books, including income and expense, semi-annually; and shall report to the board of directors its findings, together with its recommendations. It shall, under regulations prescribed by the commissioner, cause to be verified share and other accounts of the credit union at least once in every three calendar years. It shall hold meetings at least once each month, shall keep records thereof and shall make an annual report at the annual meeting. The members of the auditing committee may receive such reimbursement for actual expenses incurred in the performance of their duties as the board may authorize, subject to the approval of the members at the next annual meeting or at a special meeting called for the purpose.

*Approved February 10, 1960.*

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**Chap. 56.** AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF FAIRHAVEN WITH REFERENCE TO THE LOCATION OF THE PROPOSED CENTRAL FIRE STATION.

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

For the purpose of ascertaining the will of the voters of the town

of Fairhaven with reference to the location of the proposed central fire station, upon the petition of not less than one per cent of the registered voters of said town, certified by the registrar of voters and duly filed with the town clerk, there shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting to be held in the year nineteen hundred and sixty-one, the following question:—"Shall the proposed central fire station be erected on land owned by the town and located at the southeasterly corner of Washington street and Sconticut Neck road?" If a majority of the votes in answer to said question is in the affirmative, it shall be deemed and taken to be the will of the voters of said town that the proposed central fire station shall be built at said location, and if a majority of said votes is in the negative, it shall be deemed and taken to be the will of the said voters that said proposed central fire station shall not be built at said location. *Approved February 10, 1960.*

**Chap. 57.** AN ACT EXTENDING THE AREA WITHIN WHICH CREDIT UNIONS MAY MAKE REAL ESTATE LOANS.

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

The first paragraph of section 24 of chapter 171 of the General Laws, as appearing in chapter 102 of the acts of 1941, is hereby amended by striking out clause (b) and inserting in place thereof the following clause:—

(b) Loans secured by mortgages of real estate situated within the commonwealth or within a radius of fifteen miles of its office without regard to geographical location. *Approved February 10, 1960.*

**Chap. 58.** AN ACT CHANGING THE TIME WITHIN WHICH ANNUAL REPORTS OF SAVINGS BANKS MAY BE MADE TO THE COMMISSIONER OF BANKS, AND EXEMPTING SAID BANKS FROM THE PAYMENT OF A FORFEITURE FOR FAILURE TO MAKE OR AMEND CERTAIN RETURNS EXCEPT FOR WILFUL NEGLECT.

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

SECTION 1. The first sentence of section 65 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out, in line 2, the word "thirty" and inserting in place thereof the word:—fifteen,—so as to read as follows:—Every such corporation shall annually, within fifteen days after the last business day of October, make a report to the commissioner in such form as he may prescribe, showing accurately its condition at the close of business on that day, and containing such other information as the commissioner may require.

SECTION 2. Chapter 167 of the General Laws is hereby amended by striking out section 7, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 7.* In addition to the reports required by law, banks shall make such other statements and reports to the commissioner as he may require. The commissioner shall furnish blank forms for all statements or reports

required to be made to him. Any bank neglecting to make the returns required by law or by the commissioner, or failing to amend such report within fifteen days after notice from him shall, unless such neglect or failure is due to justifiable cause and not due to wilful neglect, forfeit to the commonwealth five dollars for each day during which such neglect continues, to be recovered by an information in equity in the name of the attorney general at the relation of the commissioner, brought in the supreme judicial court for Suffolk county.

*Approved February 10, 1960.*

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**Chap. 59.** AN ACT AUTHORIZING THE CITY OF FALL RIVER TO APPROPRIATE MONEY FOR THE PURCHASE OF UNIFORMS FOR THE PARK POLICE AND WATERSHED GUARDS OF SAID CITY.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city of Fall River may appropriate money for the purchase of uniforms for the members of its park police and watershed guards which may include the purchase of rubber boots and other outer clothing necessary for the use of said park police and watershed guards when traveling to or from or during the course of their employment.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

*Approved February 10, 1960.*

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**Chap. 60.** AN ACT PROVIDING THAT A CREDIT UNION MAY BORROW MONEY WITHOUT THE APPROVAL OF THE COMMISSIONER OF BANKS FROM CERTAIN BANKING INSTITUTIONS WHEREIN SAID CREDIT UNION IS A DEPOSITOR OR SHAREHOLDER.

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

Section 16 of chapter 171 of the General Laws is hereby amended by inserting after the fourth sentence, as appearing in the Tercenary Edition, the following sentence:—Said board may, if the credit union has a deposit or share account therein, borrow money for and on behalf of the credit union, without the approval of the commissioner, from a savings bank, co-operative bank, federal savings and loan association or the Central Credit Union Fund, Inc.; provided, that money borrowed from such institution is in an amount not exceeding said deposit or share account and is for a time not extending beyond the end of the dividend period in which the loan is made.

*Approved February 10, 1960.*

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**Chap. 61.** AN ACT PROVIDING UNLIMITED TENURE OF OFFICE FOR CLARENCE SYRIAC, INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR IN THE TOWN OF LUDLOW.

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

SECTION 1. The tenure of office of Clarence Syriac, incumbent of

the office of highway surveyor of the town of Ludlow, shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing unlimited tenure of office for Clarence Syriac, incumbent of the office of highway surveyor in the town of Ludlow', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved February 10, 1960.*

**Chap. 62.** AN ACT REVISING THE LAW PROVIDING THAT CERTAIN VOTES PASSED AT A REPRESENTATIVE TOWN MEETING IN THE TOWN OF LUDLOW BE REFERRED TO THE VOTERS OF THE TOWN AT LARGE, AND THE METHOD OF HAVING SAID VOTES SO REFERRED.

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

SECTION 1. Chapter 336 of the acts of 1929 is hereby amended by striking out section 8, as amended by chapter 459 of the acts of 1959, and inserting in place thereof the following section:—*Section 8.* A vote passed at any representative town meeting authorizing the expenditure of twenty thousand dollars or more as a special appropriation, or establishing a new board or office or abolishing an old board or office or merging two or more boards or offices, or fixing the term of office of town officers, where such term is optional, or increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law, shall not be operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days, a petition, signed by not less than three per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at ten o'clock in the forenoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters shall so vote. Each question so submitted shall be in the

form of the following question, which shall be placed upon the official ballot:—"Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such petition is not filed within said period of five days, the vote of the representative town meeting shall become operative and effective upon the expiration of said period.

SECTION 2. This act shall be submitted to the voters of the town of Ludlow for acceptance at the annual town meeting in the year nineteen hundred and sixty, in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the current year, entitled 'An Act revising the law providing that certain votes passed at a representative town meeting in the town of Ludlow be referred to the voters of the town at large, and the method of having said votes so referred', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect.

*Approved February 12, 1960.*

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**Chap. 63.** AN ACT PLACING THE OFFICES AND POSITIONS OF EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS AND THE CEMETERY DEPARTMENT OF THE TOWN OF ANDOVER UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The offices and positions of all employees in the department of public works and the cemetery department, including the superintendents of each such department, of the town of Andover shall be subject to the civil service laws and rules. The incumbent of every such office and position on the effective date of this act, excepting those employed in positions classified in the labor service, shall be subjected by the division of civil service to a qualifying examination for such office or position and shall be deemed to be permanently appointed thereto without serving any probationary period, and his tenure of office shall be unlimited, subject, however, to the provisions of said civil service laws. If an incumbent does not pass such qualifying examination, he may continue to serve in his office or position, but shall not be subject to the provisions of said civil service laws.

SECTION 2. This act shall be submitted to the voters of the town of Andover at the annual town meeting to be held in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used at such meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the offices and positions of employees of the department of public works and the cemetery department of the town of Andover under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved February 12, 1960.*

**Chap. 64.** AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO ASSESS BETTERMENTS FOR PUBLIC IMPROVEMENTS ON CERTAIN PUBLIC WAYS IN SAID TOWN.

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

SECTION 1. Notwithstanding the provisions of sections one and two of chapter eighty, and section twenty-seven of chapter eighty-three of the General Laws, assessments for betterments may be validly made by the town of Marshfield for the construction of public improvements on Surf avenue, Bryant street, McCarthy road, Steven road, Colonial road and Samoset avenue, public ways in said town, as voted at the annual town meeting of nineteen hundred and fifty-nine, which construction was or will be completed during the calendar years nineteen hundred and fifty-nine and nineteen hundred and sixty.

SECTION 2. This act shall take effect upon its passage.

*Approved February 15, 1960.*

**Chap. 65.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX AND PLYMOUTH COUNTIES TO MAKE CERTAIN EXPENDITURES IN ANTICIPATION OF THE COUNTY APPROPRIATION ACT FOR THE CURRENT YEAR FOR THE PURPOSE OF EFFECTING ADJUSTMENTS IN THE SALARY RATES OF THE JUSTICE OF THE NEWTON DISTRICT COURT AND THE JUSTICE OF THE SECOND DISTRICT COURT OF PLYMOUTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide funds forthwith for effecting adjustments of salary rates of certain justices, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Notwithstanding any contrary provision of chapter thirty-five of the General Laws, the county commissioners of Middlesex and Plymouth counties respectively, may, on and after January first in the current year, expend from any available funds such sums as may be necessary to effect adjustments in the salary of the justice of the district court of Newton and the justice of the second district court of Plymouth, as provided in chapter five hundred and sixty-eight and five hundred and eighty-six of the acts of nineteen hundred and fifty-nine respectively, and any money so expended shall be included in the appropriation for the current year for said counties.

*Approved February 15, 1960.*

**Chap. 66.** AN ACT AUTHORIZING THE COMMONWEALTH TO ACQUIRE CERTAIN LAND AND TO CONSTRUCT THEREON PARKING FACILITIES AT THE STATE TEACHERS COLLEGE AT SALEM.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide funds forthwith for the alleviation of congested parking conditions at the State Teachers Col-

lege at Salem, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Item 8260-77 of section 2 of chapter 604 of the acts of 1959 is hereby amended by adding after the word "capacity", in line 3, the words:—, and for the acquisition of certain land by purchase or by eminent domain under chapter seventy-nine of the General Laws and for the construction of parking facilities thereon; provided, that no payment shall be made for the purchase of said land or any buildings thereon until an independent appraisal of the value thereof has been made by a qualified, disinterested appraiser.

*Approved February 15, 1960.*

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**Chap. 67.** AN ACT CONTINUING, UNTIL APRIL FIRST, NINETEEN HUNDRED AND SIXTY, CERTAIN BOARDS OF REGISTRARS OF VOTERS IN CERTAIN SMALL TOWNS.

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

SECTION 1. Notwithstanding the provisions of chapter one hundred and twenty-seven of the acts of nineteen hundred and fifty-nine, in towns in which, under the provisions of section sixteen of chapter fifty-one of the General Laws in effect immediately prior to the effective date of said chapter one hundred and twenty-seven, the selectmen and town clerk constituted a board of registrars of voters, the selectmen and town clerk shall, until April first, nineteen hundred and sixty, continue to constitute and act as such board.

SECTION 2. This act shall take effect upon its passage.

*Approved February 15, 1960.*

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**Chap. 68.** AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO ACQUIRE CERTAIN LANDS WITHIN ITS LIMITS IN AND NEAR THE AREA KNOWN AS DOGTOWN COMMON, AND TO LEASE THE SAME TO DOGTOWN FOUNDATION INC.

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

SECTION 1. It is the declared public policy of the commonwealth to preserve, in their natural state, those areas within the commonwealth which are of especial historical and antiquarian interest. Public policy also dictates the preservation of areas of natural rugged beauty and the conservation of areas particularly suited for public water supply purposes. The area in the city of Gloucester known as Dogtown Common, a more particular description of which will be found in other sections of this act, is unique in that it is of especial historical and antiquarian interest; is endowed with great natural beauty; and is particularly suited to the preservation of the public water supply. It is, therefore, hereby declared that the public health, welfare and convenience demand that the said Dogtown Common area be acquired by the city of Gloucester for the furtherance of the public purposes herein declared to be the preservation of its historical and

antiquarian character, its natural beauty and its watershed; and, that the means hereinafter described, including the lease hereinafter authorized, are the best manner in which to preserve and attain the aforesaid public purposes.

SECTION 2. The city of Gloucester is hereby authorized to take by eminent domain under chapter seventy-nine of the General Laws, in the manner provided therein and in accordance with section thirty of chapter forty-three of the General Laws, or acquire by purchase or otherwise, the land in said city or any proportional part thereof known as Dogtown Common, hereinafter described:—

A certain parcel of land known as Dogtown Reservation in said Gloucester and shown on a plan entitled “Plan of Proposed Dogtown Reservation”, dated March 1959, Henry J. Lasley, City Engineer, drawing No. 40500 a copy of which is on file in the city engineer’s office in the city of Gloucester, bounded and described as follows:—

Beginning at the Southeasterly corner of the premises at a concrete bound designated as number 14 as shown on said plan; thence running Northwesterly by land now or late of Strangman, three hundred and ninety (390) feet more or less to a point designated as D-1 as shown on said plan; thence turning and running northerly still by land of said Strangman three hundred and fifty (350) feet more or less to a point designated as D-2 on said plan; thence turning and running in a general Northwesterly direction still by land of Strangman five hundred and forty (540) feet more or less to point designated as D-3 on said plan; thence turning and running in a general Southwesterly direction still by land of said Strangman, four hundred and fifty (450) feet more or less to the easterly side of Cherry Street and point D-4 as shown on said plan; thence turning and running northerly by the easterly side line of Cherry Street two hundred (200) feet more or less to point D-5 as shown on said plan; thence turning and running in a general easterly direction by land of F. Maynard Tucker et ux, three hundred and fifty (350) feet more or less to point D-6 as shown on said plan; thence turning and running northerly still by land of said Tucker twelve hundred and thirty-two (1232) feet more or less to point D-7 as shown on said plan; thence continuing in a northerly direction in part by land of Adelbert B. Milne et ux and in part by land of Ella W. Friend, ten hundred and sixty (1060) feet more or less to point D-8 as shown on said plan; thence turning and running easterly by land of Ella W. Friend one hundred and twenty (120) feet more or less to point D-9 as shown on said plan; thence turning and running still by land of said Friend in a general North-easterly direction eighty (80) feet more or less to point D-10 as shown on said plan; thence turning and running easterly by the end of a way, seventy (70) feet more or less to point D-11 as shown on said plan; thence turning and running northerly more easterly still by the end of said way seventy-four (74) feet more or less to point D-12 as shown on said plan; thence continuing on the same course by land of John R. Morse et ux, one hundred and thirty-three (133) feet more or less to point D-13 as shown on said plan; thence turning and running Northwesterly more northerly still by land of said Morse one hundred and twenty (120) feet more or less to point D-14 as shown



on said plan; thence turning and running in a general Southwesterly direction in part by land of said Morse and in part by land of said Friend and in part by land of said Tucker, eleven hundred and eighty (1180) feet more or less to point D-15 as shown on said plan; thence turning and running Northwesterly about eighty (80) feet more or less to point D-16 as shown on said plan; thence turning and running in a general Northeasterly direction by land of various owners as shown on said plan, twelve hundred (1200) feet more or less to point D-17 as shown on said plan; thence turning and running Northwesterly by land of Samuel Riggs Estate, Inc. ninety (90) feet more or less to point D-18 as shown on said plan; thence turning and running Northwesterly more northerly still by said land of said Riggs Estate, Inc., five hundred and forty-three (543) feet more or less to point D-19 as shown on said plan; thence turning and running Northeasterly by land of Clair E. Wetmore et ux, five hundred and thirteen (513) feet to point D-20 as shown on said plan; thence continuing on approximately the same course by land of Edward Josephson et ux, two hundred and two and five tenths (202.5) feet more or less to point D-21 as shown on said plan; thence continuing on the same course by land of Richard W. Morse et ux two hundred and sixty-nine (269) feet to point D-22 as shown on said plan; thence turning and running Northeasterly through land of Richard W. Morse et ux and by land of Louis C. Peracchi et al three hundred (300) feet more or less to point D-23 as shown on said plan; thence turning and running easterly by land of Joshua P. Barkhouse et ux, two hundred (200) feet more or less to point D-24 as shown on said plan; thence turning and running Northeasterly through land of Ruth A. Cutler et al twelve hundred and seventy-one (1271) feet more or less to point D-25 as shown on said plan; thence turning and running in a general Southeasterly direction by a stone wall and land of Robert F. Wilson five hundred and forty (540) feet more or less to point D-26 as shown on said plan; thence turning and running Northeasterly more easterly by land of Robert F. Wilson and a stone wall ten hundred and forty (1040) feet more or less to point D-27 as shown on said plan; thence turning and running Northerly through land of said Wilson eight hundred and seven (807) feet more or less to point D-28 as shown on said plan; thence turning and running Northeasterly more easterly by land of Emily L. C. Hight, six hundred and ninety-four and five hundredths (694.05) feet to point D-29 as shown on said plan; thence turning and running Northwesterly more northerly still by land of said Hight thirteen hundred and forty-six and eighty-two hundredths (1346.82) feet to point D-30 as shown on said plan; thence turning and running Northeasterly by land of Frederick H. Norton et ux, seven hundred and forty-seven (747) feet more or less to point D-31 as shown on said plan; thence continuing on the same course still by land of said Norton ten hundred and forty (1040) feet more or less to point D-32 as shown on said plan; thence turning and running Northeasterly more northerly still by land of said Norton, two hundred and thirty-three (233) feet more or less to point D-33 as shown on said plan; thence turning and running northerly still by land of said Norton, four hundred and twenty-four and five tenths (424.5)

feet more or less to point D-34 as shown on said plan; thence continuing on approximately the same course still by land of said Norton, one hundred and seventy (170) feet more or less to point D-35 as shown on said plan; thence turning and running Northwesterly more northerly still by land of said Norton, three hundred and ninety-six (396) feet more or less to point D-36 as shown on said plan; thence turning and running Northeasterly more easterly by a stone wall and still by land of said Norton eight hundred and twenty-nine (829) feet more or less to point D-37 as shown on said plan; thence continuing on the same course still by land of said Norton, eight hundred and seventy-five (875) feet more or less to point D-38 as shown on said plan; thence continuing on the same course by land of owners unknown, seven hundred (700) feet more or less to point D-39 as shown on said plan; thence running Southerly by land of owners unknown, twenty-eight hundred and thirty-two (2832) feet more or less to point 28 as shown on said plan; thence turning and running Southwesterly by land of the city of Gloucester, nine hundred and forty-one and eighty-two hundredths (941.82) feet to point 27 as shown on said plan; thence turning and running southerly still by land of the city of Gloucester, thirteen hundred and seventy (1370) feet more or less to point 26 as shown on said plan; thence turning and running Southwesterly still by land of the city of Gloucester eight hundred and thirty (830) feet more or less to point 25 as shown on said plan; thence turning and running southerly still by land of the city of Gloucester, five hundred and ninety-five (595) feet more or less to point 24A as shown on said plan; thence turning and running in a general Southwesterly direction by a stone wall and land of the city of Gloucester eleven hundred and forty (1140) feet more or less to point 24 as shown on said plan; thence turning and running southerly more easterly still by land of the city of Gloucester, four hundred and seventy (470) feet more or less to point 23 as shown on said plan; thence turning and running Southwesterly still by land of the city of Gloucester eleven hundred and ninety (1190) feet more or less to point 22 as shown on said plan; thence turning and running southerly still by land of the city of Gloucester, four hundred and sixty (460) feet more or less to point 21 as shown on said plan; thence turning and running Southwesterly still by land of the city of Gloucester two hundred and ten (210) feet more or less to point 20 as shown on said plan; thence continuing on the same general course still by land of the city of Gloucester, ninety-eight (98) feet more or less to point 19 as shown on said plan; thence turning and running Southwesterly more westerly by a stone wall and land of the city of Gloucester, nine hundred and fifty (950) feet more or less to point 18A as shown on said plan; thence continuing by the stone wall on the same general course five hundred and ninety (590) feet more or less to point 18 as shown on said plan; thence turning and running Southeasterly still by land of the city of Gloucester and by a stone wall, four hundred (400) feet to point 17 as shown on said plan; thence turning and running Southwesterly still by land of the city of Gloucester, five hundred and thirty (530) feet more or less to point 16 as shown on said plan; thence turning and running Southwesterly more southerly

still by land of the city of Gloucester eight hundred and sixty-five (865) feet more or less to point 15 as shown on said plan; thence on the same general course still by land of the city of Gloucester eight hundred and thirty (830) feet more or less to point 14A as shown on said plan; thence continuing on the same general course by a stone wall and land of the city of Gloucester, three hundred and fifty-five (355) feet more or less to point 14 and the point of beginning as shown on said plan.

The area, distances, boundaries and monuments of the above described land are determined and designated to be as shown on said plan hereinbefore referred to. The area of said land is approximately six hundred and seventy (670) acres.

Said city may also take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise such land adjacent thereto as it deems necessary to provide adequate access thereto, for the purpose of the preservation and maintenance of its historical and antiquarian character and uses incidental thereto and also for public water supply purposes and uses incidental thereto.

SECTION 3. Said city is hereby further authorized to lease all or part of the land so acquired for such period of time not in excess of fifty years with or without rental and subject to such other terms and conditions not inconsistent with this act as it shall determine to Dogtown Foundation Inc., a non-profit, charitable, Massachusetts corporation. Such lease shall, however, contain:—

(1) a covenant and agreement that the lessee shall use the land for the sole purposes of the preservation and maintenance of its historical and antiquarian character and its natural beauty, (2) a covenant and agreement that the lessee shall allow free access to the public without charge to the leased premises subject to such reasonable rules and regulations as the lessee shall establish, (3) a covenant and agreement that the lessee shall not use the land in such a way so as to endanger or otherwise hinder the watershed, and (4) a reservation, reserving to said city, the right, at any time, to enter upon such land and use any part of it as said city deems necessary in connection with the preservation, maintenance and use of its public water supply. Said lease may contain permission to the lessee to establish reasonable rules and regulations for the use of the leased premises in furtherance of the above stated public purposes.

SECTION 4. This act shall take effect upon its passage.

*Approved February 15, 1960.*

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**Chap. 69.** AN ACT PROVIDING THAT CERTAIN ACTIONS FOR MALPRACTICE, ERROR OR MISTAKE BE ADVANCED FOR SPEEDY TRIAL AT THE REQUEST OF EITHER PARTY.

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

Chapter 231 of the General Laws is hereby amended by striking out section 59C, inserted by section 1 of chapter 118 of the acts of 1935, and inserting in place thereof the following section:—*Section 59C.* An action of contract or tort for malpractice, error or mis-

take against a physician, surgeon, dentist, optometrist, hospital or sanitarium, pending in the superior court, shall, at the request of either party, be advanced by the court so that it may be heard and determined with as little delay as possible.

*Approved February 15, 1960.*

**Chap. 70.** AN ACT AUTHORIZING THE TOWN OF WEST BRIDGEWATER TO CONVEY CERTAIN LAND TO WEST BRIDGEWATER POST NO. 66, THE AMERICAN LEGION.

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

SECTION 1. The town of West Bridgewater is hereby authorized to convey, in consideration of one dollar, to West Bridgewater Post No. 66, The American Legion, that parcel of land, with the building thereon formerly known as the Cochesett School, owned by said town and situated on the easterly side of Lincoln street, bounded and described as follows:—Westerly by said Lincoln Street, one hundred and thirty-two feet, more or less; Northerly by land of David B. Anderson and wife, one hundred and seventeen feet, more or less; Easterly by other land of said Andersons, one hundred thirty-two and eighty-eight one-hundredths feet; Southerly by other land of said Andersons, ninety-one and three tenths feet, shown as plot number five on Plan thirty-two on file at the Office of the Assessors of West Bridgewater.

Said conveyance shall be upon the condition that if said West Bridgewater Post No. 66, The American Legion, shall at any time relinquish its control of the premises conveyed thereby, then, and in that event, its estate therein shall terminate and said premises shall revert to the town and its successors.

SECTION 2. This act shall be submitted to the voters of the town of West Bridgewater at the annual town meeting to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act authorizing the town of West Bridgewater to convey certain land to West Bridgewater Post No. 66, The American Legion', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

*Approved February 15, 1960.*

**Chap. 71.** AN ACT AUTHORIZING SALVATORE E. CATALDO TO FILE A PETITION IN THE SUPERIOR COURT AGAINST THE COMMONWEALTH FOR THE ASSESSMENT OF HIS DAMAGES RESULTING FROM A CERTAIN LAND TAKING.

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

Notwithstanding the provisions of section sixteen of chapter seventy-nine of the General Laws, Salvatore E. Cataldo may file a petition against the commonwealth, within six months from the effective date of this act, for the assessment of his damages under section four-

teen of said chapter seventy-nine by reason of the taking by eminent domain of certain parcels of land owned by him in the city of Medford, shown as parcels No. 2-215 and 2-216 on layout No. 4695 dated June 24, 1958.

*Approved February 15, 1960.*

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**Chap. 72.** AN ACT AUTHORIZING LUIGI DEL VECCHIO AND ROSINA DEL VECCHIO TO FILE A PETITION IN THE SUPERIOR COURT AGAINST THE COMMONWEALTH FOR THE ASSESSMENT OF THEIR DAMAGES RESULTING FROM A CERTAIN LAND TAKING.

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

Notwithstanding the provisions of section sixteen of chapter seventy-nine of the General Laws, Luigi Del Vecchio and Rosina Del Vecchio may file a petition against the commonwealth, within six months from the effective date of this act, for the assessment of their damages under section fourteen of said chapter seventy-nine by reason of the taking by eminent domain of certain parcels of land owned by them in the city of Medford, shown as parcels No. 2-C-3 and 2-RT-5 on layout No. 4695 dated June 24, 1958.

*Approved February 15, 1960.*

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**Chap. 73.** AN ACT RELATIVE TO VOTING ON THE QUESTION OF ACCEPTING THE PROVISIONS OF LAW PLACING CLERICAL POSITIONS IN SCHOOL DEPARTMENTS OF CERTAIN TOWNS UNDER CIVIL SERVICE.

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

The third paragraph of section 47B of chapter 31 of the General Laws, as appearing in section 5 of chapter 701 of the acts of 1945, is hereby amended by inserting after the word "attendance", in line 8, the words:— , clerical positions in school departments.

*Approved February 15, 1960.*

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**Chap. 74.** AN ACT REVOKING THE AUTHORITY OF THE WATER COMMISSIONERS OF THE TOWN OF MARSHFIELD TO ACT AS SEWER COMMISSIONERS.

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

SECTION 1. Chapter fifty-six of the acts of nineteen hundred and forty-five is hereby repealed.

SECTION 2. Notwithstanding the provisions of section one of this act, the board of water commissioners of the town of Marshfield shall continue to exercise all the powers and duties conferred upon it by chapter fifty-six of the acts of nineteen hundred and forty-five until such powers and duties are conferred upon another board by vote of said town.

SECTION 3. This act shall take full effect upon its acceptance by vote of a majority of the voters of said town present and voting thereon at an annual or special town meeting called for the purpose within three years after its passage. *Approved February 15, 1960.*

**Chap. 75.** AN ACT PROVIDING TENURE OF OFFICE FOR EDWARD H. FREDERICK, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF HAMILTON.

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

SECTION 1. The tenure of office of Edward H. Frederick, the incumbent of the office of chief of police of the town of Hamilton, shall be unlimited, but he may be removed therefrom, lowered in rank or compensation or suspended for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. At any time after the expiration of one year from the date on which this act is accepted, and not less than sixty days before the date of an annual meeting, a petition signed by not less than ten per cent of the registered voters of the town, may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. Thereupon the selectmen shall cause the question of revocation of the acceptance of this act to be placed upon the official ballot to be used for the election of town officers at said meeting in the following form:—"Shall the acceptance by the town of Hamilton of an act passed by the General Court in the year nineteen hundred and sixty entitled 'An Act providing tenure of office for Edward H. Frederick, incumbent of the office of chief of police of the town of Hamilton', be revoked?" If a majority of the votes cast in answer to said question is in the affirmative then the acceptance of this act shall be revoked and this act shall become null and void beginning with the first day of the month next following such revocation.

SECTION 3. This act shall be submitted to the voters of said town at the annual town meeting to be held in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing tenure of office for Edward H. Frederick, incumbent of the office of chief of police of the town of Hamilton', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved February 17, 1960.*

**Chap. 76.** AN ACT AUTHORIZING THE TOWN OF WHATELY TO USE CERTAIN FUNDS FOR THE ACQUISITION OF LAND AND THE CONSTRUCTION OF A NEW GARAGE.

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

SECTION 1. Notwithstanding the provisions of law to the contrary, the town of Whately is hereby authorized to use funds received from the commonwealth on account of the taking of land and a garage for the payment of principal and interest on a debt incurred by said town in the acquisition of land and the construction of a new garage.

SECTION 2. This act shall take effect upon its passage.

*Approved February 17, 1960.*

**Chap. 77.** AN ACT PROVIDING TENURE FOR EDWARD T. CLARK, INCUMBENT OF THE OFFICES OF TOWN CLERK AND TREASURER OF THE TOWN OF RANDOLPH.

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

SECTION 1. The tenure of office of Edward T. Clark, incumbent of the offices of town clerk and treasurer of the town of Randolph, shall, upon the effective date of this act, be unlimited in each of said offices, but he may be removed from either or both of said offices for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing tenure for Edward T. Clark, incumbent of the offices of town clerk and treasurer of the town of Randolph', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved February 17, 1960.*

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**Chap. 78.** AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY THE LOWELL GENERAL HOSPITAL.

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

Section 2 of chapter 49 of the acts of 1925 is hereby amended by striking out, in line 2, the word "four" and inserting in place thereof the word:—twenty,—so as to read as follows:—*Section 2.* Said corporation may hold real and personal estate to an amount not exceeding twenty million dollars, anything in the laws of the commonwealth to the contrary notwithstanding. *Approved February 17, 1960.*

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**Chap. 79.** AN ACT PROVIDING LIFE TENURE FOR WINTHROP W. ADDY, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF STOW.

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

SECTION 1. The tenure of office of Winthrop W. Addy, incumbent of the office of chief of police of the town of Stow, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom, lowered in rank or suspended for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year or at any subsequent annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used at any such meeting for the election of town officers:—"Shall an act passed

by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing life tenure for Winthrop W. Addy, incumbent of the office of chief of police of the town of Stow', be accepted?' If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved February 17, 1960.*

**Chap. 80.** AN ACT PLACING THE OFFICE OF HIGHWAY COMMISSIONER OF THE TOWN OF LEICESTER UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of highway commissioner of the town of Leicester shall be subject to the civil service laws and rules, and the tenure of office of the incumbent thereof shall be unlimited, subject, however to said laws. The incumbent of said office on the effective date of this act shall be subjected by the division of civil service to a qualifying examination for said office. If he passes said examination he shall be certified for said office and shall be deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the voters of said town voting thereon at a regular or special meeting of said town, but not otherwise.

*Approved February 17, 1960.*

**Chap. 81.** AN ACT PROVIDING LIFE TENURE FOR THE PRESENT INCUMBENT OF THE OFFICE OF TOWN ENGINEER OF THE TOWN OF IPSWICH.

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

SECTION 1. The tenure of office of the present incumbent of the office of town engineer of the town of Ipswich shall, upon the effective date of this act, be unlimited, but he may be removed therefrom, lowered in rank or suspended for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing life tenure for the present incumbent of the office of town engineer of the town of Ipswich', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved February 17, 1960.*



**Chap. 82.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE SUPERINTENDENT OF STREETS IN THE TOWN OF HULL.

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

SECTION 1. Chapter three hundred and seven of the acts of nineteen hundred and fifty is hereby repealed.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Hull voting thereon at any annual or special town meeting called for the purpose, but not otherwise.

*Approved February 17, 1960.*

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**Chap. 83.** AN ACT REQUIRING THAT EACH DELEGATE TO A STATE CONVENTION OF A POLITICAL PARTY BE CHOSEN FROM THE ENROLLED MEMBERS THEREOF RESIDENT IN THE WARD OR TOWN FROM WHICH HE IS CHOSEN.

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

Chapter 53 of the General Laws is hereby amended by striking out section 54, as most recently amended by chapter 553 of the acts of 1959, and inserting in place thereof the following section:—*Section 54.* The chairman of the state committee of a political party shall issue a call on or before the first Wednesday in May to hold a state convention, to be held not earlier than June fifth and not later than June twentieth, in a year in which a biennial state election is held, for the purpose of adopting a platform and endorsing for nomination candidates for offices to be filled by all the voters of the commonwealth, to be voted for at the ensuing state primary, and for such other purposes consistent with law as the convention may determine. If the said chairman fails to issue a call on or before the first Wednesday in May for the holding of such convention, ten voters enrolled in the party may petition the superior court to compel the chairman to issue said call. Such convention shall consist of delegates chosen by the ward and town committees. The number of delegates shall be one from each ward and town and one additional for every one thousand votes or major fraction thereof cast at the preceding biennial state election, in such ward or town, for the respective party's candidate for governor. Each delegate shall be chosen from the enrolled members of the party resident in the ward or town from which he is chosen. Each such ward or town committee desiring representation at such convention shall, within fourteen days after a meeting duly called for the purpose of selecting a delegate or delegates, notify the respective city committee, in the case of a city, or the state committee, in the case of a town, but in no case shall such notice be given less than fourteen days prior to the date appointed for the opening of such convention. No vacancy shall be filled for any reason. Nothing herein contained shall affect or diminish the operation of the laws relating to state primaries contained in sections forty-one to fifty-three A, inclusive.

*Approved February 17, 1960.*

**Chap. 84.** AN ACT RELATIVE TO THE DESIGNATION OF LOADING ZONES, SO CALLED, IN THE CITY OF BOSTON AND REGULATION OF THE USE THEREOF.

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

SECTION 1. Chapter 263 of the acts of 1929 is hereby amended by striking out section 2A, inserted by chapter 319 of the acts of 1935, and inserting in place thereof the following section:—*Section 2A.* The traffic commissioner shall have exclusive authority to designate, upon written application by an abutting owner or occupant and the payment of such fee as may from time to time be fixed by ordinance under chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine, parts of streets, ways, highways, roads and parkways under the control of the city as loading zones. Every designation of a loading zone under this section shall take effect on such date, not later than one month after it is made, and expire on such date, not later than one year after its effective date, as said commissioner shall determine, and may at any time, after reasonable notice and hearing, be revoked by said commissioner if he deems the continuation of such zone to be inconsistent with the public interest or if the owner or occupant who applied therefor shall have violated any condition of the designation or any rule of the traffic commission regulating the use thereof.

SECTION 2. The third sentence of section 2 of said chapter 263, as appearing in section 3 of chapter 253 of the acts of 1957, is hereby amended by striking out, in line 4 and in line 14, the words "or section two A".

*Approved February 17, 1960.*

**Chap. 85.** AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND THE OPERATION OF CERTAIN LABOR LAWS.

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

The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend until July first, nineteen hundred and sixty-one, the application or operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of women, or of minors over the age of sixteen, or both. The commissioner shall exercise this authority when he finds, after opportunity has been given to interested parties to be heard, that an emergency exists or that conditions of hardship in an industry, branch of an industry, or individual establishment require or justify the suspension of any provision of such laws, rules or regulations. Suspensions issued by the commissioner shall prescribe, and may be either granted or limited to, one or more particular departments, operations or occupations within an establishment, or a particular industry or branch of an industry. The commissioner shall appoint industry advisory committees, on which employers and employees shall be equally represented, to consult and advise with him in matters relating to the suspensions authorized by this act.

*Approved February 17, 1960.*

**Chap. 86.** AN ACT RELATIVE TO THE HOLDING OF THE STATE PRIMARIES IN THE CURRENT YEAR.

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

The biennial state primaries shall be held on Tuesday, the thirteenth day of September in the current year, notwithstanding any contrary provision contained in section twenty-eight of chapter fifty-three of the General Laws.

The dates, days and hours for the performance of certain acts and the doing of certain things under the provisions of the General Laws shall, for the current year, notwithstanding any contrary provision of said General Laws as to said dates, days and hours, be in accordance with the dates, days and hours set forth in the following political calendar:—

June 28,	Registrars of Voters and Election Commissioners are required to
July 5, 12, 19	hold meetings for certifying names on all nomination papers on the four Tuesdays preceding July 26.
July 19	5 P.M., last day and hour for filing all nomination papers with Registrars of Voters and Election Commissioners for certification of signatures.
July 25	Last day for holding convention of non-political parties for the nomination of candidates.
July 26	5 P.M., last day and hour for filing all nomination papers and certificates of nomination for the biennial state primary and for the State Election with the Secretary of the Commonwealth.
July 26	5 P.M., last day and hour for filing certificates of enrolment of candidates to the State Primaries.
July 29	5 P.M., last day and hour for filing withdrawals of or objections to all nomination papers and certificates of nomination for the State Election with the Secretary of the Commonwealth.
August 2	5 P.M., last day and hour for filling vacancies caused by withdrawals.
August 12	Last day to register voters for the State Primaries.
September 2	Last day for filing public policy applications with Registrars of Voters and Election Commissioners for certification of signatures.
September 9	Last day for filing with the Secretary of the Commonwealth applications for submission to voters at the State Election of questions of public policy.
September 13	STATE PRIMARIES.
September 19	5 P.M., last day and hour for filing written acceptance by candidates to be voted for whose names were not printed on the Primary ballots.
September 19	5 P.M., last day and hour for filing withdrawals of or objections to nominations at the State Primaries.
September 22	5 P.M., last day and hour for filling vacancies caused by withdrawals at the State Primaries.
October 7	Last day to register voters for the State Election.
November 8	STATE ELECTION.

CORRUPT PRACTICES.

CANDIDATES.

September 14	Earliest day for filing with the Secretary of the Commonwealth returns of receipts and expenditures for nomination.
September 29	5 P.M., last day and hour for filing such returns.
November 9	Earliest day for filing returns of receipts and expenditures of candidates for election.
November 25	5 P.M., last day and hour for filing such returns.

POLITICAL COMMITTEES.

- November 9     Earliest day for filing detailed statement of receipts and expenditures of a political committee, with the clerk of the city or town in which the candidate is a voter, and a duplicate with the Secretary of the Commonwealth.
- December 8     5 P.M., last day and hour for filing such statements.

*Approved February 17, 1960.*

**Chap. 87.**     AN ACT PROVIDING THAT CERTAIN SALARY AND WAGE INCREASES GRANTED TO TOWN EMPLOYEES MAY BE MADE RETROACTIVE TO THE BEGINNING OF THE FINANCIAL YEAR IN WHICH THEY ARE GRANTED.

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

Section 108A of chapter 41 of the General Laws, as amended by chapter 351 of the acts of 1948, is hereby further amended by adding at the end the following paragraph:—

A town may, by vote of the town meeting or by by-law, provide that salary and wage increases granted to town employees by an annual town meeting under a salary plan established pursuant to this section or by a consolidated by-law established pursuant to section one hundred and eight C shall be retroactive to the beginning of the financial year in which such increases are voted by said annual town meeting.

*Approved February 17, 1960.*

**Chap. 88.**     AN ACT AUTHORIZING MUNICIPAL BOARDS AND OFFICERS TO GRANT PERMITS FOR THE PLACING OF PUBLIC TELEPHONES AND BOOTHS ON PUBLIC WAYS.

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

Chapter 85 of the General Laws is hereby amended by striking out section 8, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 8.* The municipal board or officer having charge of the laying out of public ways may grant permits for the placing and maintaining of signs, advertising devices, clocks, marquees, public telephones, telephone booths and other appurtenances thereto, permanent awnings and other like structures projecting into or placed on or over public ways in its town, and may fix the fees therefor, not exceeding one dollar for any one permit, and may make rules and regulations relating thereto, and prescribe the penalties for a breach of any such rules and regulations, not exceeding five dollars for each day during which any such structure is placed or maintained contrary to the rules and regulations so made, after five days' notice to remove the same has been given by such board or officer, or by a police officer of the town. All such structures shall be constructed, and, when attached to a building, shall be connected therewith, in accordance with the requirements of the inspector of buildings, building commissioner or other board or officer having like authority in the town.

*Approved February 17, 1960.*

**Chap. 89.** AN ACT RELATIVE TO THE LAYING OF CERTAIN WATER MAINS BY THE BOARD OF WATER COMMISSIONERS IN THE CHELMSFORD WATER DISTRICT.

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

SECTION 1. The board of water commissioners of the Chelmsford Water District, hereinafter referred to as the board, is hereby authorized to lay water mains in public and private ways within the limits of said district. Abutters on such public ways and owners of such private ways may apply to the board for the laying therein of water mains, and such an application shall contain such information, including plans, as the board may require. Upon receipt of an application hereunder, the board shall make an estimate of the cost of the work to be done by it, and shall notify the applicant of the amount of such estimate. Thereupon the applicant shall pay the amount of the estimate to the treasurer of said district, who shall hold the same in a separate account and pay therefrom the cost of the work as certified to him from time to time by the board. In case the cost of such work exceeds the cost estimated by the board, the work shall cease until the additional cost has been estimated by the board and the amount thereof has been paid to said district treasurer, which additional amount shall be held and used in the same manner as the amount paid on the original estimate. No work shall be done by the board hereunder until the payments due from the applicant have been paid to said district treasurer, nor until the applicant has granted to the said district such easements and other rights as may be necessary in carrying out the purposes of this act. In case the cost of the work is less than the cost estimated by the board, the difference shall be refunded to the applicant.

SECTION 2. This act shall take full effect upon its acceptance by a majority vote of the voters of said district present and voting thereon, by the use of a check list, at a district meeting called within two years after its passage.

*Approved February 17, 1960.*

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**Chap. 90.** AN ACT REVIVING IPSWICH ELECTRIC SHOP, INC.

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

Ipswich Electric Shop, Inc., a corporation dissolved on December thirtieth, nineteen hundred and fifty-two, by decree of the supreme judicial court, is hereby revived with the same powers, duties and obligations as if said decree had not been entered and all acts and proceedings of the stockholders, directors and officers of said corporation, acting as such, which would be legal and valid but for the entrance of said decree, are hereby ratified and confirmed.

*Approved February 17, 1960.*

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**Chap. 91.** AN ACT AUTHORIZING A CITY OR TOWN TO MAKE APPROPRIATIONS FOR THE CELEBRATION OF ITS SETTLEMENT AT THE END OF PERIODS OF TWENTY-FIVE YEARS.

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

Clause (27) of section 5 of chapter 40 of the General Laws, as

amended by section 8 of chapter 358 of the acts of 1946, is hereby further amended by striking out, in line 9 and in line 10, the word "fifty" and inserting in place thereof, in each instance, the word:—twenty-five,—so as to read as follows:—

(27) For the celebration of the fourth of July, for the celebration of the return of veterans, or for the observance of an old home week or day, to take place during any week or upon any day of the year in which the appropriation is made, during which the town may conduct appropriate celebrations in honor of returning residents and other invited guests and hold exercises of historic interest; and, by a two thirds vote, for the celebration of the anniversary of its settlement or of its incorporation at the end of a period of twenty-five, or of any multiple of twenty-five, years therefrom, and for publishing the proceedings thereof. Money may be appropriated for the celebration of such anniversary not earlier than two years prior to such celebration. If there is any question as to the date of the settlement, the date shall be determined by the selectmen, subject to the approval of the voters. The celebration of the anniversary may be held at any time during the year.

*Approved February 17, 1960.*

**Chap. 92.** AN ACT PROVIDING FOR THE EXTENSIONS OF THE BOUNDARIES OF THE SHIRLEY VILLAGE WATER DISTRICT.

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

SECTION 1. Chapter 119 of the acts of 1903 is hereby amended by inserting after section 1 the following section:—*Section 1A.* All of the following described real estate not included in said district and not otherwise served by a public water supply shall become and be a part thereof and shall be holden under this act in the same manner and to the same extent as the real estate described in section one:—Beginning at the southwesterly corner of the water district at the town monument at the southwesterly corner of Shirley, the southeasterly corner of the town of Lunenburg and on the northerly side of the town of Lancaster; thence northerly by the Lunenburg-Shirley town line, twenty-three thousand one hundred (23,100) feet more or less to a point two hundred (200) feet, measured at right angles, northerly of Great Road; thence southeasterly and easterly by a line two hundred (200) feet northerly of and parallel to Great Road, twenty thousand four hundred (20,400) feet more or less to the Ayer town line; thence southerly by the Nashua River, the boundary between Shirley and Ayer and Shirley and Harvard, twenty-eight thousand seven hundred (28,700) feet more or less to the Shirley-Lancaster town line; thence westerly by the Shirley-Lancaster town line, twelve thousand (12,000) feet, more or less, to the point of beginning.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the Shirley Village Water District voting thereon at a district meeting, but not otherwise.

*Approved February 17, 1960.*

**Chap. 93.** AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF LUDLOW WITH REFERENCE TO A SITE FOR A HIGH SCHOOL IN SAID TOWN.

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

SECTION 1. For the purpose of ascertaining the will of the voters of the town of Ludlow with reference to the question of selecting a site for a high school, there shall be placed upon the official ballot to be used at the town election in the current year the following question:—"Which of the following sites do you prefer as the site for a high school? Vote for one:—

Veterans Park

Whitney Street Park and adjacent land

Neither site


”

If a majority of the votes cast is for one site then it shall be deemed and taken to be the will of the voters of said town that the high school shall be built on said site and if a majority of the votes cast is for "Neither Site", it shall be deemed and taken to be the will of said voters that neither site shall be used as the site for the high school.

SECTION 2. Any action taken under authority of this act at the annual town meeting of the town of Ludlow held in the current year shall be as effective in all respects as though this act had been in full force and effect on the date when the warrant for said meeting was posted.

SECTION 3. This act shall take effect upon its passage.

*Approved February 18, 1960.*

**Chap. 94.** AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO USE CERTAIN PARK LAND KNOWN AS RIVERSIDE PARK FOR MUNICIPAL PURPOSES.

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

SECTION 1. The city of Newburyport may, by a vote of the city council with the approval of its mayor, use for such municipal purposes as it may from time to time determine, all or any portion of the land held by said city for park purposes and known as Riverside park. Said city may restrict the use of said land to its inhabitants, and may adopt ordinances, not repugnant to law, relative to the use, care, regulation and control of same for such purposes.

SECTION 2. This act shall take effect upon its passage.

*Approved February 18, 1960.*

**Chap. 95.** AN ACT EXEMPTING FROM TAXATION THE PROPERTY OF INCORPORATED INSTRUMENTALITIES OF THE MASSACHUSETTS STATE COUNCIL KNIGHTS OF COLUMBUS.

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

SECTION 1. The real or personal property of any incorporated instrumentality of the Massachusetts State Council Knights of Columbus, an unincorporated association, whether such instrumentality is incorporated under the laws of the commonwealth or under the laws

of any other state of the United States, shall be exempt from taxation under the provisions of chapter fifty-nine of the General Laws, so long as such property is principally and usually devoted to the religious, educational or charitable purposes of said unincorporated association.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty.  
*Approved February 18, 1960.*

**Chap. 96.** AN ACT EXTENDING THE TIME DURING WHICH A STAY OR SUCCESSIVE STAYS OF EXECUTION TALLING NINE MONTHS MAY BE GRANTED IN AN ACTION OF SUMMARY PROCESS BROUGHT TO RECOVER POSSESSION OF PREMISES FOR DWELLING PURPOSES.

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

Chapter 43 of the acts of 1946 is hereby amended by striking out section 2, as most recently amended by chapter 72 of the acts of 1959, and inserting in place thereof the following section:—*Section 2.* This act shall become inoperative on June thirtieth, nineteen hundred and sixty-one.  
*Approved February 23, 1960.*

**Chap. 97.** AN ACT INCREASING THE SALARY LIMITATION WITHIN WHICH PROBATE JUDGES MAY ENGAGE IN A LIMITED PRACTICE OF LAW.

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

Chapter 217 of the General Laws is hereby amended by striking out section 6, as amended by section 3 of chapter 408 of the acts of 1937, and inserting in place thereof the following section:—*Section 6.* No judge of probate shall be interested in, or benefited by, the fees or emoluments which may arise in any matter pending before any probate court or court of insolvency of this commonwealth, or which may arise in any suit or action pending in any court of this commonwealth where the subject matter or cause of action is founded upon or derived from proceedings begun in any of the probate courts or courts of insolvency nor shall he, except as otherwise provided, be appointed or act as executor, administrator, guardian, conservator, trustee under a will, commissioner, appraiser or assignee of or upon an estate within the jurisdiction of any probate court; nor shall he be interested in the fees or emoluments arising from any of said trusts. No judge of probate receiving a salary of sixty-five hundred dollars or more shall directly or indirectly engage in the practice of law. No judge of probate receiving a salary less than sixty-five hundred dollars shall be retained or employed or act as counsel or attorney, either in or out of court, in any suit or matter which may depend on or in any way relate to a decision, warrant, order or decree made or passed by any probate court or court of insolvency; nor for or against an executor, administrator, guardian, conservator or trustee under a will appointed within the jurisdiction of any probate court, in any action or suit brought by or against the executor, administrator, guardian, conservator or trustee under a will as such; nor in any action or suit relating



to the official conduct of such party; nor for or against a creditor, debtor or assignee, in a cause or matter arising out of or connected with any proceedings before any probate court or court of insolvency; nor in an appeal in such cause or matter; provided, that nothing in this section shall prohibit the practice of law as a conveyancer by a judge of probate receiving a salary of less than sixty-five hundred dollars.

*Approved February 23, 1960.*

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**Chap. 98.** AN ACT AUTHORIZING THE CITY OF QUINCY TO ABATE A CERTAIN STREET BETTERMENT ASSESSMENT AND TO REFUND A CERTAIN AMOUNT PAID ON SUCH ASSESSMENT.

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

SECTION 1. In order to correct an inequity, the city of Quincy is hereby authorized to abate and refund the amount of one hundred and seventy-five dollars and thirty-five cents paid on the street betterment assessment order number 10876, on lot 10, plot 13, plan 1075, Babcock street in said city, which assessment was paid.

SECTION 2. This act shall take effect upon its acceptance by majority vote of the city council of said city subject to the provisions of its charter, but not otherwise.

*Approved February 23, 1960.*

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**Chap. 99.** AN ACT AUTHORIZING CHILDREN'S CANCER RESEARCH FOUNDATION, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

Notwithstanding the provisions of chapter one hundred and eighty of the General Laws, Children's Cancer Research Foundation, Inc., a corporation duly organized under the provisions of said chapter, is hereby authorized to acquire by gift, grant, bequest, devise or otherwise, lands, tenements or other estate, real or personal, in an amount not to exceed ten million dollars, and to hold, manage, and from time to time invest and reinvest the same or the proceeds of any sale thereof, for the purposes set forth in its charter.

*Approved February 23, 1960.*

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**Chap. 100.** AN ACT PROHIBITING THE USE OF FIREARMS OR BOWS AND ARROWS ON THE GREYLOCK STATE RESERVATION FROM MAY FIRST TO OCTOBER TWENTIETH, INCLUSIVE.

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

The second paragraph of section 1 of chapter 608 of the acts of 1959 is hereby amended by inserting after the word "reservation", in line 6, the following:— ; provided, however, that from May first to October twentieth in each year, both dates inclusive, no person shall use a bow and arrow or a firearm of any kind, including, but not limited to, a firearm as defined in section one hundred and twenty-one of chapter one hundred and forty of the General Laws, on said reservation.

*Approved February 23, 1960.*

**Chap. 101.** AN ACT PERMITTING THE USE OF THE COLOR ORANGE IN CLOTHING OR MATERIAL REQUIRED WHILE HUNTING DURING THE DEER SEASON.

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

Section 85C of chapter 131 of the General Laws, as amended by chapter 40 of the acts of 1957, is hereby further amended by striking out, in lines 5 and 7, the words "or yellow", and inserting in place thereof, in each instance, the words:—, yellow or orange,—so as to read as follows:—*Section 85C.* Whoever during the open season on deer hunts or enters the woodlands or fields of the commonwealth for the purpose of hunting shall wear on his head or about his shoulders or back some form of clothing the color of which shall be red, yellow or orange or upon such clothing shall affix in a conspicuous manner a material the color of which shall be red, yellow or orange. Any violation of any provision of this section shall be punished by a fine of not less than ten nor more than fifty dollars.

*Approved February 23, 1960.*

**Chap. 102.** AN ACT PROHIBITING CERTAIN PERSONS FROM ENTERING OR ATTEMPTING TO ENTER, WHILE A RACING MEETING IS BEING CONDUCTED, THE PREMISES OF A LICENSEE CONDUCTING SUCH MEETING, AND IMPOSING A PUNISHMENT FOR VIOLATION THEREOF.

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

Chapter 128A of the General Laws is hereby amended by inserting after section 10 the following section:—*Section 10A.* Any person licensed to conduct a horse or dog racing meeting, including racing meetings conducted in connection with state or county fairs, shall have the right to refuse admission to or eject from its premises any person whose presence on said premises is detrimental, in the sole judgment of said licensee, to the proper and orderly conduct of a racing meeting. Any person who has been notified by a licensee of a racing meeting not to enter or attempt to enter its premises and who thereafter, without the express approval of such licensee, enters or attempts to enter such premises while a racing meeting is being conducted therein, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or by both.

*Approved February 23, 1960.*

**Chap. 103.** AN ACT INCREASING THE NUMBER OF SIGNATURES OF REGISTERED VOTERS TO BE FILED BY CANDIDATES BEFORE THEIR NAMES SHALL BE PRINTED ON BALLOTS IN PRELIMINARY ELECTIONS IN THE CITY OF LAWRENCE.

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

**SECTION 1.** Section 10 of Part II of chapter 621 of the acts of 1911 is hereby amended by striking out in the provision following the form of "Statement of Candidate" the word "twenty-five" and inserting

in place thereof the word:—fifty,—so as to read as follows:—and provided that he shall at the same time file therewith a petition of at least fifty registered voters of the city, qualified to vote for a candidate for said office, which petition shall be in substantially the following form:—.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Lawrence, subject to the provisions of its charter, but not otherwise.

*Approved February 23, 1960.*

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**Chap. 104.** AN ACT AUTHORIZING THE TOWN OF ASHLAND TO RETAIN THE SEVEN PERMANENT INTERMITTENT PATROLMEN HAVING CIVIL SERVICE STATUS NOTWITHSTANDING THEIR REFUSAL TO ACCEPT PERMANENT APPOINTMENT.

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

SECTION 1. Notwithstanding the contrary provisions of section twenty C of chapter thirty-one of the General Laws or of any general or special law, the town of Ashland is hereby authorized to retain the seven permanent intermittent patrolmen having civil service status notwithstanding their refusal to accept permanent appointment to the regular force on the occasion of three separate certifications and they shall remain eligible for appointment as permanent patrolmen until they attain the age of fifty.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act authorizing the town of Ashland to retain the seven permanent intermittent patrolmen having civil service status notwithstanding their refusal to accept permanent appointment', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

*Approved February 24, 1960.*

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**Chap. 105.** AN ACT AUTHORIZING THE TOWN OF STONEHAM TO BORROW MONEY FOR THE DREDGING AND IMPROVEMENT OF CERTAIN WATERWAYS AND VALIDATING ACTS AND PROCEEDINGS OF A CERTAIN TOWN MEETING.

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

SECTION 1. The town of Stoneham, for the purpose of contributing to the cost or expense of dredging or otherwise enlarging and improving the Sweetwater brook and adjacent areas in said town, said work to be done by the division of waterways of the department of public works, may borrow from time to time, within three years of the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars and may issue bonds or notes of the town therefor which shall bear on their face the words, Town of

Stoneham, Brook Clearance Loan, Act of 1960. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates.

SECTION 2. The action taken by the town of Stoneham at the special town meeting on November eighteenth, nineteen hundred and fifty-nine, in voting to adopt Article 5 of the warrant for said meeting, and all acts and proceedings in pursuance thereof are hereby confirmed and validated, and shall have the same effect as though this act were in full force and effect upon the date of the posting of said warrant.

SECTION 3. This act shall take effect upon its passage.

*Approved February 26, 1960.*

**Chap. 106.** AN ACT PROVIDING FOR THE MERGER AND UNION OF THE WOMAN'S BOARD OF MISSIONS WITH THE AMERICAN BOARD OF COMMISSIONERS FOR FOREIGN MISSIONS AND FOR INCREASING THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE AMERICAN BOARD OF COMMISSIONERS FOR FOREIGN MISSIONS.

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

SECTION 1. The Woman's Board of Missions, incorporated by chapter fifty-eight of the acts of eighteen hundred and sixty-nine, is hereby authorized to merge in and unite with The American Board of Commissioners for Foreign Missions, incorporated by chapter twenty-one of the acts of eighteen hundred and twelve, by acceptance of this act within one year after its effective date, at meetings of the corporate members of each of the corporations duly called for the purpose, and said The American Board of Commissioners for Foreign Missions, upon and after such merger and union shall in all respects be a continuation of, shall have all the powers, privileges and exemptions of, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to, said existing corporations. Upon such acceptance, copies of the votes of acceptance certified by the clerk or other officer of the corporations so voting shall be filed in the registry of deeds of Suffolk county and with the state secretary, and the merger and union of said corporations shall thereupon be complete.

SECTION 2. Upon such merger and union, all property, real and personal, of said Woman's Board of Missions and all devises, bequests, conveyances and gifts heretofore and hereafter made to said Woman's Board of Missions, however described, shall vest in The American Board of Commissioners for Foreign Missions and otherwise shall be held by said The American Board of Commissioners for Foreign Missions subject to the same terms, conditions, limitations and trusts as they are now held by said Woman's Board of Missions or would have been held but for this act, and the treasurer of the Woman's Board of Missions is hereby authorized to execute, acknowledge and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in The American Board of Commissioners for Foreign Missions the record title to the property of said Woman's Board of Missions.

SECTION 3. The American Board of Commissioners for Foreign Missions is hereby authorized to take and hold in fee simple or otherwise lands, tenements or hereditaments, by gift, grant, devise or otherwise for the purposes for which it was incorporated, to an amount not exceeding in value fifteen million dollars and may also take and hold by gift, bequest or otherwise personal property to an amount not exceeding fifty million dollars, anything in its act of incorporation or in subsequent acts amending the same to the contrary notwithstanding.

SECTION 4. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purpose of this act.

SECTION 5. For the purpose of its acceptance this act shall take effect upon its passage.

*Approved February 26, 1960.*

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**Chap. 107.** AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO LAY WATER PIPES WITHIN THE LIMITS OF THE TOWN OF ANDOVER.

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

SECTION 1. For the purpose of extending its water system and providing the inhabitants of certain sections of the town of Tewksbury with water, the said town of Tewksbury is hereby authorized to lay, maintain, replace and repair water pipes within the limits of the town of Andover on Dascomb road running easterly for a distance of one hundred and fifty feet and running northerly on Shawsheen street for a distance of one hundred and seventy feet.

SECTION 2. This act shall take effect upon its passage.

*Approved February 26, 1960.*

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**Chap. 108.** AN ACT PROVIDING LIFE TENURE FOR FRANCIS X. SHEA, INCUMBENT OF THE OFFICE OF TREASURER OF THE CITY OF REVERE.

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

SECTION 1. The tenure of office of Francis X. Shea, incumbent of the office of treasurer of the city of Revere, shall be unlimited. Said incumbent shall not be removed from said office or suspended, except in accordance with the provisions of section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved February 26, 1960.*

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**Chap. 109.** AN ACT ENABLING UNITARIAN SERVICE COMMITTEE, INC. TO HOLD MEETINGS OF ITS MEMBERS ANYWHERE IN THE UNITED STATES OF AMERICA AND CANADA.

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

SECTION 1. Unitarian Service Committee, Inc., incorporated in ac-

cordance with chapter one hundred and eighty of the General Laws, is hereby authorized to hold meetings of its members anywhere in the United States of America or Canada and to transact any and all business at such meetings which it might transact if such meetings were held in the commonwealth.

SECTION 2. This act shall take effect upon acceptance by the members of the Unitarian Service Committee, Inc., at an annual meeting held in the commonwealth, and upon the filing of a certified copy of said vote of acceptance with the secretary of the commonwealth.

*Approved February 26, 1960.*

**Chap. 110.** AN ACT AUTHORIZING THE HOLYOKE PUBLIC LIBRARY TO ACQUIRE CERTAIN REAL AND PERSONAL ESTATE, AND INCREASING THE AMOUNT OF THE APPROPRIATION THAT MAY BE MADE BY THE CITY OF HOLYOKE TOWARDS DEFRAYING THE EXPENSES OF SAID LIBRARY.

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

SECTION 1. Chapter 199 of the acts of 1870 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* Said corporation shall have authority to acquire and hold real and personal estate by gift, lease, purchase or otherwise, for the purposes aforesaid.

SECTION 2. Said chapter 199 is hereby further amended by striking out section 4 and inserting in place thereof the following section:—*Section 4.* So long as said corporation shall allow the inhabitants of the city of Holyoke free access to its library and museum at reasonable hours, for the purpose of using and enjoying the same, said city may appropriate and pay annually towards defraying the expenses of said library and museum, a sum not exceeding two-tenths of one per cent of the assessed valuation of real and personal property in said city in the year next preceding that in which said appropriation is made.

*Approved February 26, 1960.*

**Chap. 111.** AN ACT RELATIVE TO INVESTMENTS BY CO-OPERATIVE BANKS IN THE FEDERAL HOME LOAN BANK SYSTEM.

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

Section 26 of chapter 170 of the General Laws is hereby amended by striking out subsection 3, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following subsection:—

3. In the stock of the Federal Home Loan Bank established for the district of New England, and in the consolidated obligations of the Federal Home Loan Bank system under the provisions of an act of congress, approved July twenty-second, nineteen hundred and thirty-two, as amended, and known as the Federal Home Loan Bank Act, and any successor of said bank. The amount invested by such corporation under this subsection in said stock shall not at any time exceed three per cent of its assets and the amount so invested in said obligations shall not at any time exceed two per cent of its assets.

*Approved February 26, 1960.*

**Chap. 112.** AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO ADOPT, AMEND OR REPEAL CERTAIN REGULATIONS RELATIVE TO PARKING OF MOTOR VEHICLES IN SAID TOWN.

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

SECTION 1. Notwithstanding any special or general law to the contrary, the board of selectmen of the town of Marblehead is hereby authorized to adopt, amend, alter and repeal rules and regulations prohibiting the parking or standing of all vehicles on any street, way, highway, road or parkway in said town and for the removal of vehicles parked or standing in violation of law on public ways therein. No such rule or regulation, except special rules and regulations as are declared by a majority vote of the board of selectmen to be urgently required by considerations of public safety or convenience or such as are of a temporary nature and are to be effective for a period of not more than two weeks, shall take effect until published for two successive weeks in a local newspaper.

SECTION 2. Said board of selectmen may authorize the chief of police of the town, or such superior officers in the police department of the town as they may from time to time designate, to remove to some convenient place, through the agency of a person or persons in the employ of the police department of the town, but not by an independent contractor, any vehicle, except a vehicle owned by the commonwealth or a political subdivision thereof or by the United States or an instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, and except also a vehicle owned by a disabled veteran and bearing a distinctive number plate authorized by section two of chapter ninety of the General Laws, parked or standing on any part of any such street, way, highway, road or parkway in the town of Marblehead, in violation of any rule or regulation adopted under section one which prohibits the parking or standing of all vehicles on such part at such time and provides that whoever violates it shall be liable to a charge for the removal and storage of the vehicle as well as subject to punishment by fine, and said board may impose liability for the reasonable cost of such removal, and of the storage charges, if any, resulting therefrom, upon the owner of such vehicle; provided, however, that the liability so imposed shall not exceed five dollars for removal or six and one quarter cents for each hour, or part thereof, of storage. The town of Marblehead shall be liable to the owner of such vehicle for any damage caused to it arising out of negligence in the course of such removal and storage.

SECTION 3. This act shall take full effect upon its acceptance by the voters of the town of Marblehead, at an annual or special town meeting.

*Approved February 26, 1960.*

**Chap. 113.** AN ACT AUTHORIZING THE ESTABLISHMENT OF A SEPARATE ACCOUNT IN THE TREASURY OF THE CITY OF BEVERLY CONSISTING OF RECEIPTS OF ITS RECREATION COMMISSION AND PROVIDING FOR EXPENDITURES THEREFROM WITHOUT FURTHER APPROPRIATION.

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

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws, the recreation commission of the city of Beverly, established under the provisions of section fourteen of chapter forty-five of the General Laws, shall deposit with the treasurer of said city all receipts derived from the conduct of its activities and said receipts shall be held by said treasurer as a separate account and the principal and interest thereof may be expended by said commission without further appropriation in such manner and at such times as in the discretion of said commission best serve and promote the purposes for which said commission was established.

SECTION 2. This act shall take effect upon its acceptance by the board of aldermen of said city, subject to the provisions of its charter, but not otherwise.

*Approved February 26, 1960.*

**Chap. 114.** AN ACT AUTHORIZING THE CITY OF MALDEN TO USE A PORTION OF THE PROCEEDS OF A CERTAIN LOAN FOR RESURFACING AREAS ADJACENT TO CERTAIN SCHOOLS AND FOR CHANGING THE HEATING EQUIPMENT IN A CERTAIN SCHOOL.

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

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the city of Malden is hereby authorized to expend nineteen thousand seven hundred and fifty-seven dollars and one cent from the balance remaining from the proceeds of the loan made by said city under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, for the purpose of resurfacing with blacktop the areas adjacent to the Lincoln Junior High School, the Lincoln Elementary School and the Linden School, and for the purpose of changing the heating equipment in the Lincoln Junior High School.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved February 26, 1960.*

**Chap. 115.** AN ACT AUTHORIZING THE DIRECTORS OF THE CONGREGATIONAL CHURCH OF OTIS TO CONVEY CERTAIN PROPERTY.

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

Notwithstanding the provisions of any general or special law to the contrary, the directors of the Congregational Church of Otis are hereby authorized to transfer, sell and convey all or part of the parsonage and any other property which the said Congregational Church may own. The said Congregational Church of Otis may apply the proceeds of the sale to the purchase or construction and maintenance of a new parsonage.

*Approved February 26, 1960.*



**Chap. 116.** AN ACT PLACING THE POSITIONS OF REGULAR OR PERMANENT MEMBERS OF THE POLICE FORCE OF THE TOWN OF AUBURN UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The positions of regular or permanent members of the police force of the town of Auburn shall, upon the effective date of this act, be subject to the civil service laws and rules relative to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The incumbent of each such position on said effective date shall be subjected to a qualifying examination for such position by the division of civil service, and, if he passes said examination, shall be certified for said position and shall be deemed to be permanently appointed thereto without being required to serve any probationary period.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Auburn at an annual or special town meeting in the form of the following question, which shall be placed, in the case of an annual meeting, upon the official ballot to be used for the election of town officers at such meeting, or in case of a special town meeting, upon the ballot to be used at such meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the positions of regular or permanent members of the police force of the town of Auburn under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved February 26, 1960.*

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**Chap. 117.** AN ACT PROVIDING LIFE TENURE FOR WILLIAM J. O'BANHEIN, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF STOCKBRIDGE.

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

SECTION 1. The tenure of office of William J. Obanhein, incumbent of the office of chief of police of the town of Stockbridge, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom, lowered in rank or suspended for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance by said town at its next annual or at a special town meeting in the form of the following question, which shall be placed, in the case of an annual meeting upon the official ballot to be used for the election of town officers at such meeting, or in case of a special town meeting, upon the ballot to be used at such meeting:—"Shall an act passed by the General Court in the current year, entitled 'An Act providing life tenure for William J. Obanhein, incumbent of the office of chief of police of the town of Stockbridge', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved February 26, 1960.*

**Chap. 118.** AN ACT TO MAKE A CORRECTIVE CHANGE IN THE GENERAL LAWS RELATIVE TO CHARGE FOR FILING A WILL WITH THE REGISTER OF PROBATE.

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

Section 10 of chapter 191 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the words "one dollar" and inserting in place thereof the words:— five dollars,—so as to read as follows:—*Section 10.* A will enclosed in a sealed wrapper, with an endorsement thereon of the name and residence of the testator and of the day when and the person by whom it is deposited, and with or without the name of a person to whom the will is to be delivered after the death of the testator, shall, on the payment of five dollars, be received by the register of probate in the county where the testator lives, who shall give a certificate of the receipt thereof, and shall keep such will; and the same shall not be opened until it is delivered to a person entitled to receive it or is otherwise disposed of as hereinafter provided.

*Approved February 26, 1960.*

**Chap. 119.** AN ACT TO AUTHORIZE THE FIRST CONGREGATIONAL CHURCH IN NORWOOD TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

Chapter 239 of the acts of 1884 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* Said corporation may hold property, real and personal, to the amount of two million dollars for the purposes named in its act of incorporation.

*Approved February 26, 1960.*

**Chap. 120.** AN ACT AUTHORIZING THE FIRST CONGREGATIONAL PARISH OF THE TOWN OF SANDWICH TO CONVEY CERTAIN LAND.

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

**SECTION 1.** The First Congregational Parish of the town of Sandwich is hereby authorized to convey its land, with the buildings thereon, situated in the town of Sandwich to a board of trustees, consisting of three members of the Sandwich Federated Church congregation, who shall be elected at a duly called meeting of the members of said congregation. Said trustees shall be vested with all the power and right required by law to hold said property, including the right, upon authorization by a vote of the congregation passed at a duly called meeting, to sell, convey or mortgage said property or any portion thereof. The treasurer of the First Congregational Parish, when authorized and directed by a vote of the parish, may execute and deliver such deed or deeds as may be necessary to convey said property to the said trustees.

**SECTION 2.** This act shall take effect upon its passage.

*Approved February 29, 1960.*

**Chap. 121.** AN ACT AUTHORIZING THE CITY OF WORCESTER TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES.

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

SECTION 1. The city of Worcester is hereby authorized to use for school purposes any part or parts of certain land in said city known as Newton Hill and bounded on the north by Highland street, on the south by Pleasant street, on the east by Park avenue and on the west by Newton square, and presently held by said city for park purposes; provided, that the board of park commissioners of said city shall, by vote at a regular or special meeting of said board, assent to such use; and, provided further, that said use is authorized by a vote of a majority of all the members of the city council of said city; and provided, further, that said use is further authorized by decree of the supreme judicial court.

SECTION 2. This act shall take effect upon its passage.

*Approved February 29, 1960.*

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**Chap. 122.** AN ACT RELATIVE TO MEMBERSHIP IN CO-OPERATIVE BANKS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to require forthwith that any person obligated to make payments to a co-operative bank under a mortgage, whether such person is the original borrower or a subsequent owner of the mortgaged property, shall become a member of the corporation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Section 24 of chapter 170 of the General Laws, as most recently amended by chapter 179 of the acts of 1959, is hereby further amended by inserting before subsection 2 the following subsection:—1A. The person obligated from time to time to make payments under a mortgage, whether he is the original borrower or a subsequent owner of the mortgaged property, shall be or become a member of the corporation.

*Approved February 29, 1960.*

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**Chap. 123.** AN ACT AUTHORIZING THE TOWN OF MARION TO APPROPRIATE MONEY FOR AND TO PURCHASE A CERTAIN WATER MAIN IN SAID TOWN.

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

SECTION 1. The town of Marion is hereby authorized to acquire by purchase from Benjamin D. Dexter five hundred and fifteen feet, more or less, of an existing water main in Bass Point road, so called, in said town, consisting of a four inch transite pipe, and one six inch hydrant and fittings, and for said purpose may appropriate the sum of one thousand three hundred and one dollars and twenty-six cents.

SECTION 2. Any action taken by a town meeting in the current year pursuant to authority contained in section one of this act shall be valid and effective as though this act were in effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved February 29, 1960.*

**Chap. 124.** AN ACT AUTHORIZING THE TOWN OF CLINTON TO USE CERTAIN LAND FOR GENERAL SCHOOL PURPOSES.

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

SECTION 1. The town of Clinton is hereby authorized to use, for general school purposes and for the erection thereon of such school buildings as it may determine, the land in said town bounded: southerly by Church street, westerly by Main street, northerly by the Boston and Maine and New York, New Haven & Hartford railroads, easterly by Walker place, Ring street, Pond court and Coolidge place, so-called, which land consists of the municipal parking lot, the Company Field and Ash street playground.

SECTION 2. This act shall take effect upon its passage.

*Approved February 29, 1960.*

**Chap. 125.** AN ACT PROVIDING FOR THE TRANSFER OF THE FULLER MINISTERIAL FUND OF THE FIRST PARISH IN PLYMOUTH TO THE FINANCE COMMITTEE OF SAID PARISH.

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

SECTION 1. Within three months after the effective date of this act, the trustees of the Fuller Ministerial Fund of the First Parish in Plymouth shall transfer to the finance committee of the First Parish in Plymouth all the assets of said Fund, including principal and accumulated income then held by them. Upon such transfer said Fund as a separate trust shall be terminated and the office of the trustees thereof shall be abolished, and all the powers, duties and responsibilities of said trustees in receiving, holding and managing the assets of said Fund and expending its proceeds shall vest in the members of the finance committee of the First Parish in Plymouth and their successors in office under the powers conferred upon said finance committee by the by-laws of said parish. The assets so transferred in so far as they constitute principal of said Fund shall be designated as the Fuller Ministerial Fund of the First Parish in Plymouth, and shall be subject to the provisions of section three of chapter eighty-two of the laws of eighteen hundred and thirty-five relative to the use of principal and income.

SECTION 2. Any provision of chapter eighty-two of the laws of eighteen hundred and thirty-five which is in conflict with this act is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

*Approved February 29, 1960.*

**Chap. 126.** AN ACT RELATIVE TO THE AMOUNT OF REAL AND PERSONAL PROPERTY TO BE HELD IN THE BOSTON FIREMEN'S RELIEF FUND.

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

Section 1 of chapter 308 of the acts of 1909, as amended by chapter 168 of the acts of 1913, is hereby further amended by striking out, in

line 8, the word "four" and inserting in place thereof the word:—eight,—so that the first sentence will read as follows:—The fire commissioner of the city of Boston for the time being and his successors in office, and twelve members of the fire department of the city of Boston, of whom four shall be officers of the department, to be chosen as hereinafter provided, and their successors, shall constitute a body corporate for the purpose of receiving and holding all sums of money, and real and personal estate not exceeding in the aggregate eight hundred thousand dollars, which may be given, granted, bequeathed or devised to it for the benefit of members of the Boston fire department and members of the Boston protective department or their families requiring assistance, or for the benefit of any persons, or the families of any persons, who have been such members, and who require assistance.

*Approved February 29, 1960.*

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**Chap. 127.** AN ACT PROVIDING FOR PARTY NOMINATIONS FOR ELECTIVE MUNICIPAL OFFICERS IN THE CITY OF BROCKTON.

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

SECTION 1. So much of section sixteen of chapter forty-three of the General Laws, as amended by section five of chapter four hundred and forty-eight of the acts of nineteen hundred and fifty-nine, as provides that no primary or caucus for municipal officers shall be held, except in a city under Plan F and so much of said chapter as provides for the nomination at preliminary elections of candidates for elective municipal office in certain cities shall not apply in the city of Brockton.

SECTION 2. Nominations of candidates for municipal elective office in the city of Brockton shall be made by nomination papers as provided in section six of chapter fifty-three of the General Laws and by political parties in primaries held in accordance with the provisions of sections twenty-three to forty A and fifty-seven to sixty-four, all inclusive, of said chapter fifty-three. Section fifty-six of said chapter fifty-three relative to the acceptance or rejection of said provisions shall not apply in said city.

SECTION 3. This act shall be submitted to the registered voters of said city at the biennial state election in the current year in the form of the following question which shall be placed on the official ballot at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing for party nominations for elective municipal officers in the city of Brockton', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall take full effect for the purposes of each biennial municipal election in said city thereafter, but not otherwise.

*Approved February 29, 1960.*

**Chap. 128.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT POLICE RELIEF ASSOCIATION, INCORPORATED, TO INCREASE THE AMOUNT OF ITS DEATH OR FUNERAL BENEFITS AND DISABILITY BENEFITS.

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

Chapter 96 of the acts of 1925 is hereby amended by striking out, in line 3, the words "one thousand" and inserting in place thereof the words:—fifteen hundred,—and by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—thirty-five,—so as to read as follows:—The Metropolitan District Police Relief Association, Incorporated, a corporation duly established under general law, may pay death or funeral benefits not exceeding fifteen hundred dollars, and disability benefits not exceeding thirty-five dollars weekly, any provision of law or of its charter to the contrary notwithstanding.

*Approved February 29, 1960.*

**Chap. 129.** AN ACT RELATIVE TO THE MEMBERSHIP OF THE CORPORATION KNOWN AS THE BOSTON FIREMEN'S RELIEF FUND.

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

SECTION 1. Section 2 of chapter 308 of the acts of 1909, as amended by section 1 of chapter 134 of the acts of 1911, is hereby further amended by striking out the fifth and sixth sentences.

SECTION 2. Section 3 of said chapter 308, as most recently amended by chapter 140 of the acts of 1952, is hereby further amended by striking out, in lines 3 and 4, the words "and members of the Boston protective department".

SECTION 3. Section 7 of said chapter 308, added by section 3 of chapter 134 of the acts of 1911, is hereby repealed.

*Approved February 29, 1960.*

**Chap. 130.** AN ACT PROVIDING THAT THE EXCISE TAX ON FARM ANIMALS BE EXTENDED TO INCLUDE MINK.

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

Section 8A of chapter 59 of the General Laws, inserted by section 2 of chapter 400 of the acts of 1956, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—Any person, not including a corporation, engaged principally in agriculture, who owns mules, horses, neat cattle, swine, sheep, goats, domestic fowl or mink, which are not exempt under clause Twenty-first of section five, shall annually on or before March first, make a return on oath to the assessors of the town where such animals are located, setting forth the number and kind of each class of such animals owned by him on January first in each year. If the assessors are satisfied of the truth of the return, they shall assess such animals at the rate of five dollars per one thousand dollars of valuation, as determined by the state tax commission, of each class and kind of animal and such persons shall be otherwise exempt from taxation on this class of property under this chapter.

*Approved February 29, 1960.*

**Chap. 131.** AN ACT AUTHORIZING THE TOWN OF ABINGTON TO USE CERTAIN LAND UNDER THE CONTROL OF THE MEMORIAL TRUSTEES FOR SCHOOL PURPOSES.

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

SECTION 1. The town of Abington is hereby authorized to use for general school purposes and for the erection thereon of a new high school the following parcels of land which are under the control of the Memorial Trustees of said town and bounded and described as follows:—

*Parcel 1.* A certain parcel of land, consisting of approximately 17,790 square feet, located on the easterly side of Washington Street, and shown on Assessors' Town Map as Plot 12, Plan 62; and

*Parcel 2.* A certain parcel of land, consisting of approximately 5.53 acres, located on the easterly side of Washington Street, and shown on Assessors' Town Map as Plot 13, Plan 62.

Said parcels of land shall be under the care, custody, management and control of the school department.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year in the form of the following question:—"Shall an act passed by the General Court in the current year, entitled 'An Act authorizing the town of Abington to use certain land under the control of the Memorial Trustees for school purposes', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved February 29, 1960.*

**Chap. 132.** AN ACT TO AUTHORIZE THE MASSACHUSETTS EYE AND EAR INFIRMARY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

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

The Massachusetts Eye and Ear Infirmary, a charitable corporation established by chapter ninety-one of the acts of eighteen hundred and twenty-six, may hold real and personal estate in an amount not exceeding twenty-five million dollars. *Approved February 29, 1960.*

**Chap. 133.** AN ACT RELATIVE TO ASSESSMENTS IN CONNECTION WITH THE OPERATION OF THE WATER SUPPLY SYSTEM OF THE TOWN OF WESTMINSTER.

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

SECTION 1. Chapter 369 of the acts of 1950 is hereby amended by striking out section 6A, as most recently amended by section 2 of chapter 86 of the acts of 1955, and inserting in place thereof the following section:—*Section 6A.* When said town shall have accepted this act, a sum sufficient to pay the annual expense of operating its water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and a further sum equivalent to one

third of the interest as it accrues on the bonds or notes issued as aforesaid, and of one third of such payments on the principal as may be required under the provisions of this act, shall without further vote, be assessed by the assessors of said town annually thereafter and the remaining two thirds of such interest as it accrues and two thirds of the payments on the principal as may be required, reduced, however, by such sum as may be derived from the receipt of water rates and charges, shall be assessed annually thereafter among the estates benefited on the basis of assessed valuation or by such other equitable method of uniform apportionment as said commissioners may determine and direct until the debt incurred by the said loan or loans is extinguished. The foregoing provisions shall also apply to all subsequent loan or loans which may from time to time be authorized for the purpose of making additional extensions to said water system.

SECTION 2. Section six B of said chapter three hundred and sixty-nine, inserted by section two of chapter eighty-nine of the acts of nineteen hundred and fifty-four is hereby repealed.

SECTION 3. Section 6C of said chapter 369, as so inserted, is hereby amended by striking out, in line 2, the words "and six B".

SECTION 4. This act shall take full effect upon its acceptance by the majority of the voters of the town of Westminster voting thereon at any annual or special town meeting held within one year after its passage.

*Approved February 29, 1960.*

**Chap. 134.** AN ACT AUTHORIZING THE TRUSTEES OF GROTON SCHOOL TO HOLD REAL AND PERSONAL PROPERTY WITHOUT LIMIT ON THE AMOUNT.

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

Chapter 94 of the acts of 1893 is hereby amended by striking out section 3, as most recently amended by chapter 223 of the acts of 1956, and inserting in place thereof the following section:—*Section 3.* Said corporation is hereby authorized to take and receive by gift, grant, bequest, devise or otherwise, any lands, tenements or other estate, real or personal, in any amount, to have and to hold the same upon the terms and for the purposes specified in the declaration of trust aforesaid; and also upon such terms and for such purposes and trusts as may be expressed in any deed or instrument of conveyance or gift made to said corporation; provided, the same shall not be inconsistent with the terms and purposes of the declaration of trust aforesaid, made and declared by said trustees.

*Approved February 29, 1960.*

**Chap. 135.** AN ACT PROTECTING CERTAIN OFFICERS AND EMPLOYEES IN THE SUFFOLK COUNTY JAIL AGAINST ARBITRARY REMOVAL.

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

SECTION 1. Any person employed in the Suffolk county jail in the office or position of chief officer, assistant chief officer steward, assistant chief officer administrator, assistant chief officer hospital su-



pervisor, assistant chief officer, jail officer, jail officer clerk, jail officer electrician, jail officer photographer, jail officer receiver, jail officer storekeeper, jail officer assistant steward, jail officer chief officer plant engineer, jail officer engineer, jail officer steam fireman, head clerk, chief matron, assistant chief matron, matron and female nurse, whose office or position, in the service of said county, is not classified under chapter thirty-one of the General Laws, and who has held such office or position for not less than seven years, shall not be involuntarily separated from such office or position except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if the said office or position were classified under said chapter.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the approval of the mayor, but not otherwise.

*Approved February 29, 1960.*

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**Chap. 136.** AN ACT TO EXTEND THE CORPORATE EXISTENCE OF CAMBRIDGE SECURITIES COMPANY.

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

Notwithstanding the provisions of section seven of chapter one hundred and fifty-six of the General Laws, Cambridge Securities Company shall continue to be a corporation for a term not exceeding fifty years from December fourteenth, nineteen hundred and sixty-four, after the expiration of the term ending in December, nineteen hundred and sixty-four, for which it was originally incorporated, and shall during such extended term have the powers and privileges and be subject to the duties, liabilities and restrictions set forth in its charter and in all general laws now or hereafter in force relating to such corporations.

*Approved February 29, 1960.*

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**Chap. 137.** AN ACT AUTHORIZING THE AMHERST POLICE RELIEF ASSOCIATION TO PAY CERTAIN SUMS TO MEMBERS UPON THE DEATH OF THEIR WIVES.

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

The Amherst Police Relief Association, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the death of the wife of any member in good standing, to pay such member such sum, not exceeding one thousand dollars, as may be determined by vote of the directors of said corporation.

*Approved February 29, 1960.*

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**Chap. 138.** AN ACT PROVIDING LIFE TENURE FOR TOIVO TUOMINEN, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE IN THE TOWN OF WESTMINSTER.

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

SECTION 1. The tenure of office of Toivo Tuominen, incumbent of

the office of chief of police of the town of Westminster shall be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting or a special town meeting in the current year or in the year nineteen hundred and sixty-one in the form of the following question, which shall be placed, in the case of an annual meeting, upon the official ballot to be used for the election of town officers at said meeting, or in case of a special town meeting, upon the ballot to be used at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing life tenure for Toivo Tuominen, incumbent of the office of chief of police in the town of Westminster', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved February 29, 1960.*

**Chap. 139. AN ACT CONTINUING THE EXISTENCE OF THE MASHPEE ADVISORY COMMISSION.**

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

SECTION 1. Section 1 of chapter 223 of the acts of 1932, as most recently amended by section 1 of chapter 169 of the acts of 1957, is hereby further amended by striking out, in line 8, the word "sixty" and inserting in place thereof the word:—sixty-three,—so as to read as follows:—*Section 1.* There is hereby established an unpaid commission, under the title of the Mashpee Advisory Commission, hereinafter called the commission, to consist of three members, each of whom shall be the head of a state department or the head of a division or bureau thereof, designated by the governor, with the advice and consent of the council, and shall serve for a period terminating April fifteenth, nineteen hundred and sixty-three. The governor, with like advice and consent, shall, from time to time, designate one of the members as chairman, may remove any member and shall fill any vacancy in the commission for the unexpired term. The action of any two of the members shall constitute the action of the commission; and whenever any action by the commission is required to be in writing, such writing shall be sufficient when signed by any two of the members. The commission may employ, at the expense of the town of Mashpee, such assistants as it may deem necessary. The commission may assign for specific or general employment one or more persons within a state department or division or bureau in charge of any member of the commission, and any expense incurred by reason of such assignment shall be certified by the commission to the state treasurer, and shall be collected by him as an additional state tax upon said town.

SECTION 2. This act shall take effect upon its passage.

*Approved March 1, 1960.*

**Chap. 140.** AN ACT RELATIVE TO THE FORM AND THE EXECUTION OF CERTAIN CONTRACTS OF THE CITY OF LEOMINSTER.

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

SECTION 1. Section 28 of chapter 338 of the Special Acts of 1915 is hereby amended by striking out, in lines 2 and 3, the words "two hundred" and inserting in place thereof the words:—one thousand,—so as to read as follows:—*Section 28.* All contracts made by any department, board or commission in which the amount involved is one thousand dollars or more shall be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor and of the department or board making the contract is affixed thereto. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the board or official having the matter in charge, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, and the officer, department or board making the contract, with the approval of the mayor affixed thereto.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Leominster, in accordance with the provisions of its charter.

*Approved March 1, 1960.*

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**Chap. 141.** AN ACT PROVIDING FOR THE TRANSFER OF TRUST FUNDS FROM THE WASHINGTON STREET CONGREGATIONAL CHURCH OF BEVERLY, MASSACHUSETTS AND THE FIRST UNIVERSALIST CHURCH OF BEVERLY TO THE FIRST FEDERATED CHURCH OF BEVERLY.

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

SECTION 1. The trustees of the Washington Street Congregational Church of Beverly, Massachusetts, a corporation duly organized under the General Laws, and the trustees of the First Universalist Church of Beverly, a voluntary religious association, are hereby authorized to transfer to the First Federated Church of Beverly, a corporation duly organized under the General Laws, any personal property owned or held by them for or in connection with any and all specific and limited charitable uses and trusts.

SECTION 2. The property transferred to the First Federated Church of Beverly, under the provisions of this act, shall not, after such transfer, be applied or apportioned with reference to the source or the religious body aforesaid from which it was derived, but shall be administered and applied by the First Federated Church of Beverly for its general church and charitable purposes.

*Approved March 1, 1960.*

**Chap. 142.** AN ACT AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY OF THE CHELSEA MEMORIAL HOSPITAL FOR THE BENEFIT OF THE INHABITANTS OF THE CITY OF CHELSEA.

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

SECTION 1. The Chelsea Memorial Hospital, a nonprofit corporation located in the city of Chelsea, formerly known as the Rufus S. Frost General Hospital and organized under chapter one hundred and eighty-five of the acts of eighteen hundred and ninety-four, may, by majority vote of its board of governors and when authorized by a decree of a court of competent jurisdiction, convey and transfer to the city of Chelsea all its property, both real and personal. The city, upon such conveyance and transfer, is authorized to reconvey and retransfer the same in trust to said corporation by a two thirds vote as defined in section one of chapter forty-four of the General Laws, as amended, without regard to the provisions of sections fifteen and fifteen A of chapter forty of the General Laws, as amended. Said property shall thereafter be held by said corporation in trust for the purpose of operating and maintaining the Chelsea Memorial Hospital for the benefit of the inhabitants of the city of Chelsea and of such other persons who require medical or surgical treatment as the board of governors, in its discretion, may permit to enjoy the benefits of the hospital. The corporation shall hold all property, both real and personal, and shall use all funds which may thereafter be acquired by it by grant, gift, devise, bequest or public subscription, including all funds which may be received from the federal government under the provisions of the Hospital Survey and Construction Act, for the purpose of improving, operating or maintaining the hospital for the purposes aforesaid.

SECTION 2. Nothing in this act shall be deemed to alter or impair any trust created for the benefit of said Chelsea Memorial Hospital and existing on the effective date of this act, except as the same may be affected by the decree referred to in section one.

SECTION 3. Said corporation shall be deemed agent of the city of Chelsea and its board of governors as constituted at the time of the passage of this act by the general court and as subsequently constituted shall be deemed public officers for the proper execution of the trust provided for in section one. The city of Chelsea is authorized to borrow not exceeding one hundred and ninety thousand dollars under chapter six hundred and seventy of the acts of nineteen hundred and fifty-eight, as amended by this act and to transfer the same to said corporation. Nothing in this act shall be deemed to be a pledge of the faith and credit or taxing power of the city for the purpose of paying the debts of said corporation and the city is not authorized to extend further financial aid to said corporation. The city, by vote of its board of aldermen, and said corporation, by vote of its board of governors, are authorized to contract for the repayment of the aid extended hereunder without interest by credits against charges for hospitalization of indigent residents or otherwise.

SECTION 4. Section 1 of chapter 670 of the acts of 1958 is amended by changing the word "Municipal" in line 8 to "Memorial" and the word "including" in line 13 to "excluding",—so that said section

1 will read as follows:—*Section 1.* For the purpose of constructing an addition to the Chelsea Memorial Hospital, to contain maternity, surgical, medical, administrative and other units, and originally equipping the same, the city of Chelsea may borrow from time to time within a period of ten years from the passage of this act such sums as may be necessary, not exceeding, in the aggregate, one hundred and ninety thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words "Chelsea Memorial Hospital Loan, Act of 1958". Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof.

SECTION 5. Notwithstanding anything to the contrary contained in the by-laws of said corporation or elsewhere, the full powers of said corporation, including the power to amend its by-laws and the power to elect members of the corporation and of the board of governors, shall be vested in the board of governors. The administration of said hospital shall be subject to amendment by the general court.

SECTION 6. This act shall take effect upon its acceptance by majority vote of the board of aldermen of the city of Chelsea, subject to the provisions of its charter, and by majority vote of the members of said corporation. Said board of aldermen may take action pursuant to this act at the meeting at which they vote to accept this act, such action not to be effective prior to the acceptance of this act by the members of said corporation.

*Approved March 1, 1960.*

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**Chap. 143.** AN ACT RELATIVE TO THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE ROXBURY LATIN SCHOOL.

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

SECTION 1. Chapter 34 of the acts of 1788 is hereby amended by striking out the sentence, as most recently amended by section 2 of chapter 345 of the acts of 1947, and inserting in place thereof the following sentence:—That the number of said trustees shall not at any time consist of more than twenty nor less than eleven, five of whom shall constitute a quorum for transacting business, and a major part of the members present at any stated meeting thereof shall decide all questions that may properly come before them.

SECTION 2. Chapter 113 of the acts of 1906 is hereby amended by striking out section 2, as most recently amended by sections 3 to 6, inclusive, of said chapter 345, and inserting in place thereof the following section:—*Section 2.* Said trustees shall be of four classes, denominated a trustee ex officio, trustees for life, trustees for five years, and trustees at large, respectively.

(1) The trustee ex officio shall be that one of the minister and two oldest deacons in length of service of the First Religious Society in Roxbury, incorporated under chapter one hundred and thirty-three of the acts of the year eighteen hundred and twenty-four, as shall be selected from time to time by the standing committee of said society.

(2) The trustees for life shall be not less than five nor more than nine, as may be determined from time to time by a majority vote of the trustees of all classes other than the trustees at large, and shall include the six trustees for life who were members of said corporation on the first day of January, nineteen hundred and fifty-eight, and not more than three trustees to be elected from time to time by a majority vote of the trustees of all classes other than the trustees at large.

(3) The trustees for five years shall be the five trustees who were members of said corporation on the first day of January, nineteen hundred and fifty-eight, and their successors in office.

Said trustees for five years holding office on the first day of January, nineteen hundred and fifty-eight, shall continue in office until the thirtieth day of June next following the dates fixed at the time of their election for the expiration of the terms for which they were severally elected.

Before the expiration of the term of any trustee for five years, the trustees of all classes other than the trustees at large, shall elect his successor, as hereinafter provided, who shall hold office for the term of five years from such expiration.

If, before the expiration of the term for which any trustee for five years was elected, such trustee dies, resigns or is declared by a vote of a majority of the trustees of all classes other than the trustees at large to be, in their judgment, rendered by age, infirmity or otherwise incapable of discharging the duties of his office, the trustees of all classes other than the trustees at large shall elect his successor, as hereinafter provided, who shall hold office for the unexpired term of his predecessor in office.

Notice of any vacancy in the class of trustees for five years through any cause other than the expiration of the term for which any such trustee was elected shall be given forthwith in writing by the secretary of said corporation to at least two of the members of the nominating committee hereinafter provided for.

(4) The trustees for five years shall be elected in the following manner:—

(a) A meeting of the alumni, who for the purpose of this act shall be taken to include everyone who was for at least one academic year a member of a class which has been graduated from said school, shall be held in each year in such place within the city of Boston, Massachusetts, and on such day as may be determined by the members of said corporation from time to time.

(b) The alumni present at such meeting shall choose from the whole number of alumni a nominating committee of not less than five nor more than seven members, who shall have power to fill its vacancies and shall hold office for one year from the time of their election or until their successors shall have been elected.

(c) Every such nominating committee shall nominate from among those alumni whose class has been graduated for five years or more at least three times as many alumni as there are vacancies to be filled in the class of trustees for five years during the term of office of the nominating committee, and shall transmit such nominations to the secretary of said corporation not later than thirty nor more than sixty

days before the occurrence of a vacancy by reason of the expiration of the term for which such trustee was elected, and not later than sixty days after the receipt of the notice from the secretary of the corporation, hereinbefore provided for, in case of a vacancy occurring through other cause.

(d) All vacancies in the class of trustees for five years shall be filled by a majority vote of the trustees of all classes other than the trustees at large from such nominations from the nominating committee, but if any such nominating committee shall fail to make and transmit nominations, as hereinbefore provided, the trustees for five years holding office at the time shall themselves make nominations which shall be voted upon by the trustees of all classes other than the trustees at large as if made by such nominating committee.

(5) The number of trustees at large who are to hold office at any time may be between one and five, but it shall not be required that there be any such trustee. No trustee at large need be an alumnus of said school. The number and composition of the class of trustees at large, and their nomination, election and powers shall be governed by the following provisions:—

(a) The number of trustees at large who are to be elected at any time shall be as determined from time to time by a majority vote of the trustees of all classes other than the trustees at large. At the last meeting of the board of trustees held before June thirtieth in each year, the trustees for life present at such meeting, by vote of at least a majority, shall nominate a slate of candidates numbering at least one and not more than three candidates for each trustee at large to be elected as so determined, and the trustees at large to be elected shall be elected from such slate by a majority vote of the trustees of all classes, other than the trustees at large, present at such meeting, or at a future meeting held during such year at which a quorum is present. Each trustee at large so elected shall serve for a period of three years from the time of his election.

(b) The trustees at large shall have all the rights and powers of the trustees of other classes except that they shall have no right to vote for the election of trustees of any class.

SECTION 3. This act shall take full effect when accepted by a majority of the trustees in office, on behalf of said corporation. The secretary of said corporation shall forthwith upon such acceptance file in the office of the state secretary a copy of the vote of acceptance.

*Approved March 1, 1960.*

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**Chap. 144.** AN ACT RELATING TO THE DOVER-SHERBORN REGIONAL SCHOOL DISTRICT AND VALIDATING PROCEEDINGS RELATING THERETO.

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

SECTION 1. The proceedings taken before the date of passage of this act relating to the organization of the Dover-Sherborn Regional School District, including the proceedings of the member towns relating to such organization, are hereby validated, and said district is

hereby declared to be, and at all times since its organization to have been, a valid district with all the rights, powers and duties of districts duly organized under section fifteen of chapter seventy-one of the General Laws.

SECTION 2. The Dover-Sherborn regional district school committee is authorized to propose modifications of the agreement establishing the district for inclusion in the warrants for the town meetings considering the acceptance of this act, or in the warrants for any prior or subsequent town meetings and such modifications shall become effective upon approval by the said towns, subject to prior or subsequent acceptance of this act.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the towns of Dover and Sherborn at the annual town meetings of each of said towns to be held in the current year in the form of the following question which shall be placed on the official ballot to be used for the election of town officers in said towns in the form of the following question:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act relating to the Dover-Sherborn Regional School District and validating proceedings relating thereto', be accepted?" If a majority of the votes in answer to said question is in the affirmative in each of said towns then this act shall thereupon take full effect, but not otherwise. A vote of the town of Sherborn accepting this act shall be deemed to rescind its vote to withdraw from the district.

SECTION 4. The notices provided in warrants for the town meetings of Dover and Sherborn are hereby validated and any action taken by the towns of Dover and Sherborn at their annual town meetings in the current year shall be as valid and effective as if this act were in effect at the time when the warrants for such annual meetings were issued.

SECTION 5. Sections two, three and four of this act shall take effect upon its passage.

*Approved March 3, 1960.*

**Chap. 145.** AN ACT PROVIDING THAT ANY PRIOR SERVICE IN THE CITY OF MALDEN SHALL BE INCLUDED IN COMPUTING VACATIONS OF MEMBERS OF THE REGULAR POLICE OR FIRE FORCE OF SAID CITY.

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

SECTION 1. For the purpose of computing the vacation of a member of the regular police or fire force of the city of Malden, pursuant to section one hundred and eleven D of chapter forty-one of the General Laws, any prior service rendered by such member in any other position in said city shall be included in determining the number of years' service of such member.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Malden, in accordance with the provisions of its charter, but not otherwise.

*Approved March 3, 1960.*



**Chap. 146.** AN ACT REPEALING THE PROVISIONS OF LAW PROVIDING FOR A CLOSE SEASON ON BIRDS AND MAMMALS DURING CERTAIN PERIODS.

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

Section fifty-three A of chapter one hundred and thirty-one of the General Laws is hereby repealed. *Approved March 3, 1960.*

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**Chap. 147.** AN ACT FURTHER POSTPONING THE EFFECTIVE DATE OF THE LAW REQUIRING PLANS, SPECIFICATIONS, PLATS AND REPORTS PREPARED BY PROFESSIONAL ENGINEERS OR LAND SURVEYORS TO BE STAMPED WITH A SEAL WHEN FILED WITH PUBLIC AUTHORITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith further postpone the effective date of the law requiring plans, specifications, plats and reports prepared by professional engineers or land surveyors to be stamped with a seal when filed with public authorities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 186 of the acts of 1959 is hereby amended by striking out, in line 6, the word "sixty" and inserting in place thereof the word:—sixty-one,—so as to read as follows:—Notwithstanding any provision of section eighty-one M of chapter one hundred and twelve of the General Laws to the contrary, plans, specifications, plats and reports prepared by professional engineers or land surveyors whether or not registered under the provisions of said chapter one hundred and twelve shall not, until January first, nineteen hundred and sixty-one, be required to be stamped with a seal when the same are filed with public authorities.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty. *Approved March 4, 1960.*

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**Chap. 148.** AN ACT AUTHORIZING AMERICAN UNITARIAN ASSOCIATION AND THE UNIVERSALIST CHURCH OF AMERICA TO COMPLETE THEIR CONSOLIDATION.

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

SECTION 1. American Unitarian Association, a corporation established and existing under the laws of the commonwealth and by virtue of chapter forty-two of the acts of eighteen hundred and forty-seven and acts in amendment thereof is hereby authorized to enter into a consolidation with The Universalist Church of America (formerly named The Universalist General Convention), a corporation established and existing under the laws of the State of New York by virtue

of chapter one hundred and thirty-three of the acts of eighteen hundred and sixty-six and acts in amendment thereof of the State of New York, under which consolidation said corporations shall thereafter become and be one corporation under the name Unitarian Universalist Association, hereinafter sometimes called the consolidated corporation, which consolidated corporation shall be a corporation existing under the laws of the commonwealth only and shall in all respects be a continuation of each of said existing corporations.

SECTION 2. The consolidated corporation shall have all the privileges, powers and immunities which said existing corporations have heretofore acquired and enjoyed under the laws of the commonwealth and, so far as this act can so provide, all the privileges, powers and immunities which The Universalist Church of America has heretofore acquired or enjoyed under the laws of the State of New York. In addition to and not in limitation of any of the powers by this act conferred the consolidated corporation is empowered to and shall devote its resources to and exercise its corporate powers for religious, educational and charitable purposes and said corporation may solicit and receive funds separately or with others to support its work. The consolidated corporation may make appropriations to carry on its work including appropriations to its associate members and to other organizations to enable them to assist it in carrying on its work and, without limitation as to amount, it may receive, hold, manage, invest and reinvest and distribute any real and personal property for any of its purposes.

SECTION 3. Upon such consolidation becoming effective, all property of The Universalist Church of America and the American Unitarian Association, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of either of them, shall be transferred to and vest in the consolidated corporation without further act or deed. Said consolidated corporation shall have the same powers, rights and privileges with respect to such property and with respect to such bequests, devises, gifts and transfers as would have been possessed by said consolidated corporation had such bequests, devises, gifts and transfers been made directly to it and for its purposes, so far as such powers, rights and privileges can be constitutionally conferred by the General Court and without prejudice to any court proceeding, and otherwise shall have with respect to such property and such bequests, devises, gifts and transfers the same powers, rights and privileges as would have been possessed by The Universalist Church of America and American Unitarian Association had such consolidation not been effected.

SECTION 4. The consolidated corporation may hold regular and special meetings of its members anywhere in the United States of America or in Canada and transact any and all business at such meetings which it might transact if such meetings were held in the commonwealth, and the consolidated corporation may hold either regular annual meetings or regular biennial meetings as it may from time to time provide by its constitution or by-laws.

SECTION 5. The consolidated corporation shall be deemed to have assumed and shall be liable for all the liabilities and obligations of The Universalist Church of America and American Unitarian Association.

SECTION 6. All churches and fellowships which before said consolidation are members of either of the existing corporations, together with those persons who were life members of American Unitarian Association on or before May first, nineteen hundred and twenty-five and those persons who prior to said consolidation had served as presidents of The Universalist Church of America shall become members of the consolidated corporation on the date when the consolidation becomes effective. New members may be admitted to the consolidated corporation thereafter in accordance with the provisions of the constitution and by-laws of the consolidated corporation.

SECTION 7. The consolidation shall not be completed:

(a) unless the same shall have been authorized by appropriate legislation enacted by the State of New York;

(b) unless at meetings called for the purpose, each of said existing corporations, by not less than a two-thirds vote of those present and voting, shall have accepted this act and any act of the legislature of the State of New York relating to the consolidation; and

(c) unless after the aforesaid authorization and acceptances, said existing corporations shall have called and held an organizing meeting of the consolidated corporation to be held in Boston, Massachusetts, composed of persons designated by said existing corporations, for the purpose of adopting a constitution and by-laws for the consolidated corporation and of electing initial trustees or directors and other officers thereof.

SECTION 8. The consolidation shall be complete and effective upon the filing with the state secretary of the commonwealth of a certificate signed by the secretaries of said existing corporations who shall make affidavit setting forth detailed compliance with the provisions of section seven and stating the names and addresses of the trustees or directors and other officers initially elected by said organizing meeting. Said certificate shall be filed not later than thirty days after the date of said organizing meeting.

SECTION 9. Any questions arising as to the powers, rights, privileges and responsibilities of the consolidated corporation with respect to its property and with respect to the property of the consolidating corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or of any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general.

SECTION 10. For the purpose of its acceptance, this act shall take effect upon its passage.

*Approved March 4, 1960.*

**Chap. 149.** AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF HARWICH RELATIVE TO THE TEARING DOWN OR DISPOSAL OF THE EXCHANGE BUILDING IN SAID TOWN.

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

SECTION 1. For the purpose of ascertaining the will of the voters of the town of Harwich, the following question shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting in the current year:—"Shall the town of Harwich tear down or otherwise dispose of the Exchange Building located in the town center?" If a majority of the votes in answer to said question is in the affirmative, it shall be deemed and taken to be the will of the voters of said town that the Exchange Building shall be torn down or disposed of, and if a majority of said votes is in the negative, it shall be deemed and taken to be the will of the voters that said Exchange Building shall not be torn down or disposed of.

SECTION 2. Any action taken under authority of this act at the annual town meeting of the town of Harwich held in the current year shall be as effective in all respects as though this act had been in full force and effect on the date when the warrant for said meeting was posted.

SECTION 3. This act shall take effect upon its passage.

*Approved March 4, 1960.*

**Chap. 150.** AN ACT AUTHORIZING THE PARKS AND RECREATION COMMISSION OF THE CITY OF HOLYOKE TO TRANSFER CERTAIN PARK LAND TO THE BOARD OF PUBLIC WORKS OF SAID CITY.

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

SECTION 1. The parks and recreation commission of the city of Holyoke is hereby authorized to transfer, free from all restrictions, to the board of public works of said city, four parcels of land in said city acquired for park or other recreational purposes and bounded and described as follows:

*Parcel 1.* Beginning at the intersection of the southerly side of High street and the easterly side of Ross avenue, thence running along the southerly side of High street, which side is a curve having a radius of 1,009.80 feet, twenty-eight and forty-one hundredths (28.41) feet, to a point of reverse curve; thence running in a generally south-westerly direction along a curve to the left having a radius of 32 feet forty-six and fifty-two hundredths (46.52) feet to a point of curvature in the easterly side of Ross avenue; thence running in a generally northerly direction along the said easterly side of Ross avenue twenty-eight and eighty-five hundredths (28.85) feet to the point of beginning.

*Parcel 2.* Beginning at the intersection of the easterly side of Ross avenue and the northerly side of High street, thence running in a generally northerly direction along the said easterly side of Ross avenue thirty-six and sixty-one hundredths (36.61) feet to a point of curvature; thence in a south and easterly direction along the arc of a

curve having a radius of 32 feet, fifty-four and fifty-six hundredths (54.56) feet to a point of tangency with the said northerly side of High street; thence along the said northerly side of High street in a generally westerly direction thirty-six and fifty-five hundredths (36.55) feet to the point of beginning, said northerly side of High street being the arc of a curve to the right having a radius of 939.80 feet.

*Parcel 3.* Beginning at the intersection of the easterly side of Ross avenue and the southerly side of Maple street, thence running in a generally easterly direction along the said southerly side of Maple street twenty-one and forty-six hundredths (21.46) feet to a point of tangency; thence along the arc of a curve to the left in a generally westerly and southerly direction, said curve having a radius of 32 feet, thirty-seven and eighty-one hundredths (37.81) feet to a point of tangency with the said easterly side of Ross avenue; thence along the said easterly side of Ross avenue in a generally northerly direction twenty-one and forty-six hundredths (21.46) feet to the point of beginning.

*Parcel 4.* Beginning at the intersection of the easterly side of Ross avenue and the northerly side of Maple street, thence running along said northerly side of Maple street thirty-eight and ninety-five hundredths (38.95) feet to a point; thence turning at an angle of 90° and running in a generally northerly direction three (3) feet to a point; thence along the arc of a curve to the right having a radius of 32 feet in a generally westerly and northerly direction sixty-one and forty-seven hundredths (61.47) feet to a point of compound curvature; thence continuing in a generally northerly direction along the arc of a curve to the right having a radius of 1022.96 feet, one hundred eighty-nine and twenty-one hundredths (189.21) feet to a point of tangency; thence along a line running in a generally northerly direction four hundred ninety-five and twenty-eight hundredths (495.28) feet to a point of curvature; thence along the arc of a curve to the right having a radius of 27 feet in a generally northerly and easterly direction twenty-two and thirty-eight hundredths (22.38) feet to a point of tangency; thence along a line in a generally north-easterly direction twenty-nine and sixty-six hundredths (29.66) feet to a point of curvature, said line being an extension of the south-easterly sideline of Elm street; thence along the arc of a curve to the right having a radius of 27 feet in a generally easterly and southerly direction forty-three and twenty-eight hundredths (43.28) feet to a point of tangency with the southwesterly side of Jackson street; thence along the said southwesterly side of Jackson street fifty-five and fifty-two hundredths (55.52) feet in a northwesterly direction to a point of curvature in the said southwesterly side of Jackson street; thence continuing along the southwesterly and westerly sideline of Jackson street on the arc of a curve to the right having a radius of 403.90 feet, two hundred eighty-six and sixty-eight hundredths (286.68) feet to a point of tangency in the said westerly side of Jackson street, thence continuing along the westerly side of Jackson street in a generally northerly direction three hundred thirteen and forty-

five hundredths (313.45) feet, to a point of curvature in the said westerly side of Jackson street; thence, continuing along the westerly side of Jackson street and the northerly side of Pine street along the arc of a curve having a radius of 261.30 feet, two hundred twenty-four and ninety-nine hundredths (224.99) feet to a point of tangency in the northerly side of Pine street, which point is the intersection of the northerly side of Pine street and the southwesterly side of Franklin street; thence running in a generally northwesterly direction along said southwesterly side of Franklin street three hundred thirty-eight and fifty-seven hundredths (338.57) feet to the southerly side of Beech street; thence along the said southerly side of Beech street in a generally westerly direction thirty-one and seventy-three hundredths (31.73) feet; thence turning at an angle of 90° to the said southerly side of Beech street and running in a generally southeasterly direction ten (10) feet to a point; thence along the arc of a curve to the right having a radius of 47 feet, fifty-four and thirty-five hundredths (54.35) feet to a point of tangency; thence running in a generally southeasterly direction along a line twenty-two and thirty-eight hundredths (22.38) feet to a point of curvature; thence along the arc of a curve to the right having a radius of 365 feet, two hundred fifty-nine and seven hundredths (259.07) feet to a point of tangency; thence running in a generally southerly direction along a line seven hundred sixty-nine and fifty-six hundredths (769.56) feet to a point of curvature; thence along the arc of a curve to the right having a radius of 27 feet, twenty-two and thirty-eight hundredths (22.38) feet to a point of tangency; thence along a line in a generally southwesterly direction, said line being an extension of the northerly side of Elm street two hundred eighty-three and ninety-one hundredths (283.91) feet to the easterly side of Ross avenue; thence along the said easterly side of Ross avenue in a generally southerly direction seventy-five and seventy-three hundredths (75.73) feet to a point; thence along a line in a generally northeasterly direction, said line being an extension of the southerly side of Elm street one hundred ninety-nine and nineteen hundredths (199.19) feet to a point of curvature; thence along a curve to the right in a generally easterly and southerly direction, said curve having a radius of 27 feet, sixty-two and forty-four hundredths (62.44) feet to a point of tangency; thence continuing in a generally southerly direction along a line three hundred eighty-one and sixty-eight hundredths (381.68) feet to a point of curvature; thence continuing in a generally southerly direction along the arc of a curve to the left, having a radius of 1092.96 feet, one hundred ten and twenty hundredths (110.20) feet to the easterly side of Ross avenue (said curve not being tangent to said easterly side of Ross avenue); thence along the easterly side of Ross avenue in a generally southerly direction one hundred sixty-three and seventy-four hundredths (163.74) feet to the point of beginning.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the board of aldermen of said city, with the approval of the mayor.

*Approved March 4, 1960.*

**Chap. 151.** AN ACT INCREASING THE MAXIMUM AMOUNT OF CERTAIN PERSONAL LOANS WHICH A CREDIT UNION MAY MAKE TO A MEMBER THEREOF.

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

SECTION 1. Paragraph 1 of subdivision (A) of section 24 of chapter 171 of the General Laws, as amended by section 1 of chapter 122 of the acts of 1954, is hereby further amended by striking out, in line 2, the word "three" and inserting in place thereof the word:—five,— so as to read as follows:— 1. To an amount of one hundred dollars or one per cent of the assets, whichever is greater, not exceeding five hundred dollars, if evidenced by the unendorsed and unsecured note of the borrower.

SECTION 2. Said subdivision (A) of said section 24 of said chapter 171 is hereby further amended by striking out paragraph 2, as amended by section 2 of said chapter 122, and inserting in place thereof the following paragraph:—

2. To an amount of five hundred dollars or two per cent of the assets, whichever is greater, not exceeding seven hundred and fifty dollars, if evidenced by the note of the borrower with one or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same. *Approved March 4, 1960.*

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**Chap. 152.** AN ACT FURTHER REGULATING THE TAKING OF LOBSTERS.

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

Chapter 130 of the General Laws is hereby amended by striking out section 37, as most recently amended by section 1 of chapter 76 of the acts of 1948, and inserting in place thereof the following section:—*Section 37.* No person, either as principal, agent or employee, shall at any time catch lobsters or edible crabs in, or take them from, the coastal waters or place, set, keep, maintain, supervise, lift, raise or draw in or from the said waters, or cause to be placed, set, kept, maintained, supervised, lifted, raised or drawn in or from the said waters, any pot, trap or other contrivance designed for, or adapted to, the taking of lobsters or edible crabs, unless licensed so to do under section thirty-eight.

No person shall at any time take from any waters under the jurisdiction of the commonwealth any lobsters by spearing, dipping or dragging.

In the waters of Dukes county, and of Marblehead and Swampscott in Essex county, no such pot, trap or other contrivance shall be buoyed otherwise than separately and plainly.

Violation of any provision of this section shall be punished by a fine of not less than ten nor more than twenty-five dollars or imprisonment for one month, or both. Nothing in this section or section thirty-eight shall be construed to prohibit or regulate the taking of crabs other than edible crabs solely for bait purposes, or for the taking of edible crabs for use of one's immediate family; provided, that the number of such edible crabs so taken by any one person shall not exceed fifty in one day and such edible crabs shall not be taken by pots or traps.

*Approved March 4, 1960.*

**Chap. 153.** AN ACT REQUIRING THE REVOCATION OF DISAPPROVAL OF A DEFINITIVE PLAN UNDER THE SUBDIVISION CONTROL LAW AND APPROVAL OF AN AMENDED PLAN.

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

Section 81U of chapter 41 of the General Laws, as most recently amended by section 1 of chapter 377 of the acts of 1958, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

After the hearing required by section eighty-one T and after the report of said health board or officer or the lapse of forty-five days without such report, the planning board shall approve, or, if such plan does not comply with the subdivision control law or the rules and regulations of the planning board or the recommendations of the health board or officer, shall modify and approve or shall disapprove such plan. In the event of disapproval, the planning board shall state in detail wherein the plan does not conform to the rules and regulations of the planning board or to the recommendations of the health board or officer and shall revoke its disapproval and approve a plan which, as amended, conforms to such rules and regulations or recommendations. The planning board shall file a certificate of its action with the city or town clerk, a copy of which shall be recorded by him in a book kept for the purpose, and shall send notice of such action by registered mail, postage prepaid, to the applicant at his address stated on the application. *Approved March 4, 1960.*

**Chap. 154.** AN ACT RELATIVE TO VACATIONS FOR MEMBERS OF REGULAR OR PERMANENT POLICE AND FIRE FORCES IN CERTAIN CITIES AND TOWNS.

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

The first sentence of section 111A of chapter 41 of the General Laws, as amended by chapter 46 of the acts of 1956, is hereby further amended by striking out, in line 2, the word "April" and inserting in place thereof the word:—January,—so as to read as follows:—In any city or town which accepts this section or has accepted corresponding provisions of earlier law, on January first in each year every member of its regular or permanent police or fire force who has been such for at least six months shall become entitled to a vacation of not less than two weeks during such year without loss of pay.

*Approved March 4, 1960.*

**Chap. 155.** AN ACT PROVIDING FOR THE INITIATIVE AND REFERENDUM FOR THE CITY OF BEVERLY.

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

Notwithstanding the provisions of chapter five hundred and forty-two of the acts of nineteen hundred and ten and amendments thereto, the provisions of sections thirty-seven to forty-four, inclusive, of chapter forty-three of the General Laws shall apply to the city of Beverly.



For the purpose of this act, the words "city council" where appearing in said sections thirty-seven to forty-four, inclusive, of chapter forty-three of the General Laws shall mean "board of aldermen".

*Approved March 4, 1960.*

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**Chap. 156.** AN ACT INCREASING THE PENALTY FOR THROWING OR SHOOTING MISSILES AT CERTAIN VEHICLES OR PERSONS THEREIN, OR INTERFERING WITH PERSONS ENGAGED IN THE OPERATION OF SUCH VEHICLES.

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

The first sentence of section 104 of chapter 159 of the General Laws, as most recently amended by chapter 234 of the acts of 1959, is hereby further amended by striking out, in line 8, the word "one" and inserting in place thereof the word:—two,—so as to read as follows:—Whoever wilfully throws or shoots a missile at a locomotive engine, or railroad or railway car or train, or at a motor bus or trackless trolley vehicle, or at a school bus, or at a person on such engine, car, train, motor bus or trackless trolley vehicle, or school bus, or in any way assaults or interferes with a conductor, engineer, brakeman, motorman or operator while in the performance of his duty on or near such engine, car, train, motor bus or trackless trolley vehicle, or school bus, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both.

*Approved March 4, 1960.*

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**Chap. 157.** AN ACT RELATIVE TO THE FORM AND EXECUTION OF CERTAIN CONTRACTS OF THE CITY OF CHICOPEE.

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

Section 58 of chapter 239 of the acts of 1897 is hereby amended by striking out, in lines 2 and 3, the words "two hundred" and inserting in place thereof the words:—one thousand.

*Approved March 4, 1960.*

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**Chap. 158.** AN ACT AUTHORIZING THE CITY OF LYNN TO USE CERTAIN LAND HELD FOR PLAYGROUND PURPOSES FOR THE ERECTION OF AN ELEMENTARY SCHOOL.

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

SECTION 1. The city of Lynn is hereby authorized to use for the erection of an elementary school certain land now held by it for public playground purposes and situated within the limits of the Clark street playground and consisting of an area of approximately thirty-nine thousand two hundred and thirty-six square feet, as shown on a plan drawn by William B. Hilton, City Engineer, dated October fifth, nineteen hundred and fifty-nine.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of park commissioners and by vote of the city council of said city, subject to the approval of the school committee.

*Approved March 4, 1960.*

**Chap. 159.** AN ACT REQUIRING THE FILING OF A DECLARATION OF ESTIMATED TAX BY ANY TAXPAYER WHO EXPECTS TO RECEIVE TAXABLE INCOME OTHER THAN WAGES SUBJECT TO WITHHOLDING IN EXCESS OF FIVE HUNDRED DOLLARS.

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

SECTION 1. Section 13 of chapter 62B of the General Laws, as appearing in section 1 of chapter 17 of the acts of 1959, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Every taxpayer who in any taxable year can reasonably expect to receive income in excess of five hundred dollars taxable under chapters sixty-two or sixty-two A from sources other than wages upon which a tax is required to be withheld under section two, shall file a declaration of his estimated tax for such year.

SECTION 2. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty.

*Approved March 4, 1960.*

**Chap. 160.** AN ACT INCREASING THE AD DAMNUM IN SMALL CLAIMS PROCEDURE IN THE DISTRICT COURTS TO ONE HUNDRED DOLLARS.

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

Chapter 218 of the General Laws is hereby amended by striking out section 21, as amended by chapter 168 of the acts of 1953, and inserting in place thereof the following section:—*Section 21.* The justices or a majority of them of all the district courts, except the municipal court of the city of Boston, shall make uniform rules applicable to said courts, and the justices of the municipal court of the city of Boston shall make rules applicable to that court, providing for a simple, informal and inexpensive procedure, hereinafter called the procedure, for the determination, according to the rules of substantive law, of claims in the nature of contract or tort, other than slander and libel, in which the plaintiff does not claim as debt or damages more than one hundred dollars, and for a review of judgments upon such claims when justice so requires. The procedure shall not be exclusive, but shall be alternative to the formal procedure for causes begun by writ. Actions under this section and sections twenty-two to twenty-five, inclusive, shall be brought in the judicial district where the defendant lives or has his usual place of business.

*Approved March 4, 1960.*

**Chap. 161.** AN ACT RELATIVE TO THE SALARY OF THE RECORDER OF THE LAND COURT.

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

SECTION 1. Notwithstanding the provisions of section four of chapter seven hundred and thirty-three of the acts of nineteen hundred and fifty-five, a recorder of the land court who was appointed to said office between the first day of July nineteen hundred and fifty-nine and the effective date of this act, shall receive such salary as may be

fixed by the judge of said court, subject to the approval of the governor and council as provided in section fourteen of chapter one hundred and eighty-five of the General Laws, said salary to be effective as of the date of the appointment.

SECTION 2. This act shall take effect upon its passage.

*Approved March 7, 1960.*

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**Chap. 162.** AN ACT LIMITING THE AMOUNT OF SHARES AND DEPOSITS  
IN CREDIT UNIONS OF CERTAIN ORGANIZATIONS.

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

Section 10 of chapter 171 of the General Laws is hereby amended by inserting after the fourth sentence, as most recently amended by chapter 182 of the acts of 1957, the following sentence:—No fraternal organization, voluntary association, partnership or corporation eligible for membership under the provisions of section five may purchase shares or have on deposit in the aggregate more than four thousand dollars upon which dividends or interest may accumulate until the principal of such accounts with the accrued dividends or interest thereon amounts to five thousand dollars in the aggregate, provided that a credit union having assets of two hundred thousand dollars or more may allow such member to hold shares or make deposits, or both, to an amount not exceeding eight thousand dollars in the aggregate upon which dividends and interest thereon may accumulate until the principal of such accounts with the accrued dividends or interest thereon amounts to ten thousand dollars in the aggregate.

*Approved March 7, 1960.*

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**Chap. 163.** AN ACT PROVIDING THAT A PERSON ENGAGED IN THE BUSINESS OF GRANTING MORTGAGE LOANS SHALL NOT DISCRIMINATE AGAINST ANY PERSON IN THE GRANTING OF SUCH LOAN BECAUSE OF RACE, COLOR, RELIGIOUS CREED, NATIONAL ORIGIN, OR ANCESTRY.

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

SECTION 1. Section 3 of chapter 151B of the General Laws is hereby amended by striking out subsection 6, as amended by section 3 of chapter 697 of the acts of 1950, and inserting in place thereof the following subsection:—

6. To receive, investigate and pass upon complaints of unlawful practices, as hereinafter defined, alleging discrimination because of race, color, religious creed, national origin, age, or ancestry.

SECTION 2. Section 4 of said chapter 151B is hereby amended by inserting after subsection 3A, inserted by chapter 274 of the acts of 1955, the following subsection:—

3B. For any person engaged in the business of granting mortgage loans to discriminate against any person in the granting of any mortgage loan, including but not limited to the interest rate, terms or duration of such mortgage loan, because of his race, color, religious creed, national origin, or ancestry.

*Approved March 7, 1960.*

**Chap. 164.** AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF THE DIRECTOR OF VETERANS' SERVICES OF THE CITY OF QUINCY UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of director of veterans' services of the city of Quincy, also known in said city as the office of commissioner of veterans' services, shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of the present incumbent thereof shall be unlimited, subject, however, to such laws; provided, that he shall be subjected by the division of civil service to a qualifying examination, and if he passes said examination shall be certified for said office and deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of the city of Quincy, subject to the provisions of its charter, but not otherwise. *Approved March 7, 1960.*

**Chap. 165.** AN ACT AUTHORIZING THE TOWN OF READING TO PURCHASE OR TAKE BY EMINENT DOMAIN CERTAIN LAND AND BUILDINGS THEREON IN SAID TOWN FOR ANY PUBLIC PURPOSE INCLUDING THE CONSTRUCTION AND MAINTENANCE THEREON OF A PUBLIC WAITING ROOM, PUBLIC PARKING AREA, A PUBLIC STORAGE BUILDING, AND RELATED FACILITIES.

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

SECTION 1. The town of Reading is hereby authorized to acquire by purchase or to take by eminent domain the following described land and buildings for any public purpose including the construction and maintenance thereon of a public waiting room, public parking area, a public storage building, and related facilities:—the land with the buildings thereon on the southwesterly side of High Street, Reading, containing approximately three acres, and bounded by High Street, Woburn Street, Lincoln Street and Washington Street, said land and buildings thereon being presently owned by the Boston and Maine Railroad, as shown on a plan entitled "Compiled Plan of Reading Railroad Station Area, Reading, Massachusetts, December 1955" by Board of Public Works, James T. Putnam, Superintendent, which plan is on file with the town clerk.

Notwithstanding any provisions of law to the contrary, said town of Reading may construct and maintain on said land such structures as may be necessary for the aforesaid purposes and may at any town meeting appropriate money therefor.

SECTION 2. This act shall take effect upon acceptance by a majority vote of the town meeting members of the town of Reading present and voting thereon at a town meeting.

*Approved March 7, 1960.*

**Chap. 166.** AN ACT ELIMINATING THE REQUIREMENT FOR A SEPARATE BALLOT BOX IN CERTAIN ELECTIONS HELD IN PART BY PROPORTIONAL REPRESENTATION OR PREFERENTIAL VOTING, AND PROVIDING FOR THE COUNTING OF BALLOTS IN SUCH ELECTIONS.

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

Chapter 54A of the General Laws is hereby amended by striking out section 8, as appearing in section 1 of chapter 341 of the acts of 1938, and inserting in place thereof the following section:—*Section 8.* After the polls have been closed and the absent voter ballots, if any, have been cast, but in any event no later than one hour after the hour for the closing of the polls, the presiding officer at each polling place shall seal the ballot box. He shall cause a copy of the record of the total number of names checked on the voting lists, a copy of the record of the whole number of ballots cast, a copy of the record of the register of the ballot box and a record of the number of ballots given out to voters and of the number of such ballots spoiled and returned by the voters for cancellation, to be enclosed in an envelope and sealed up with the seal provided for the polling place and also with the private seal of any election officer who may desire to affix the same thereto, and shall certify on the envelope the contents thereof. He shall also enclose in an envelope or envelopes in like manner those of such ballots which were spoiled and returned and those which were not given out.

The presiding officer shall deliver the ballot box, together with the envelopes containing the records specified in the preceding paragraph, in person, to the central counting place or shall transmit them thereto by the police officer in attendance at the polling place. Proper receipts shall be required in connection with the transmission of ballot boxes, ballots, records and copies of records.

The ballot receptacles shall be assembled by polling places for counting at the central counting place in an order of polling places determined by the city or town clerk by lot. For such purposes, lots shall be drawn not later than the closing of the polls in the presence of such candidates or their agents as wish to attend after due notification at least five days in advance.

The ballot receptacles shall be opened and the number of ballots found therein recorded and the number thereof shall be compared with the records sent from the corresponding polling places. The records thus compared shall be made available to the public with notations explaining any necessary corrections therein, and if any discrepancy appears in such records which cannot be reconciled it shall be noted on the records.

When any question is submitted on a ballot as part of an election by proportional representation or preferential voting, separate ballots of a different color shall be provided for such question. In such case, as soon as the ballot receptacles are opened in the central counting place, the ballots on the question shall be sorted and counted before the beginning of the count described in section nine of this chapter.

*Approved March 7, 1960.*

**Chap. 167.** AN ACT AUTHORIZING THE TOWN OF AYER TO CONSTRUCT A FORCE MAIN FROM ITS SEWAGE TREATMENT WORKS AND TO ENLARGE AND IMPROVE SAID WORKS.

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

SECTION 1. For the purpose of disposing of sewage and manufacturing waste, the town of Ayer, acting through its board of public works, may lay out, construct, and maintain a force main from its sewage treatment works to the Nashua river and may improve said treatment works, and for said purpose may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise such lands, water rights, rights-of-way and easements in said town, including the right with the approval of the federal government to construct and maintain a force main on such land owned by the federal government, as may be necessary for the establishment of such system of sewage disposal. For the aforesaid purposes, said town may lay sewers through private and other lands and under any way and may enter upon and dig up such private and other lands or ways in such manner as not unnecessarily to obstruct the same.

SECTION 2. No action shall be taken under authority of section one until plans of said force main and other improvements to the sewage treatment works have been approved by the department of public health. No betterment assessments shall be made under authority of general or special law for the cost of construction authorized by this act except that the board of public works may charge and collect from the Hartnett Tanning Company a just and equitable annual charge as authorized by section sixteen of chapter eighty-three of the General Laws, or any special act of said town pertaining thereto.

SECTION 3. Any person whose property has been damaged by any action of said town pursuant to section one may recover damages from said town under chapter seventy-nine of the General Laws.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, said town may accept grants-in-aid from the federal government and may borrow, from time to time, such sums as may be necessary, not exceeding in the aggregate one million, three hundred and fifty thousand dollars, and may issue bonds or notes of the town therefor, which shall bear on their face the words, Ayer Sewer Loan, Act of 1960. Each authorized issue shall constitute a separate loan. Indebtedness under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, including the limitations contained in the first paragraph of section seven thereof.

SECTION 5. This act shall take full effect upon its acceptance by vote of two thirds of the voters of said town voting thereon at a town meeting called for the purpose within three years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

*Approved March 7, 1960.*

**Chap. 168.** AN ACT TO AUTHORIZE AMERICAN UNITARIAN ASSOCIATION TO ESTABLISH A COMMON TRUST FUND FOR THE INVESTMENT OF ITS OWN FUNDS AND THE FUNDS OF CHURCHES, FELLOWSHIPS AND OTHER ORGANIZATIONS SERVED BY SAID ASSOCIATION.

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

American Unitarian Association, incorporated by chapter forty-two of the acts of eighteen hundred and forty-seven, and any successor corporation, including any corporation formed by a consolidation of which said American Unitarian Association is one of the consolidating corporations, may establish one or more common trust funds for the purpose of furnishing investments to itself and to any organization within the object of said corporation, including, but without limiting the generality of the foregoing, any church, fellowship or religious, educational or charitable organization or corporation served by said American Unitarian Association or by any successor corporation or any organization or corporation holding funds for the benefit of any of the foregoing or for promoting any of the purposes for which any of the foregoing were formed or for the purpose of aiding or supporting a minister or teacher, or any building or buildings used by any of the foregoing, whether holding such funds as fiduciary or otherwise; and said American Unitarian Association or any successor corporation and any of the said churches, fellowships, organizations or corporations, as fiduciary or otherwise, may invest any part or all of any of the funds which it holds for investment in interests in such common trust fund or funds; provided, that in the case of funds held as fiduciary such investment is not prohibited by the wording of the instrument creating such fiduciary relationship.

*Approved March 7, 1960.*

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**Chap. 169.** AN ACT INCREASING THE PENALTY FOR DEFACING CERTAIN BUILDINGS OR PROPERTY USED FOR EDUCATIONAL OR RELIGIOUS PURPOSES.

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

Chapter 266 of the General Laws is hereby amended by striking out section 98, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 98.* Whoever wilfully, intentionally and without right, or wantonly and without cause, destroys, defaces, mars or injures a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith, shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than two years, or both.

*Approved March 7, 1960.*

**Chap. 170.** AN ACT AUTHORIZING THE TOWN OF WAYLAND TO TRANSFER THE CARE, CUSTODY, AND CONTROL OF CERTAIN PARK LAND FROM THE PARK DEPARTMENT TO THE BOARD OF SELECTMEN, AND TO USE SAID LAND FOR OTHER THAN PARK PURPOSES.

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

SECTION 1. The town of Wayland is hereby authorized to transfer from its park department to its board of selectmen the care, custody and control of the following described parcel of land used by said town for park purposes, and shown as Lot A on a plan entitled "Plan of Land in Wayland, Massachusetts," Everett M. Brooks Co., C.E., dated June 20, 1958, and to use said land for other than park purposes.

Commencing at the Southeast corner of said premises, which point is one hundred forty-eight and 50/100 (148.50) feet West of Cochituate Road, Wayland, Mass.;

Thence running Westerly one hundred two and 86/100 (102.86) feet to a corner;

Thence turning and running Northwest one hundred twenty-five and 12/100 (125.12) feet to a corner;

Said last two boundaries being land of Town of Wayland;

Thence turning and running East one hundred fifty-one and 50/100 (151.50) feet to a corner;

Thence turning and running South one hundred fifteen and 50/100 (115.50) feet to a point of beginning.

Said last two boundaries by land now or formerly of the Trinitarian Congregational Church of Wayland.

Containing 14,689 square feet.

SECTION 1A. Any action taken by the town of Wayland at its annual town meeting in the current year pursuant to authority contained in section one is hereby confirmed and validated as though this act were in effect at the time of the posting of the warrant for said annual town meeting.

SECTION 2. This act shall take effect upon its passage.

*Approved March 9, 1960.*

**Chap. 171.** AN ACT REQUIRING A CERTAIN NOTICE TO BE GIVEN IN CONNECTION WITH THE PREPARATION AND TRANSMISSION OF PAPERS SUBMITTED TO THE SUPREME JUDICIAL COURT IN APPELLATE PROCEEDINGS.

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

The last paragraph of section 135 of chapter 231 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 109 of the acts of 1959, and inserting in place thereof the following two sentences:—When any case becomes ripe for final preparation and printing of the record for the full court of the supreme judicial court the clerk, recorder, register or other appropriate official of the court in which the case is pending shall forthwith give to the party having the obligation to cause the necessary papers hereinbefore specified to be prepared a notice by registered mail, return receipt re-



quested, stating that the case has become ripe. In order to carry any question of law from the supreme judicial court when held by a single justice of said court or from any other court to the full court of the supreme judicial court upon appeal, exception, reservation, report or otherwise as authorized by law, the party having the obligation to cause the necessary papers hereinbefore specified to be prepared shall give to the clerk, recorder, register or other appropriate official of the court in which the case is pending, within ten days after receipt of such notice, an order in writing for the preparation of such papers and copies of papers for transmission to the full court of the supreme judicial court.

*Approved March 10, 1960.*

**Chap. 172.** AN ACT TO FURTHER DEFINE AND CLARIFY THE POWERS OF LOCAL BOARDS OF HEALTH RELATIVE TO ENFORCING MINIMUM HOUSING STANDARDS AND OTHER PROVISIONS IN THE STATE SANITARY CODE.

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

SECTION 1. Section 5 of chapter 111 of the General Laws is hereby amended by inserting after the second paragraph, as amended by chapter 522 of the acts of 1959, the following paragraph:—

Said code may provide for the demolition, removal, repair or cleaning by local boards of health of any structure which so fails to comply with the standards of fitness for human habitation or other regulations in said code as to endanger or materially impair the health or well-being of the public. Expense incurred by a local board of health shall constitute a debt due from the owner of such structure to the city or town wherein such structure is or was located. Payment of such debt may be enforced in the manner provided by and subject to the provisions of section one hundred and twenty-eight D and such debt shall constitute a lien upon the land of said owner subject to the provisions of said section.

SECTION 2. Said chapter 111 is hereby further amended by striking out section 128D, as amended by section 1 of chapter 447 of the acts of 1954, and inserting in place thereof the following section:—

*Section 128D.* Upon a determination by the board of health, after examination as provided in section one hundred and twenty-eight B that a building, tenement, room, cellar, mobile dwelling place or any other structure (a) is unfit for human habitation, (b) is or may become a nuisance, or (c) is or may be a cause of sickness or home accident to the occupants or to the public, it may issue a written order to the owner or occupant or any of them thereof, requiring the owner or occupant to vacate, to put the premises in a clean condition, or to comply with the housing standards set forth in section one hundred and twenty-eight B which are not complied with. The order shall be served in the same manner as is provided for the service of an order by section one hundred and twenty-four of chapter one hundred and eleven. A copy of such order shall be served upon any mortgagee of record, by sending the same by registered mail, return receipt requested. If the owner or occupant refuses to comply with such order, the board of health may cause the premises to be properly cleaned at

the expense of the owner or occupant, remove the occupant forcibly and close up the premises, or proceed under section one hundred and twenty-eight E. Premises closed up under the provisions of this section shall not be occupied as a human habitation without written permission of the board of health. If within one year from the date the premises have been so closed up compliance with the regulations concerning the minimum standards of fitness for human habitation has not been effected, the board of health may cause such structure to be demolished or removed, and a claim for the expense so incurred by said board shall constitute a debt due the city or town upon the completion of the work and the rendering of an account therefor to the owner of such structure, and shall be recoverable from such owner in an action of contract.

Any such debt, together with interest thereon at the rate of six per cent per annum from the date such debt becomes due, shall constitute a lien on the land upon which the structure is or was located if a statement of claim, signed by the board of health, setting forth the amount claimed without interest is filed, within ninety days after the debt becomes due, with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies. Such lien shall take effect upon the filing of the statement aforesaid and shall continue for two years from the first day of October next following the date of such filing. Such lien may be dissolved by filing with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies, a certificate from the collector of the city or town that the debt for which such lien attached, together with interest and costs thereon, has been paid or legally abated. Such collector shall have the same powers and be subject to the same duties with respect to such claim as in the case of the annual taxes upon real estate; and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof, and the redemption of land so sold or taken shall apply to such claim.

SECTION 3. Section 128E of said chapter 111, inserted by section 2 of chapter 209 of the acts of 1954, is hereby amended by adding at the end the following sentence:—A copy of such written notice shall be served upon any mortgagee of record, by sending the same by registered mail, return receipt requested.

*Approved March 10, 1960.*

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**Chap. 173.** AN ACT REQUIRING THE FILING OF AN AFFIDAVIT EXECUTED BY THE PURCHASER OF A REPOSSESSED MOTOR VEHICLE IN SUITS BROUGHT FOR A DEFICIENCY UNDER A MORTGAGE OR CONDITIONAL SALE CONTRACT.

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

Chapter 255B of the General Laws is hereby amended by inserting after section 20 the following section:—*Section 20A.* The maker of a note secured by a mortgage or conditional sales contract, relating to the sale of a motor vehicle which has been repossessed, shall not be

liable in a suit for a deficiency thereon after sale pursuant to the terms of said mortgage or conditional sale contract, unless the holder of said note shall on the return day of said action file an affidavit signed by the purchaser at said foreclosure sale stating the price paid for said motor vehicle and the date and place of the sale.

*Approved March 10, 1960.*

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**Chap. 174.** AN ACT RELATIVE TO THE NUMBER, THE TERM OF OFFICE AND THE ELECTION AT LARGE OF MEMBERS OF THE SCHOOL COMMITTEE OF THE CITY OF WOBURN.

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

SECTION 1. Chapter 172 of the acts of 1897 is hereby amended by striking out section 28, as most recently amended by chapter 128 of the acts of 1953, and inserting in place thereof the following section:—*Section 28.* The management and control of the public schools of said city of Woburn shall be vested in a school committee, consisting of seven members, to be elected at large by and from the qualified voters of said city.

SECTION 2. At the biennial municipal election in the city of Woburn in the year nineteen hundred and sixty-three, of the candidates for school committee the two candidates receiving the highest number of votes shall be elected for terms of four years, and the five candidates receiving the next highest number of votes shall be elected for terms of two years, beginning with the first Monday of January next following their election.

SECTION 3. At each biennial municipal election in said city after the municipal election in nineteen hundred and sixty-three, the two candidates receiving the highest number of votes shall be elected for terms of four years, and the three candidates receiving the next highest number of votes shall be elected for terms of two years, beginning with the first Monday of January next following their election.

SECTION 4. This act shall be submitted to the registered voters of the city of Woburn at the state election of nineteen hundred and sixty in the form of the following question, which shall be placed upon the official ballot to be used at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty entitled 'An Act relative to the number, the term of office and the election at large of members of the school committee of the city of Woburn', be accepted?" If a majority of the votes cast on said question is in the affirmative, this act shall take effect on January first, nineteen hundred and sixty-three but not otherwise.

*Approved March 10, 1960.*

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**Chap. 175.** AN ACT PROHIBITING APPOINTMENTS TO THE RESERVE FORCES OF THE FIRE AND POLICE DEPARTMENTS OF THE CITY OF CHICOPEE.

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

SECTION 1. On and after the effective date of this act, no person shall be appointed to the reserve force of the police department or the reserve force of the fire department of the city of Chicopee.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved March 10, 1960.*

**Chap. 176.** AN ACT PROVIDING FOR THE NOMINATION OF MEMBERS OF THE CITY COUNCIL AND SCHOOL COMMITTEE OF THE CITY OF WORCESTER BY PRELIMINARY ELECTIONS AND PROVIDING FOR THEIR ELECTION BY ORDINARY PLURALITY VOTING.

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

SECTION 1. Notwithstanding the provisions of section one A of chapter six hundred and sixty-one of the acts of nineteen hundred and forty-nine, so much of the provisions of sections ninety-three to one hundred and sixteen, inclusive, of chapter forty-three of the General Laws as provided for the election by proportional representation of members of the city council and the school committee of the city of Worcester, are hereby repealed.

SECTION 2. Notwithstanding any provision of chapter forty-three of the General Laws to the contrary, nominations of candidates for election to the city council and the school committee of the city of Worcester shall be made at preliminary elections under the provisions of sections forty-four A to forty-four G of said chapter forty-three, which sections are hereby made applicable in said city, and the candidates nominated at such preliminary elections shall be candidates for election at the next regular municipal election therein by ordinary plurality voting.

SECTION 3. This act shall be submitted to the registered voters of the city of Worcester at the biennial state election to be held in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing for the nomination of members of the city council and the school committee of the city of Worcester by preliminary elections and providing for their election by ordinary plurality voting', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

*Approved March 11, 1960.*

**Chap. 177.** AN ACT FURTHER REGULATING THE ELIGIBILITY OF GRADUATES OF FOREIGN MEDICAL SCHOOLS TO BE EXAMINED FOR LICENSES TO PRACTICE IN THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that graduates of certain foreign medical schools may be granted additional examinations by the National Board of Medical Examiners of the United States for the purpose of determining their eligibility to take an examination for licenses to practice in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and welfare.

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

Section 2 of chapter 112 of the General Laws, as most recently amended by section 1 of chapter 344 of the acts of 1959, is hereby further amended by striking out the third sentence and inserting in place thereof the following three sentences:—An applicant who has received from a medical school legally chartered in a sovereign state other than the United States or Canada a degree of doctor of medicine or bachelor of medicine or its equivalent, shall be required to furnish to the board such documentary evidence as the board may require that his education is substantially the equivalent of that of graduates of medical schools in the United States and such other evidence as the board may require as to his qualifications to practice medicine, and shall be required to take a screening examination conducted periodically for such applicants by the National Board of Medical Examiners of the United States at the request of the board, and if the applicant fails to pass such examination, the board shall permit him to take it twice thereafter if necessary. If the National Board of Medical Examiners of the United States will not certify after the third examination that the applicant has successfully passed such examination, the applicant shall not be permitted to take such examination again until he has finished an internship or residency for a period of one year in a hospital in the commonwealth approved for such internship or residency by the American Medical Association. If the National Board of Medical Examiners of the United States certifies to the board that the applicant has successfully passed such examination, and if the board shall be satisfied as to his education and his qualifications, then the board shall, upon payment of fifty dollars by the applicant, admit him to the examination for licensure.

*Approved March 11, 1960.*

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**Chap. 178.** AN ACT TO CHANGE THE NAME OF AMERICAN BOARD OF COMMISSIONERS FOR FOREIGN MISSIONS TO UNITED CHURCH BOARD FOR WORLD MINISTRIES.

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

SECTION 1. The name of The American Board of Commissioners for Foreign Missions, incorporated by chapter twenty-one of the acts of eighteen hundred and twelve, is hereby changed to United Church Board for World Ministries.

SECTION 2. The prudential committee, authorized to be established by The American Board of Commissioners for Foreign Missions by section two of chapter twenty-one of the acts of eighteen hundred and twelve, is hereby changed to and shall be known as the board of directors, and said board of directors shall succeed to all the powers, authorities, privileges and duties of the prudential committee and any reference to said prudential committee in said chapter twenty-one or any act in addition thereto or in amendment thereof shall hereafter apply to the board of directors with like effect.

SECTION 3. This act shall take full effect upon its acceptance within two years of its passage by a majority vote of the members of

the corporation at a duly called meeting, and the filing in the office of the state secretary of a copy of the vote of acceptance.

SECTION 4. For the purpose of acceptance only this act shall take effect upon its passage.

*Approved March 11, 1960.*

**Chap. 179.** AN ACT PERMITTING CERTAIN FIDUCIARIES TO ACT DURING THE APPEAL PERIOD.

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

Chapter 215 of the General Laws is hereby amended by inserting after section 9 the following section:—*Section 9A.* The acts of an executor, administrator, guardian, conservator or trustee performed after the entry of the decree appointing him in such capacity and prior to the expiration of the period allowed for an appeal therefrom shall be valid to the same extent as if said appeal period had expired without any appeal in all instances where there has been no appearance entered against such appointment prior to the entry of the decree or where such appearance has been entered and withdrawn prior to the entry of the decree, notwithstanding the fact that an appeal may have been taken in said period.

*Approved March 11, 1960.*

**Chap. 180.** AN ACT ESTABLISHING THE ELIZABETH B. SAMPSON MEMORIAL FUND IN THE TOWN OF KINGSTON AND PROVIDING FOR THE ADMINISTRATION THEREOF.

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

SECTION 1. There is hereby established in the town of Kingston a fund to be known as the Elizabeth B. Sampson Memorial Fund to be administered by a board of trustees consisting of the chairman of the board of selectmen, the town treasurer and the town moderator, ex officio. Said trustees shall serve without compensation but shall be entitled to reimbursement for all reasonable expenses incurred in the performance of their duties. Disbursement for said reimbursement shall be made only after approval by the annual town meeting.

SECTION 2. The town of Kingston shall deposit with said trustees, and said trustees shall receive, the bequest made to said town under the provisions of clause ten of the will of Elizabeth B. Sampson, Plymouth County Probate docket number 78889, and said trustees shall have the power and duty to invest and reinvest the funds of said bequest in the manner provided by section fifty-four of chapter forty-four of the General Laws. A sum of not more than twenty-five thousand dollars shall first be set aside from the principal of said bequest for the purpose of establishing, under the direction of said trustees, and upon approval at a town meeting, a suitable memorial to said Elizabeth B. Sampson. Said trustees shall expend only the net income of the fund established in section one for such municipal and educational purposes as the trustees shall by majority vote determine, subject to approval by majority vote at the annual town meeting.

SECTION 3. Custody of all monies, securities and other property of said fund shall be in a national bank or trust company doing business in the commonwealth and authorized by law to exercise trust

powers. Said trustees shall delegate to said bank or trust company their power and duty to invest and reinvest said fund and shall make payments to said bank or trust company for services rendered.

SECTION 4. Upon acceptance of this trust, said trustees shall deliver to the treasurer of the town of Kingston a bond or bonds for the faithful performance of their duties in an amount to be determined by the commissioner of corporations and taxation and the board of selectmen of said town.

SECTION 5. This act shall take effect upon its acceptance by the voters of the town of Kingston at the annual town meeting in the current year.

*Approved March 11, 1960.*

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**Chap. 181.** AN ACT FURTHER DEFINING "AGRICULTURE" AND "FARMING".

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

Chapter 128 of the General Laws is hereby amended by striking out section 1A, inserted by chapter 386 of the acts of 1952, and inserting in place thereof the following section:—*Section 1A.* "Agriculture" and "farming" shall include farming in all its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, floricultural or horticultural commodities, the raising of livestock, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any practices, including any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.

*Approved March 11, 1960.*

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**Chap. 182.** AN ACT PROVIDING FOR THE MAINTENANCE AND REPAIR OF CERTAIN FOOT BRIDGES BY THE MUNICIPALITY IN WHICH THEY ARE LOCATED.

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

The second paragraph of section 3D of chapter 649 of the acts of 1949, as appearing in section 1 of chapter 450 of the acts of 1957, is hereby amended by inserting after the word "works", in line 11, the words:—, except that any of the pedestrian foot bridges over said right of way shall be maintained and repaired by the municipality in which they are located.

*Approved March 11, 1960.*

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**Chap. 183.** AN ACT RELATIVE TO SNOW AND ICE CONTROL ON SECTIONS OF HIGHWAY LAID OUT BY THE DEPARTMENT OF PUBLIC WORKS ON BEHALF OF A CITY OR TOWN.

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

Section 7A of chapter 81 of the General Laws is hereby amended by striking out the fourth sentence, inserted by chapter 453 of the

acts of 1951, and inserting in place thereof the following sentence:—  
Control of the land or rights in the land acquired under this section shall not vest in the city or town until such time as the work for which the land or rights in land have been acquired has been completed by said department, except that the city or town shall be responsible for snow and ice control on such portions of the highway as may be opened to traffic prior to final completion or acceptance of the project.

*Approved March 11, 1960.*

**Chap. 184.** AN ACT FURTHER DEFINING THE TERMS AND CONDITIONS UPON WHICH THE TRUSTEES OF THE AMERICAN COLLEGE FOR GIRLS AT ISTANBUL IN TURKEY MAY MERGE OR CONSOLIDATE WITH THE TRUSTEES OF ROBERT COLLEGE OF ISTANBUL.

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

SECTION 1. Section 1 of chapter 122 of the acts of 1959 is hereby amended by striking out clause (1) and inserting in place thereof the following clause:—

(1) That said New York corporation agrees to maintain in Turkey a college or colleges for the education of boys and girls, and in its discretion a preparatory school or schools and a graduate school in Turkey for boys or girls or both boys and girls;.

SECTION 2. Said section 1 of said chapter 122 is hereby further amended by striking out clause (3) and inserting in place thereof the following clause:—

(3) That said New York corporation agrees that all property so transferred shall be devoted primarily to the use of those departments of the colleges or schools operated in Turkey by said New York corporation as are concerned with the education of girls;.

*Approved March 11, 1960.*

**Chap. 185.** AN ACT REPEALING THE LAW ESTABLISHING THE HARBOR LINES IN THE TOWN OF WAREHAM.

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

Chapter two hundred and sixty-four of the acts of eighteen hundred and seventy-two is hereby repealed.

*Approved March 11, 1960.*

**Chap. 186.** AN ACT CLARIFYING THE DEFINITION OF THE WORD "FIRE-ARMS".

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

Section 121 of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 4 of chapter 688 of the acts of 1957, and inserting in place thereof the following sentence:—In sections one hundred and twenty-two to one hundred and thirty-one F, inclusive, "firearm" shall mean a pistol, revolver



or other weapon of any description loaded or unloaded, from which a shot or bullet can be discharged and of which the length of barrel, not including any revolving, detachable or magazine breech, is less than eighteen inches.

*Approved March 11, 1960.*

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**Chap. 187.** AN ACT AUTHORIZING THE CITY OF SALEM TO SELL AND CONVEY CERTAIN PARK PROPERTY.

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

SECTION 1. The city of Salem, by its mayor, may sell and convey a certain parcel of land held by said city for park purposes situated off Orchard street in said city and described as follows:—

A portion of a road owned by park department on the easterly side of land owned by Walter and Sofia Opolski bounded as follows: North-easterly by land of Anastash Yeannokopoulos et ux, seven and twelve hundredths feet; Southeasterly by land of City of Salem (Park Department), seventy-three and seventy-one hundredths feet; South-westerly by land of Walter and Sofia Opolski, seventy-seven and sixty-six hundredths feet. The above described parcel contains two hundred twenty-five square feet of land and is shown on a plan entitled "Land of the City of Salem, Park Dept. Orchard Street—Salem, Mass., scale one inch equals ten feet. February, 1958, Edgar W. Nickerson, City Engineer." Subject to a sewer easement as shown on said plan.

The proceeds of any such sale or sales shall be paid into the treasury of said city and shall be held subject to appropriation for park improvements, notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the board of park commissioners of said city and by vote of the city council thereof, subject to the provisions of its charter, but not otherwise.

*Approved March 11, 1960.*

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**Chap. 188.** AN ACT AUTHORIZING APPOINTMENT OF FACULTY MEMBERS OF MEDICAL COLLEGES AND UNIVERSITIES TO THE BOARD OF REGISTRATION IN MEDICINE.

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

Section 10 of chapter 13 of the General Laws, as most recently amended by chapter 36 of the acts of 1939, is hereby further amended by striking out the second sentence,—so as to read as follows:—*Section 10.* There shall be a board of registration in medicine, in the two following sections called the board, consisting of seven persons, residents of the commonwealth, registered as qualified physicians under section two of chapter one hundred and twelve, or corresponding provisions of earlier laws, who shall have been for ten years actively engaged in the practice of their profession. One member thereof shall annually in June be appointed by the governor, with the advice and consent of the council, for seven years from July first following.

*Approved March 11, 1960.*

**Chap. 189.** AN ACT FURTHER REGULATING THE RECORDING OF PLANS UNDER THE SUBDIVISION CONTROL LAW.

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

Section 81X of chapter 41 of the General Laws, as amended by chapter 207 of the acts of 1958, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—No register of deeds shall record any plan showing a division of a tract of land into two or more lots, and ways, whether existing or proposed, providing access thereto, in a city or town in which the subdivision control law is in force unless (1) such plan bears an endorsement of the planning board of such city or town that such plan has been approved by such planning board, and a certificate by the clerk of such city or town, is endorsed on the plan, or is separately recorded and referred to on said plan, that no notice of appeal was received during the twenty days next after receipt and recording of notice from the planning board of the approval of the plan, or, if an appeal was taken, that a final decree has been entered by the court sustaining the approval of the plan, or (2) such plan bears an endorsement of the planning board that approval of such plan is not required, as provided in section eighty-one P, or (3) the plan is accompanied by a certificate of the clerk of such city or town that it is a plan which has been approved by reason of the failure of the planning board to act thereon within the time prescribed, as provided in sections eighty-one U and eighty-one V, or that it is a plan submitted pursuant to section eighty-one P and that it has been determined by failure of the planning board to act thereon within the prescribed time that approval is not required, and a reference to the book and page where such certificate is recorded is made on said plan; and, unless, in case of plans approved, the endorsement or certificate is dated within six months of the date of the recording, or there is also endorsed thereon or recorded therewith and referred to thereon a certificate of the planning board or city or town clerk, dated within thirty days of the recording, that the approval has not been modified, amended or rescinded, nor the plan changed. Such certificate shall upon application be made by the board or by the clerk unless the records of the board or clerk receiving the application show that there has been such modification, amendment, rescission or change. The planning board of a city or town which has authorized any person, other than a majority of the board, to endorse on a plan the approval of the board or to make any other certificate under the subdivision control law, shall transmit a written statement to the register of deeds and the recorder of the land court, signed by a majority of the board, giving the name of the person so authorized.

*Approved March 11, 1960.*

**Chap. 190.** AN ACT AUTHORIZING A JOURNEYMAN PLUMBER TO CARRY ON THE WORK OF A GAS FITTER.

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

Section 3 of chapter 142 of the General Laws, as most recently amended by chapter 284 of the acts of 1959, is hereby further amended by inserting after the word "plumber", in line 8, the words:—or a journeyman.

*Approved March 11, 1960.*

**Chap. 191.** AN ACT RELATIVE TO THE AWARDING OF CERTAIN CONTRACTS BY THE CITY OF GARDNER.

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

SECTION 1. Section 34 of chapter 119 of the acts of 1921, as amended by section 1 of chapter 16 of the acts of 1934, is hereby further amended by striking out, in line 5, the words "five hundred" and inserting in place thereof the words:—one thousand,—so as to read as follows:—*Section 34.* No contract for construction work or for the purchase of apparatus, supplies or materials, whether the same shall be for repairs or original construction, the estimated cost of which amounts to or exceeds one thousand dollars, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded unless proposals for the same shall have been invited by advertisements in at least one newspaper published in the city once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Such advertisements shall state the time and place where plans and specifications of the proposed work or supplies may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the city the right to reject any or all of such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this act.

SECTION 2. Section 35 of said chapter 119 is hereby amended by striking out, in lines 2 and 3, the words "two hundred" and inserting in place thereof the words:—one thousand,—so as to read as follows:—*Section 35.* All contracts made by any department, board or commission in which the amount involved is one thousand dollars or more shall be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor and of the department or board making the contract is affixed thereto. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the board or officials having the matter in charge, or by a deposit of money, certified check or other security conditioned on the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has in all respects been carried out; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, and the officer, department or board making the contract, with the approval of the mayor affixed thereto.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Gardner, subject to the provisions of its charter, but not otherwise.

*Approved March 11, 1960.*

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**Chap. 192.** AN ACT TO INCORPORATE SPRINGFIELD AREA DEVELOPMENT CORPORATION.

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

SECTION 1. Springfield Area Development Corporation, incorporated under the laws of the commonwealth on November thirtieth,

nineteen hundred and fifty-four, upon acceptance of this act by a majority vote of the members of the corporation, voting in person or by proxy, at a meeting duly called for the purpose, shall be dissolved.

SECTION 2. In this act, unless the context otherwise requires, the following words shall have the following meanings:—

“Corporation”, the Springfield Area Development Corporation, created by section three of this act.

“Financial institution”, any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

“Executive committee”, the executive committee established under section ten.

SECTION 3. Richard A. Booth, Edward J. Breck, Archie Burack, Howard J. Cadwell, Hollis M. Carlisle, Ernest F. Carlson, Richard S. Carroll, A. Leo Cohen, Robert R. Emerson, Irving O. Freedman, Philip L. Gamble, Walter Gerould, Donald P. Hess, John F. Hines, Eldon V. Johnson, Leland J. Kalmbach, Edward Kronvall, Bruce H. MacLeod, William L. Morgan, Jr., Robert K. Mueller, Roger L. Putnam, James Y. Scott, Harlan A. Sears, James J. Shea, Sr., John M. Turnbull, Norman Wallace, Harry G. Webster, Charles G. Young, their associates, successors and assigns, are hereby constituted a body corporate under the name of Springfield Area Development Corporation. The corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter one hundred and fifty-five, sections eighteen, twenty-six, twenty-seven, thirty-one, thirty-three and thirty-four of chapter one hundred and fifty-six, and section two of chapter one hundred and eighty of the General Laws, as presently enacted or hereafter amended, except so far as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

SECTION 4. The principal office of the corporation shall be located in the city of Springfield. The corporation may have offices in such other places within the vicinity of said city as may be fixed by the board of directors.

SECTION 5. The purposes of the corporation shall be to promote, stimulate, develop and advance the business prosperity and economic welfare of the city of Springfield and its vicinity, and the citizens thereof; to encourage and assist, through loans, investments or other business transactions, the location of new business and industry in the city of Springfield and its vicinity; to rehabilitate and assist existing business and industry; and so to stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of the city of Springfield and its vicinity, provide maximum opportunities for employment, encourage thrift, and improve the standard of living of its citizens; and similarly to endeavor to increase and diversify industry and employment.

In furtherance of such purposes and in addition to the powers conferred on business corporations by the provisions of the General Laws

specified in section three, the corporation shall, subject to the restrictions and limitations herein contained, have the following powers:—

(a) To purchase, receive, hold, lease, or otherwise acquire, and to develop, improve, sell, convey, exchange, mortgage, lease, rent and otherwise deal or trade in and dispose of real property and any estate interests or rights therein.

(b) To loan money on bonds secured by mortgage on real or personal property.

(c) To erect, construct, alter, maintain and improve industrial or civic buildings or buildings used for civic or charitable purposes of every description on any lands of the corporation or upon other lands, and to rebuild, alter and improve industrial, civic or charitable buildings or buildings used for civic or charitable purposes thereon.

(d) To purchase, subscribe to, acquire, hold and to sell, assign, mortgage, hypothecate or otherwise dispose of the shares of the capital stock or preferred stock, bonds and other evidences of indebtedness of any corporation, domestic or foreign; and to issue in exchange for such stock, bonds and other evidences of indebtedness, its own stock, bonds and other obligations, and while owners or holders thereof to exercise all the rights of powers of ownership including the right to vote thereon for any purpose.

(e) To buy, acquire, hold, use, employ, develop, mortgage, convey, lease and dispose of patent rights, letters patent, copyrights, trade names, labels, processes, devices, inventions, trademarks, formulae, goodwill and other rights, and to pay therefor in cash or property or to issue in exchange therefor stocks, bonds and other obligations.

(f) To enter into any arrangement for union of interest, co-operation, joint adventure, reciprocal concession, or otherwise, with any person or company engaged in or about to engage in any business or transaction in the city of Springfield or its vicinity, which the corporation is authorized to engage in and to lend money with security to guarantee the contracts or otherwise assist any person, persons or company or corporation when necessary for the accomplishment of the purposes herein provided for.

(g) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes.

(h) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation.

(i) To borrow money from any financial institution, and to issue therefor its bonds, debentures, notes, stock or other evidences of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein.

(j) To co-operate with and avail itself of the facilities of the department of commerce and any similar governmental agencies; and to co-operate with and assist, and otherwise encourage any industrial organization in the city of Springfield and its vicinity, in the promotion, assistance and development of the business prosperity and economic welfare of such area.

(k) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 6. The authorized capital stock of the corporation shall consist of one million four hundred thousand shares of common capital stock with a par value of five dollars each, which shares shall be divided into Class A and Class B.

*Class A.* An individual, corporation, estate or trust, company or partnership, shall be entitled to hold or own not more than five hundred shares of Class A common capital stock, and such individual, corporation, estate or trust, company or partnership, may purchase the same from the corporation from time to time as long as the above amount of five hundred shares is not exceeded and the corporation has in its treasury authorized Class A common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships, provided the amount purchased shall not exceed five hundred shares in the aggregate. If such individual, corporation, estate, trust, company, or partnership holds in the aggregate more than five hundred shares, it shall be required to turn in the excess of five hundred shares to the corporation and to receive back therefor in exchange Class B common stock on a share for share basis. The holder of each share of Class A common capital stock shall be entitled to one vote for each such share not in excess of five hundred shares.

*Class B.* An individual, corporation, estate or trust, company or partnership, shall not be limited as to holdings or purchases in Class B common capital stock and shall be entitled to purchase the same from the corporation from time to time so long as the latter has in its treasury authorized Class B common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estate, trusts, companies or partnerships. Class B common capital stock shall be non-voting.

None of the earnings of the corporation shall accrue to or be paid to the stockholders of common capital stock as dividends or profits.

SECTION 7. Notwithstanding any rule at common law or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within this commonwealth, including without implied limitation any electric or gas company as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of said General Laws, financial institutions and trustees are hereby authorized to acquire, purchase, hold, sell, assign, transfer, or otherwise dispose of any stocks, bonds, securities, or other evidences of indebtedness of the corporation and to make contributions to said corporation, and if owners of such stock to exercise all the rights, powers and privileges of ownership, including the right to vote thereon, all without the approval of any regulatory authority of the commonwealth; provided, that in so acquiring the capital stock of the corporation or in making contributions thereto, no financial institution shall expend, in the aggregate, in any one year an amount greater

than one half of one per cent of its total or gross earnings or income for the next preceding fiscal year; and provided, further, that such contributions may be made over a period not to exceed five years.

Any contribution made under this section to the corporation shall be in addition to any contributions authorized by section sixty-eight of chapter one hundred and sixty-eight of the General Laws, section thirty-five of chapter one hundred and seventy of the General Laws, and by other provisions of general or special law.

SECTION 8. The stockholders shall have the following powers of the corporation:—(a) To determine the number of and elect directors as provided in section ten; (b) to make, amend and repeal by-laws; (c) to amend this charter as provided in section nine; (d) to dissolve the corporation as provided in section seventeen; (e) to exercise such other powers of the corporation as may be conferred on the stockholders by the by-laws.

SECTION 9. This charter may be amended by the votes of the stockholders, and such amendments shall require approval by the affirmative vote of two thirds of the votes to which the stockholders shall be entitled; provided, that no amendment of this charter is inconsistent with the general purposes expressed herein or which eliminates or curtails the right of the commissioner of commerce to examine the corporation or the obligation of the corporation to make reports as provided in section twelve, shall be made without amendment of this act; and provided, further, that no amendment of this charter which affects a stockholder's voting right, shall be made without the consent of each stockholder affected by such amendment.

Within thirty days after any meeting at which amendments of this charter have been adopted, articles of amendment sworn to by the president, treasurer and a majority of the directors, setting forth such amendment and the adoption thereof, shall be submitted to the commissioner of commerce, who shall examine them, and if he finds that they conform to the requirements of this act, he shall so certify and endorse his approval thereon. Thereupon the articles of amendment shall be filed in the office of the secretary of the commonwealth, and no such amendment shall take effect until such articles of amendment shall have been filed as aforesaid.

Prior to or within sixty days after the effective date of any legislative amendment to this charter, the approval of such amendment shall be voted on by the stockholders of the corporation at a meeting duly called for the purpose. If such amendment is not approved by the affirmative vote of two thirds of the votes to which the stockholders shall be entitled, any stockholder who has voted against the approval of such amendment, if entitled to vote, or, if not entitled to vote, has registered his disapproval in writing with the corporation at or before said meeting, may, within thirty days after said meeting, make a written demand upon the corporation for payment for his stock.

SECTION 10. The business and affairs of the corporation shall be managed and conducted by a board of directors of not more than fifteen members, a president, a first vice-president and a second vice-president, a treasurer and a clerk, who shall be the executive committee.

The executive committee may exercise all the powers of the corporation except such as are conferred by law or by the by-laws of the corporation upon the stockholders, and shall choose and appoint all the agents and officers of the corporation and fill all vacancies.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the wilful misconduct of such directors and officers.

SECTION 11. The corporation shall not deposit any of its funds in any banking institution unless such institution has been designated as a depository by a vote of a majority of the directors present at an authorized meeting of the board of directors, exclusive of any director who is an officer or director of the depository so designated.

The corporation shall not receive money on deposit.

SECTION 12. The corporation shall be subject to the examination of the commissioner of commerce, and shall make reports of its condition not less than annually to said commissioner, who in turn shall make copies of such reports available to the commissioner of insurance and to the commissioner of banks, and the corporation shall also furnish such other information as may from time to time be required by the commissioner of commerce.

SECTION 13. The first meeting of the corporation shall be called by a notice signed by three or more of the incorporators, stating the time, place and purpose of the meeting, a copy of which notice shall be mailed, or delivered, to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting the incorporators shall organize by the choice, by ballot, of a temporary clerk, by the adoption of by-laws, by the election by ballot of directors, and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings. Ten of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the secretary of the commonwealth, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may from time to time be issued.

SECTION 14. The corporation shall not be subject to any of the provisions of chapter sixty-three of the General Laws, nor to any taxes based upon or measured by income which may be enacted by the commonwealth. The securities, evidences of indebtedness and shares of capital stock issued by the corporation, and income therefrom, shall at all times be free from taxation within the commonwealth.

Any stockholder, or holder of any securities, evidences of indebtedness or shares of the capital stock of the corporation who realizes a



loss from the sale, redemption, or other disposition of any securities, evidences of indebtedness, or shares of the capital stock of the corporation, including any such loss realized on a partial or complete liquidation of the corporation, and who is not entitled to deduct such loss in computing any of such stockholder's, or holder's taxes to the commonwealth, shall be entitled to credit against any taxes subsequently becoming due to the commonwealth from such stockholders or other holders, a percentage of such loss equivalent to the highest rate of tax assessed for the year in which the loss occurs upon mercantile and business corporations as referred to in section two of chapter sixty-three of the General Laws.

SECTION 15. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the shares of the capital stock, bonds, debentures, notes, evidences of indebtedness, or any other securities of this corporation.

SECTION 16. The period of duration of the corporation shall be fifty years, subject, however, to the right of the stockholders to dissolve the corporation prior to the expiration of said period as provided in section seventeen.

SECTION 17. The corporation may upon the affirmative vote of two thirds of the votes of the stockholders petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section fifty of chapter one hundred and fifty-five of the General Laws. Upon any dissolution of the corporation all assets over and above the amount paid into the corporation by the stockholders for their shares of stock, shall be paid over to a nonsectarian charitable organization selected by the executive committee and approved by vote of the stockholders, the commissioners of corporations and taxation, and the commissioner of public welfare.

SECTION 18. If the corporation shall fail to commence business within three years from the effective date of this act, then this act shall become null and void.

SECTION 19. Under no circumstances is the credit of the commonwealth or any political division thereof pledged herein.

SECTION 20. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions.

SECTION 21. This act shall take effect upon its passage.

*Approved March 14, 1960.*

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**Chap. 193.** AN ACT AUTHORIZING THE NEW BEDFORD HARBOR DEVELOPMENT COMMISSION TO ACQUIRE ADDITIONAL WATERFRONT PROPERTIES.

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

Chapter 762 of the acts of 1957 is hereby amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* For the purposes of this act the commission may use all tidal or other waterfront properties now owned by the city of New Bedford, and may acquire, with the approval of the mayor and city

council and the director of the division of waterways in the department of public works by purchase approximately seventy-five acres of the tidal and other waterfront lands lying north of the Fairhaven Bridge on the west side of the New Bedford harbor, including the tidal lands lying immediately east of the New Haven Railroad yards, terminating at the most northerly boundary of said New Haven Railroad yards and the tidal and other waterfront lands lying south of the New Bedford Fairhaven Bridge as far south as Cove street but excepting therefrom any land owned by the New Bedford Gas and Edison Light Company or any land owned by any company engaged in the fishing business.

*Approved March 14, 1960.*

**Chap. 194.** AN ACT AUTHORIZING THE DIVISION OF THE TOWN OF STOUGHTON FOR THE PURPOSE OF FACILITATING VOTING THEREIN AT BIENNIAL STATE PRIMARIES AND ELECTIONS.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the board of selectmen in the town of Stoughton shall divide said town into at least three divisions for the sole purpose of facilitating voting in said town at biennial state primaries and elections; provided, however, that such divisions shall coincide with the same territorial boundaries and limits as those of existing precincts for town elections.

The ballots supplied by the state secretary to said town shall equal, as nearly as practicable, the aggregate number of voters of said town, and the distribution of such ballots for each division shall be effected by the town clerk, nor shall such ballots bear on the back a distinguishing mark or number to segregate those of one division from another. This act shall be in force until such time as precincts wherein the legal voters have been enumerated at a special enumeration as required by the constitution are next changed.

SECTION 2. This act shall take effect upon its passage.

*Approved March 14, 1960.*

**Chap. 195.** AN ACT DECREASING THE LIQUIDITY RESERVE IN CO-OPERATIVE BANKS.

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

Section 40 of chapter 170 of the General Laws is hereby amended by striking out the first two sentences, as appearing in chapter 98 of the acts of 1957, and inserting in place thereof the following sentence:—Every such corporation shall establish and at all times maintain as a minimum reserve to meet withdrawals of shares and accounts and applications for loans on shares and accounts and payments of taxes received from mortgagors, an amount equal to not less than ten per cent of its share liability, plus amounts equal to its liabilities upon club accounts and upon payments received by it from mortgagors for the purpose of payment of taxes on mortgaged real estate.

*Approved March 14, 1960.*

**Chap. 196.** AN ACT RELATIVE TO THE TIME WITHIN WHICH CERTAIN RULES AND REGULATIONS GOVERNING DEFINITIVE PLANS SUBMITTED TO PLANNING BOARDS UNDER THE SUBDIVISION CONTROL LAW SHALL BE IN EFFECT.

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

Section 81Q of chapter 41 of the General Laws is hereby amended by striking out the next to the last sentence, added by chapter 307 of the acts of 1956, and inserting in place thereof the following sentence:—Once a definitive plan has been submitted to a planning board, and written notice has been given to the city or town clerk pursuant to section eighty-one T and until final action has been taken thereon by the planning board or the time for such action prescribed by section eighty-one U has elapsed, the rules and regulations governing such plan shall be those in effect relative to subdivision control at the time of the submission of such plan.

*Approved March 14, 1960.*

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**Chap. 197.** AN ACT RELATING TO GIVING OF NOTICE OF THE DETERMINATION BY THE PLANNING BOARD THAT A PLAN REQUIRES APPROVAL UNDER THE SUBDIVISION CONTROL LAW, AND THE PERIOD OF APPEAL FROM SUCH DETERMINATION.

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

Section 81P of chapter 41 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 7 of chapter 674 of the acts of 1953, and inserting in place thereof the following sentence:—If the board shall determine that in its opinion the plan requires approval, it shall give written notice of its determination to the clerk of the city or town and the person submitting the plan, and such person may submit his plan for approval as provided by law and the rules and regulations of the board, or he may appeal from the determination of the board in the manner provided in section eighty-one BB.

*Approved March 14, 1960.*

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**Chap. 198.** AN ACT RELATIVE TO THE NOTICE REQUIRED TO BE GIVEN BY THE BOARD OF APPEALS OF THE TIME AND PLACE OF HEARING CERTAIN APPEALS UNDER THE SUBDIVISION CONTROL LAW.

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

The second paragraph of section 81AA of chapter 41 of the General Laws, as appearing in section 7 of chapter 674 of the acts of 1953, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than twenty-one days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than twenty-one days before the day of such hearing.

*Approved March 14, 1960.*

**Chap. 199.** AN ACT PROVIDING THAT A CITY OR TOWN MAY RE-ENTER INTO MEMBERSHIP IN A MOSQUITO CONTROL PROJECT FROM WHICH IT HAS WITHDRAWN.

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

Section 5A of chapter 252 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence:—Any city or town included in an area designated by an identifying name, under any general or special law, as a mosquito control project for the purposes of this section, which has withdrawn from membership in such project may, with the approval of the board and upon such conditions as the board may prescribe, vote to become a member of the existing mosquito control project within its area.

*Approved March 14, 1960.*

**Chap. 200.** AN ACT RELATIVE TO THE ENFORCEMENT OF THE LAW RELATIVE TO THE SALE OR DISPENSATION OF HARMFUL DRUGS.

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

Section 187A of chapter 94 of the General Laws is hereby amended by striking out the last paragraph, as appearing in section 3 of chapter 577 of the acts of 1954, and inserting in place thereof the following paragraph:—

The department of public health shall enforce the provisions of this section and said department and the board of registration in pharmacy acting jointly may make such rules and regulations as they deem necessary for the proper enforcement thereof. Said board shall also enforce the provisions of this section, excepting that such enforcement shall be limited to violations by registered pharmacists, registered retail drug stores and licensed drug wholesalers. Any information acquired by said board that a physician, dentist or veterinarian may be in violation of any provision of this section shall forthwith be communicated in writing and in detail to the commissioner of public health. Said commissioner may cause an investigation to determine whether or not such violation has been committed and shall advise said board of his findings and decision.

*Approved March 14, 1960.*

**Chap. 201.** AN ACT PROVIDING FOR CONTINUED EMPLOYMENT OF PROVISIONAL CORRECTION OFFICERS TO COVER THE TRAINING PERIOD OF PERMANENT APPOINTEES AND PROHIBITING EMPLOYMENT OF CERTAIN PERSONS WHO HAVE BEEN CONVICTED OF A FELONY.

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

Section 9 of chapter 125 of the General Laws is hereby amended by inserting after the first paragraph, as amended by chapter 494 of the acts of 1957, the following two paragraphs:—

Notwithstanding the provisions of section fifteen of chapter thirty-one, provisional appointments referred to therein shall, in the case of permanent requisitions, be terminated on the completion of the training period for correction officers, but in no event shall continue for

more than eight weeks from the date of establishment of the eligible list.

Notwithstanding any provision of law to the contrary, no person, who has been convicted of a felony, shall be appointed to any position in the department of correction the duties of which involve personal and direct contact with prisoners. *Approved March 14, 1960.*

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**Chap. 202.** AN ACT PROVIDING FOR THE FURNISHING OF ANNUAL STATEMENT BLANKS BY THE COMMISSIONER OF INSURANCE UPON REQUEST OF THE INSURANCE COMPANY.

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

Chapter 175 of the General Laws is hereby amended by striking out section 15, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 15.* He shall annually, in December, furnish each company, upon request, two or more blanks in form adapted for its annual statement.

*Approved March 14, 1960.*

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**Chap. 203.** AN ACT INCREASING THE AMOUNT WHICH CERTAIN CITIES AND TOWNS MAY APPROPRIATE FOR THE PURPOSE OF PROVIDING SUITABLE HEADQUARTERS FOR VETERANS' ORGANIZATIONS.

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

The first sentence of section 9 of chapter 40 of the General Laws, as most recently amended by section 3 of chapter 59 of the acts of 1959, is hereby further amended by striking out, in lines 32 and 34, the word "eight" and inserting in place thereof, in each instance, the word:—ten.

*Approved March 15, 1960.*

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**Chap. 204.** AN ACT FURTHER REGULATING THE SALE, POSSESSION AND DISTRIBUTION OF NARCOTIC DRUGS.

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

**SECTION 1.** Chapter 94 of the General Laws is hereby amended by striking out section 212A, as appearing in section 1 of chapter 660 of the acts of 1957, and inserting in place thereof the following section:—*Section 212A.* Whoever sells, furnishes, gives, delivers or barter, or has in his possession with intent to sell, furnish, give, deliver or barter any heroin of any quantity or strength shall for the first offense, be punished by imprisonment in the state prison for not less than five nor more than ten years; and for a second or subsequent offense, by imprisonment in the state prison for not less than ten nor more than twenty-five years. Except in the case of a conviction for the first offense for violations of this section the imposition or execution of the sentence shall not be suspended, and no probation or parole shall be granted until the minimum imprisonment herein provided for the offense shall have been served.

**SECTION 2.** Said chapter 94 is hereby further amended by striking out section 213A, as so appearing, and inserting in place thereof the

following section:—*Section 213A.* Whoever is present where a narcotic drug is illegally kept or deposited, or whoever is in the company of a person, knowing that said person is illegally in possession of a narcotic drug, or whoever conspires with another person to violate the narcotic drugs law, may be arrested without a warrant by an officer or inspector whose duty it is to enforce the narcotic drugs law, and may be punished by imprisonment in the state prison for not more than five years, or by imprisonment in a jail or house of correction for not more than two years or by a fine of not less than five hundred dollars nor more than five thousand dollars.

SECTION 3. Said chapter 94 is hereby further amended by striking out sections 217 to 217D, inclusive, as so appearing, and inserting in place thereof the following six sections:—*Section 217.* Whoever sells, exchanges, delivers, barter, gives or furnishes any narcotic drug, other than heroin, except as provided by the narcotic drugs law, shall for the first offense be punished by imprisonment in the state prison for not less than five nor more than ten years; and for a second or subsequent offense by imprisonment in the state prison for not less than ten nor more than twenty-five years. Except in the case of the first offense, the imposition or execution of the sentence shall not be suspended, and no probation or parole shall be granted until the minimum sentence shall have been served.

*Section 217A.* Whoever induces or attempts to induce another person to unlawfully use or administer a narcotic drug, or employs, induces or uses a minor to unlawfully transport, carry, dispense, produce or manufacture a narcotic drug, or induces or attempts to induce a minor to use a narcotic drug, except in accordance with a prescription issued by a physician, dentist or veterinarian, or unlawfully dispenses or administers a narcotic drug to a minor, shall for the first offense be punished by imprisonment in the state prison for not less than ten nor more than twenty-five years, and for a second or subsequent offense for not less than twenty nor more than fifty years. Except in the case of the first offense, the imposition or execution of the sentence shall not be suspended, and no probation or parole shall be granted until the minimum sentence shall have been served.

*Section 217B.* Whoever has in his possession with intent to sell a narcotic drug, other than heroin, except in accordance with the provisions of the narcotic drugs law, shall for the first offense be punished by imprisonment in the state prison for not less than five nor more than ten years; and for a second or subsequent offense, by imprisonment in the state prison for not less than ten nor more than twenty-five years. Except in the case of a conviction for the first offense for a violation of this section the imposition or execution of the sentence shall not be suspended, and no probation or parole shall be granted until the minimum imprisonment herein provided for shall have been served.

*Section 217C.* Whoever steals a narcotic drug from a licensed manufacturer, licensed wholesale druggist, registered pharmacist or other person authorized by the narcotic drugs law to administer, dispense or possess narcotic drugs shall for the first offense be punished by imprisonment in the state prison for not less than five nor more than ten years; and for a second or subsequent offense by imprison-

ment in the state prison for not less than ten nor more than twenty-five years. Except in the case of the first offense for violations of this section the imposition or execution shall not be suspended and no probation or parole shall be granted until the minimum imprisonment herein provided for the offense shall have been served.

*Section 217D.* Whoever while undergoing treatment and being supplied with narcotic drugs or prescriptions for narcotic drugs from one physician, obtains narcotic drugs or prescriptions for narcotic drugs from another physician without disclosing this fact to the physician shall be punished by imprisonment in the state prison for not more than five years, or by imprisonment in a jail or house of correction for not more than two years.

*Section 217E.* Whoever violates any provisions of sections one hundred and ninety-eight to two hundred and seventeen D, inclusive, the penalty whereof is not specified therein shall for the first offense be punished by a fine of not more than two thousand dollars or by imprisonment in a jail or house of correction for not more than two years or both; for a second or subsequent offense by imprisonment in the state prison for not less than five nor more than ten years. Except in the case of the first offense, the imposition or execution of the sentence shall not be suspended and no probation or parole shall be granted until the minimum imprisonment for the offense shall have been served.

SECTION 4. Section 197 of said chapter 94, as so appearing, is hereby amended by striking out, in line 3, the letter "D" and inserting in place thereof the letter:—E.

*Approved March 15, 1960.*

**Chap. 205.** AN ACT AUTHORIZING THE CITY OF LYNN TO REIMBURSE CHARLES WAY FOR CERTAIN EXPENSES INCURRED BY HIM ON ACCOUNT OF INJURIES SUSTAINED BY HIS MINOR DAUGHTER, AT THE CALLAHAN ELEMENTARY SCHOOL.

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

SECTION 1. For the purpose of discharging a moral obligation, the city of Lynn, by its school committee, may include in and pay out of school funds to Charles Way, a sum not to exceed one hundred and twenty-five dollars for expenses incurred by him for dental services on account of injuries sustained on September eighth, nineteen hundred and fifty-nine, by his minor daughter, Donna Marie Way, at the Callahan Elementary School schoolyard.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved March 15, 1960.*

**Chap. 206.** AN ACT AUTHORIZING THE CITY OF GARDNER TO PAY CERTAIN RETIRED PUBLIC EMPLOYEES FOR SERVICES RENDERED AS ELECTION OFFICIALS OF SAID CITY.

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

SECTION 1. Notwithstanding the provisions of section ninety-one of chapter thirty-two of the General Laws, the city of Gardner is

hereby authorized to appropriate and pay to Martin T. Hartigan, eighteen dollars, Alice A. O'Donnell, three dollars, Frank Buffo, twenty dollars, Mary V. Palmer, eighteen dollars, Alice I. Hallock, eighteen dollars, Mary A. Brogan, three dollars and Marvyn W. Sweet, three dollars, for services rendered by them as election officials of said city.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved March 15, 1960.*

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**Chap. 207.** AN ACT TO PROVIDE THAT CERTAIN INTERLOCUTORY PROCEEDINGS MAY BE HEARD BY A SINGLE JUSTICE OF THE SUPREME JUDICIAL COURT.

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

SECTION 1. Chapter 211 of the General Laws is hereby amended by striking out section 11, as amended by section 1 of chapter 300 of the acts of 1933, and inserting in place thereof the following section:—

*Section 11.* If, by mistake or accident or other sufficient cause, an appeal from any court to the full court or a bill of exceptions or report which has been allowed by any court is not duly entered in the full court, any of the justices of the supreme judicial court, upon petition filed within one year after the appeal, bill of exceptions or report should have been entered, and upon terms, may allow the appellant to enter his appeal or the excepting party to enter his bill of exceptions or the proper party to enter the report. But no security by bond, attachment or otherwise which has been discharged by the omission to enter an appeal, bill of exceptions or report shall be revived or continued in force by the entry thereof. Such petition shall be filed with the clerk of the supreme judicial court for Suffolk county.

SECTION 2. Chapter 214 of the General Laws is hereby amended by striking out section 28, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 28.* A party who has, by mistake or accident or other sufficient cause, omitted to claim an appeal from a final decree within the time prescribed therefor may, within one year after the entry of the decree from which he desires to appeal, petition the supreme judicial court for leave to appeal, which may be granted upon terms by any of the justices of that court. Such petition shall be filed with the clerk of the supreme judicial court for Suffolk county.

SECTION 3. Chapter 215 of the General Laws is hereby amended by striking out section 15, as so appearing, and inserting in place thereof the following section:—*Section 15.* A party who has, by mistake or accident or other sufficient cause, omitted to claim an appeal from a final decree within the time prescribed therefor may, within one year after the entry of the decree from which he desires to appeal, petition the supreme judicial court for leave to appeal, which may be granted upon terms by any of the justices of that court. Such petition shall be filed with the clerk of the supreme judicial court for Suffolk county.

SECTION 4. Chapter 231 of the General Laws is hereby amended by striking out section 117, as so appearing, and inserting in place



thereof the following section:—*Section 117.* If the presiding justice, or another justice acting under section one hundred and fifteen, disallows or fails to sign and return the exceptions or alters any statement therein, and either party is aggrieved thereby, the truth of the exceptions presented may be established before any justice of the supreme judicial court upon petition stating the grievance, and thereupon, the truth of the exceptions being established, they shall be entered and heard, and the same proceedings taken, as if the exceptions had been duly allowed and entered. The supreme judicial court shall make rules for settling the truth of exceptions alleged and not allowed. Such petition shall be filed with the clerk of the supreme judicial court for Suffolk county.

SECTION 5. Said chapter 231 is hereby amended by striking out section 118, as so appearing, and inserting in place thereof the following section:—*Section 118.* Whenever a petition under section one hundred and seventeen is filed, the clerk of the supreme judicial court for Suffolk county shall, within three days after the filing of the petition, send notice thereof to the clerk of the court in which the exceptions were filed, who shall thereupon enter in the case on the docket of that court notice of the filing of such petition in the supreme judicial court.

*Approved March 15, 1960.*

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**Chap. 208.** AN ACT AUTHORIZING THE TREASURER OF THE TOWN OF BRAINTREE TO EMPLOY CERTAIN SERVICES IN ADMINISTERING THE HOLLIS SCHOOL FUND.

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

SECTION 1. Notwithstanding any general or special law or any town by-law to the contrary, the treasurer of the town of Braintree is hereby authorized to avail himself of such competent and properly bonded custodial services as he may reasonably require in order to administer a certain fund, in excess of one million, one hundred and sixty-five thousand dollars, under his control, which fund was left to the town of Braintree, and is known as the Annie Storrs Hollis and Norton Eugene Hollis School Fund.

SECTION 2. This act shall take effect upon its acceptance by a two-thirds vote at an annual or special meeting of the town of Braintree.

*Approved March 15, 1960.*

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**Chap. 209.** AN ACT AUTHORIZING THE STATE TREASURER TO ISSUE A NEW CHECK TO THE ESTATE OF ARTHUR F. SARGENT.

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

Notwithstanding the provisions of section thirty-two of chapter twenty-nine of the General Laws, the state treasurer is hereby authorized and directed to issue a new check in the amount of nine thousand five hundred and thirty-five dollars payable to the order of Estate of Arthur F. Sargent in lieu of all checks issued to the said Arthur F. Sargent, late of Boston, between January, nineteen hundred and forty-six and January, nineteen hundred and fifty-two, inclusive.

*Approved March 15, 1960.*

**Chap. 210.** AN ACT RELATIVE TO THE JURISDICTION OF THE MUNICIPAL COURT OF THE CITY OF BOSTON IN CERTAIN TRANSITORY ACTIONS.

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

Chapter 223 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1A of chapter 369 of the acts of 1958, and inserting in place thereof the following section:—

*Section 2.* Except as provided in section twenty-one of chapter two hundred and eighteen and except as provided in this section, a transitory action in a district court shall be brought in the county where one of the defendants lives or has his usual place of business, or, if commenced by trustee process, in the county where all persons named in the writ as trustees live or have their usual places of business, and, in either case, in a court within whose judicial district one of the parties lives or has his usual place of business, except that an action may be brought in the municipal court of the city of Boston as provided in section fifty-four of chapter two hundred and eighteen. An action of tort arising out of the ownership, operation, maintenance, control or use of a motor vehicle or trailer as defined in section one of chapter ninety may be brought in a district court within the judicial district of which one of the parties lives or has a usual place of business or in any district court the judicial district of which adjoins and is in the same county as the judicial district in which the defendant lives or has his usual place of business; provided, that if one of the parties to any such action lives or has a usual place of business in Suffolk county such action may be brought in the municipal court of the city of Boston.

Said courts shall have jurisdiction of a transitory action against a defendant who is not an inhabitant of the commonwealth, if personal service or an effectual attachment of property is made within the commonwealth; and such action may be brought in any of said courts in the county where the service or attachment was made.

*Approved March 15, 1960.*

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**Chap. 211.** AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO TRANSFER CERTAIN PARK LAND TO THE TRUSTEES OF TUFTS LIBRARY TO BE USED FOR LIBRARY AND PARKING FACILITIES, AND VALIDATING A CERTAIN VOTE OF THE TOWN RELATIVE TO SUCH TRANSFER.

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

SECTION 1. The town of Weymouth is hereby authorized to transfer to the Trustees of Tufts Library of the Town of Weymouth a certain parcel of park land, known as Weston park, containing about 86,000 square feet, being a portion of Lot 38, Block 276, Sheet 20 of the town of Weymouth atlas, corrected to January 1, 1958, and further appearing on a plan entitled "Plan of Subdivision of land in Weymouth, Mass. Plan #623B, by Frank S. Lagrotteria, Town Engineer, dated February 18, 1959 and filed with the Town Clerk". Upon said transfer said land shall be under the authority and supervision of said trustees of Tufts Library, and shall be used for library and parking facilities.

SECTION 2. The action taken by the town of Weymouth at the annual town meeting in the year nineteen hundred and fifty-nine in voting to transfer certain park land to the Trustees of Tufts Library, pursuant to authority contained in this act, shall be as valid and effective as though this act were in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved March 16, 1960.*

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**Chap. 212.** AN ACT FURTHER REGULATING THE DISPOSITION OF RECEIPTS FROM THE WITCH HOUSE, SO-CALLED, AND OTHER PROPERTIES MAINTAINED BY THE BOARD OF PARK COMMISSIONERS OF THE CITY OF SALEM.

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

SECTION 1. Chapter 144 of the acts of 1946 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—Expenditures from said account shall, subject to appropriation, be made from said fund for wages and salaries of employees engaged in the operation thereof, for the purchase of souvenirs and supplies, for completing the payment of the cost of restoration of said house and for maintaining and operating the house and grounds and any other buildings of historical importance under the control of said commissioners.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Salem, subject to the provisions of its charter, but not otherwise.

*Approved March 16, 1960.*

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**Chap. 213.** AN ACT RELATIVE TO THE TIMES FOR TESTING THE STANDARDS OF WEIGHTS, MEASURES AND BALANCES OF TOWNS.

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

Section 32 of chapter 98 of the General Laws, as amended by section 3 of chapter 60 of the acts of 1935, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Upon the request of a sealer, and at such other times as the director deems necessary, said director shall cause the standards of apothecaries' weights and of apothecaries' liquid measures and the other standard weights, measures and balances of each town to be tested, adjusted and sealed or certified under his direction.

*Approved March 16, 1960.*

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**Chap. 214.** AN ACT INCLUDING CERTAIN HANDICAPPED CHILDREN AND CERTAIN CHILDREN OVER THE AGE OF NINETEEN WHO ARE STUDENTS IN THE DEFINITION OF DEPENDENTS UNDER THE LAW RELATIVE TO CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF POLITICAL SUBDIVISIONS OF THE COMMONWEALTH.

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

SECTION 1. Section 2 of chapter 32B of the General Laws is hereby amended by striking out paragraph (b), as appearing in chapter 536 of the acts of 1958, and inserting in place thereof the following paragraph:—

(b) "Dependents", an employee's spouse, an employee's unmarried children under nineteen years of age, and any child nineteen years of age or over who is mentally or physically incapable of earning his own living, provided that any additional premium which may be required is paid for the coverage of such handicapped child. Said definition shall also include an unmarried child nineteen years of age or over who is a full-time student in an educational or vocational institution and whose program of education has not been substantially interrupted by full-time gainful employment excluding service in the armed forces; provided, that any additional premium which may be required for the coverage of such student shall be paid in full by the employee. The standards for such full-time instruction and the time required to complete such a program of education shall be determined by the appropriate public authority.

SECTION 2. Paragraph (a) of section 7 of said chapter 32B, as appearing in section 1 of chapter 730 of the acts of 1956, is hereby amended by adding at the end the following sentence:—The governmental unit shall also contribute fifty per cent of any additional premium which may be required for coverage of an employee's dependent child who is nineteen years of age or over and mentally or physically incapable of earning his own living. *Approved March 16, 1960.*

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**Chap. 215.** AN ACT PROVIDING FOR AN ALTERNATE METHOD OF COMPUTING THE ALLOWANCE FOR SUPERANNUATION RETIREMENT.

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

Paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General Laws, as appearing in section 1 of chapter 661 of the acts of 1957, is hereby amended by inserting after the word "highest", in line 11, the words:—or on the average annual rate of regular compensation not exceeding seventy-five hundred dollars received by such member during the period or periods, whether or not consecutive, constituting his last five years of creditable service preceding retirement, whichever is the greater., *Approved March 16, 1960.*

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**Chap. 216.** AN ACT RELATIVE TO THE ARRANGEMENT OF THE NAMES OF CERTAIN CANDIDATES FOR NOMINATION ON STATE PRIMARY BALLOTS.

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

Section 34 of chapter 53 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 289 of the acts of 1958, and inserting in place thereof the following paragraph:—

Names of candidates for nomination for all other offices to be voted for at a state primary of which they are the elected incumbents or the incumbents chosen by the senate and house of representatives, or appointed by the governor, or appointed by the justices of the supreme judicial or superior court, shall be placed first in alphabetical order and names of other candidates shall follow in like order.

*Approved March 16, 1960.*

**Chap. 217.** AN ACT RELATIVE TO THE LOCATION OF CERTAIN WIRES FOR THE TRANSMISSION OF HIGH TENSION CURRENTS OF ELECTRICITY IN THE CITY OF BOSTON.

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

SECTION 1. Section 1 of chapter 371 of the acts of 1911 is hereby amended by inserting after the word "ground", in line 5, the words:—; provided, that this act shall not apply to wires for the transmission of electricity on Boston Edison Company's right of way in the city of Boston extending from Baker Street to the Boston-Dedham line and to such transmission line wires crossing public ways, highways and parkways.

SECTION 2. This act shall take effect upon its passage.

*Approved March 18, 1960.*

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**Chap. 218.** AN ACT DIVIDING WARD SIX IN THE CITY OF PEABODY INTO TWO WARDS.

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

SECTION 1. Notwithstanding any provision of law to the contrary, the territory comprising ward six in the city of Peabody is hereby divided into two wards, designated as wards six and seven, respectively, as follows:—

Ward Six: The area comprising precincts one, two and three of ward six, as in effect immediately prior to the effective date of this act.

Ward Seven: The area comprising precinct four of ward six, as in effect immediately prior to said effective date.

For all state primaries and elections hereafter held in said city prior to any antecedent primary of the first biennial state election at which representatives are to be elected from new representative districts established upon the basis of a special enumeration of legal voters under the provisions of the constitution which specifies the number of legal voters residing in said wards six and seven, ward six as existing previous to such division shall continue and for all such purposes the election officers shall be appointed and hold office and voting lists shall be prepared and all other things required by law shall be done as if there had been no such division; provided, that for the purposes of any municipal election and its antecedent primary or preliminary election, if any, prior to said antecedent primary of said first biennial state election, the new wards six and seven shall be in effect and the mayor of said city shall make such adjustments in the personnel and assignments of election officers as may be necessary.

SECTION 2. This act shall take effect upon its passage.

*Approved March 18, 1960.*

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**Chap. 219.** AN ACT REMOVING CERTAIN RESTRICTIONS REGULATING INVESTMENTS BY THE SAVINGS BANK INVESTMENT FUND IN COMMON AND PREFERRED STOCKS.

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

Section 4 of chapter 283 of the acts of 1945 is hereby amended by striking out paragraph (d), as most recently amended by chapter 663

of the acts of 1957, and inserting in place thereof the following paragraph:—

(d) In common stock or preferred stock of any corporation located or having a principal place of business within the limits of any of the fifty states of the United States or the District of Columbia, except insurance companies, trust companies, national banking associations and other banking corporations; provided that (1) any such common stock is registered on a national securities exchange, as provided in an act of Congress of the United States entitled the "Securities Exchange Act of 1934", approved June sixth, nineteen hundred and thirty-four, as amended; (2) any such preferred stock, or the common stock of the corporation issuing or having issued such preferred stock, is so registered; and (3) the investment in such preferred and common stocks is made in the exercise of the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.

Notwithstanding the provisions of paragraph 1 of section forty-nine of chapter one hundred and sixty-eight of the General Laws, no savings bank shall purchase shares of beneficial interest in the corporation if the cost thereof added to the cost of shares of beneficial interest already owned shall exceed ten per cent of the combined total of its guaranty fund and surplus referred to in section fifty-seven of said chapter, appearing immediately following the payment or provision for payment of its next preceding dividend.

The corporation shall not purchase the stock or obligations of any one obligor, except direct obligations of the United States and those insured by the federal housing administrator, if such purchase at the time thereof would cause more than three per cent of the corporation's assets to be invested in such stock or obligations. The corporation shall not purchase bonds having a yield greater than two and one half per cent in excess of the return on fully taxable United States government securities of approximately similar maturity if such purchase at the time thereof would cause more than ten per cent of the corporation's assets to be invested in such bonds. The corporation shall have no power to borrow money.

*Approved March 18, 1960.*

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**Chap. 220.** AN ACT RELATIVE TO THE ANNUAL AMOUNT TO BE EXPENDED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE FOR THE PURCHASE OF FOREST FIRE FIGHTING APPARATUS DURING THE YEARS NINETEEN HUNDRED AND SIXTY AND NINETEEN HUNDRED AND SIXTY-ONE.

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

Chapter 349 of the acts of 1939 is hereby amended by striking out section 1, as most recently amended by chapter 144 of the acts of 1957, and inserting in place thereof the following section:—*Section 1.* The county commissioners of the county of Barnstable may annually ex-

pend such sum, not exceeding seventy-five hundred dollars, as may be appropriated by the general court, for the purchase of apparatus to be used by the several towns within said county in preventing and extinguishing forest fires; provided, that for the years nineteen hundred and sixty and nineteen hundred and sixty-one a sum not exceeding thirty thousand dollars for each year may be expended as so appropriated. Said commissioners shall, from time to time, provide by rules and regulations for the custody and maintenance of said apparatus, and for the use of said apparatus, subject to the pertinent provisions of sections twenty-four and twenty-five of chapter forty-eight of the General Laws relative to the use and control of apparatus in the extinguishment of fires. *Approved March 18, 1960.*

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**Chap. 221.** AN ACT BASING THE RETIREMENT ALLOWANCE FOR POLICE OFFICERS AND FIRE FIGHTERS IN CERTAIN TOWNS IN THE NON-CONTRIBUTORY PENSION SYSTEM ON THE ANNUAL RATE OF COMPENSATION AT THE TIME OF RETIREMENT.

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

The third paragraph of section 85E of chapter 32 of the General Laws, as appearing in section 6 of chapter 576 of the acts of 1946, is hereby amended by inserting after the word "annual", in lines 3 and 8, in each instance, the words:—rate of.

*Approved March 18, 1960.*

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**Chap. 222.** AN ACT BASING THE RETIREMENT ALLOWANCE FOR POLICE OFFICERS IN CERTAIN CITIES IN THE NON-CONTRIBUTORY PENSION SYSTEM ON THE ANNUAL RATE OF COMPENSATION AT THE TIME OF RETIREMENT.

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

The second paragraph of section 83A of chapter 32 of the General Laws, as appearing in section 3 of chapter 576 of the acts of 1946, is hereby amended by inserting after the word "annual", in lines 3 and 8, in each instance, the words:—rate of.

*Approved March 18, 1960.*

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**Chap. 223.** AN ACT ESTABLISHING THE OFFICE OF COMPTROLLER IN THE TOWN OF WELLESLEY.

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

SECTION 1. There shall be in the town of Wellesley a comptroller who shall be appointed by the selectmen and who shall have, in addition to the powers and duties conferred and imposed upon town accountants by general laws, the powers and duties prescribed in section two hereof. The person so appointed shall be a citizen of the United States and shall be qualified by training and experience in the field of accounting. The comptroller shall be subject to the supervision and control of the selectmen and shall devote his entire time to the per-

formance of his duties and the supervision of the employees in his office. He shall be appointed in March for the term of three years from the first day of April following or until the qualification of his successor. He may be removed by the selectmen and the vacancy filled by appointment for the remainder of the unexpired term in the same manner as in the case of an original appointment. His salary or compensation shall be such as the selectmen may vote from time to time in accordance with the job classification and salary plans of the town. The position or office of comptroller shall not be subject to the laws and rules pertaining to civil service.

SECTION 2. The comptroller shall have, in addition to the powers and duties conferred and imposed upon town accountants, the following powers and duties:—

(a) He shall prescribe the methods of installation and exercise supervision of all accounting records of the several officers, boards and commissions of the town; provided, however, that any change in the system of accounts shall first be discussed with the selectmen and the officers, boards and commissions affected, and shall meet the requirements of the state director of accounts.

(b) He shall initiate the preparation and issuance of standard practices relating to all accounting matters and procedures and the coordination of systems throughout the town, including clerical and office methods, records, reports and procedures as they relate to accounting matters.

(c) He shall be responsible for a continuous audit of all accounts and records of the town wherever located.

(d) He shall draw all warrants upon the treasurer for the payment of bills, drafts and orders chargeable to the several appropriations.

(e) He shall, prior to submitting any warrant to the selectmen, examine and approve as not being fraudulent, unlawful or excessive, all bills, drafts and orders covered thereby; and in connection with any such examination he may make inspection as to the quality, quantity and condition of any materials, supplies or equipment delivered to or received by any officer, board or commission of the town, and may investigate the services or labor performed for or furnished to any such officer, board or commission. If upon such examination it appears to the comptroller that any such bill, draft or order is fraudulent, unlawful or excessive he may disallow and refuse to approve the same for payment, in whole or in part, and in such case he shall file with the town treasurer a written statement of the reasons for such refusal. The treasurer shall not pay any claim or bill so disallowed by the comptroller.

SECTION 3. If the comptroller is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation or death, the selectmen may appoint a temporary comptroller to hold such office and exercise the powers and perform the duties thereof until the comptroller who was disabled or absent resumes his duties or until another comptroller is duly appointed. Said appointment shall be in writing signed by a majority of the selectmen and shall be filed in the office of the town clerk.

SECTION 4. Upon the qualification of the comptroller first ap-



pointed hereunder, the town accountant shall cease to serve as such and the office of town accountant shall thereupon be abolished.

SECTION 5. This act shall take full effect upon its acceptance by the town of Wellesley by a majority of the town meeting members present and voting thereon at an annual or special town meeting called for the purpose within two years of the passage of this act, but not otherwise.

*Approved March 18, 1960.*

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**Chap. 224.** AN ACT ESTABLISHING THE MAXIMUM NUMBER OF SIGNATURES REQUIRED FOR THE NOMINATION OF TOWN OFFICERS.

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

Section 6 of chapter 53 of the General Laws, as most recently amended by section 2 of chapter 334 of the acts of 1943, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:—Nominations of candidates for offices to be filled at a city or town election, except where city charters or general or special laws provide otherwise, may be made by like nomination papers, signed in the aggregate by not less than such number of voters as will equal one per cent of the entire vote cast for governor at the preceding biennial state election in the electoral district or division for which the officers are to be elected, but in no event by less than twenty voters in the case of an office to be filled at a town election; provided, however, that no more than fifty signatures of voters shall be required on nomination papers for such town office.

*Approved March 18, 1960.*

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**Chap. 225.** AN ACT INCREASING THE AMOUNT OF PENSION OF CERTAIN RETIRED POLICE OFFICERS AND FIRE FIGHTERS WHO HAD NOT ATTAINED AGE SIXTY AT THE TIME OF RETIREMENT.

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

SECTION 1. The amount of pension of every retired police officer and fire fighter who was retired under the provisions of sections fifty-six to sixty A, inclusive, or sections eighty to eighty-five, inclusive, of chapter thirty-two of the General Laws and who at the time of his retirement had at least twenty years of creditable service shall be increased by three hundred dollars; provided, however, that the total annual amount of any such pension as so increased shall not exceed twenty-five hundred dollars; and provided, further, that no pension increase shall be paid under this act to any police officer or fire fighter who is eligible for, or who has received, a pension increase under the provisions of chapter four hundred and twenty-seven of the acts of nineteen hundred and fifty-seven.

SECTION 2. This act shall take effect upon its acceptance in a city having a Plan D or Plan E charter by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such city; and in a town by a majority vote at a town meeting.

*Approved March 18, 1960.*

**Chap. 226.** AN ACT REPEALING THE REQUIREMENT THAT THE REGISTRAR OF MOTOR VEHICLES DETERMINE THE HORSE POWER OF ALL MOTOR VEHICLES TO BE REGISTERED.

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

The eighth paragraph of section 2 of chapter 90. of the General Laws, as most recently amended by chapter 94 of the acts of 1948, is hereby further amended by striking out the second sentence.

*Approved March 18, 1960.*

**Chap. 227.** AN ACT PROVIDING TENURE OF OFFICE FOR THE PRESENT TREASURER-COLLECTOR OF THE CITY OF LEOMINSTER.

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

SECTION 1. The tenure of office of the incumbent of the office of treasurer-collector of the city of Leominster on the effective date of this act shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Leominster, subject to the provisions of its charter, but not otherwise.

*Approved March 18, 1960.*

**Chap. 228.** AN ACT PROVIDING TENURE OF OFFICE FOR THE PRESENT CITY ACCOUNTANT OF THE CITY OF LEOMINSTER.

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

SECTION 1. The tenure of office of the incumbent of the office of city accountant of the city of Leominster on the effective date of this act shall be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Leominster, subject to the provisions of its charter, but not otherwise.

*Approved March 18, 1960.*

**Chap. 229.** AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF THE SUPERIOR COURT.

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

SECTION 1. Notwithstanding the provisions of section four of chapter seven hundred and thirty-three of the acts of nineteen hundred and fifty-five, any justice of the superior court who was appointed to said office between the twenty-sixth day of May, nineteen hundred and fifty-nine and the effective date of this act, both dates inclusive, shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws, said salary to be effective as of the date of his appointment.

SECTION 2. This act shall take effect upon its passage.

*Approved March 21, 1960.*

**Chap. 230.** AN ACT RELATIVE TO DEPOSITS OF PUBLIC MONEYS AND FUNDS IN CO-OPERATIVE BANKS.

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

Chapter 29 of the General Laws is hereby amended by inserting after section 34 the following section:—*Section 34A.* The state treasurer may deposit any portion of the public moneys in his possession and funds over which the commonwealth has exclusive control in co-operative banks lawfully doing business in the commonwealth for one year or more, subject, however, to the limitations set forth in section sixteen of chapter one hundred and seventy.

*Approved March 21, 1960.*

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**Chap. 231.** AN ACT RELATIVE TO THE PLACING OF CERTAIN EMPLOYEES SEPARATED FROM THE PUBLIC SERVICE ON THE RE-EMPLOYMENT LIST.

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

SECTION 1. The first paragraph of section 46 I of chapter 31 of the General Laws, as appearing in chapter 12 of the acts of 1947, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:—Whenever a person is separated from the official or labor service for any reason other than discharge or resignation, his name shall be placed by the director on the re-employment list, and if a person is separated from such service because of resignation on account of illness his name shall be placed thereon upon his request in writing made within two years from the date of such separation. The name of any person so placed on the re-employment list shall remain thereon until he is appointed to a position after certification from such list or reinstated to a civil service position, but in no event for longer than two years.

SECTION 2. This act shall not apply to any person whose name has been placed on a re-employment list prior to the effective date hereof.

*Approved March 21, 1960.*

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**Chap. 232.** AN ACT AUTHORIZING THE WITHDRAWAL FROM A SAVINGS BANK OF CEMETERY PERPETUAL CARE FUNDS DEPOSITED BY A CITY OR TOWN.

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

Paragraph 1 of section 25 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—No part of the principal of such deposits shall be withdrawn or expended, but nothing in this sentence shall prevent the withdrawal of the principal of or dividends on deposits made by a cemetery corporation under section twenty-one, and nothing in this sentence shall prevent the withdrawal by the city or town treasurer of cemetery perpetual care funds deposited by a city or town.

*Approved March 21, 1960.*

**Chap. 233.** AN ACT INCREASING THE PENALTY FOR WRONGFULLY TAKING, USING, DESTROYING OR DAMAGING CERTAIN FISHING GEAR.

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

Chapter 130 of the General Laws is hereby amended by striking out section 31, as amended by section 4 of chapter 98 of the acts of 1945, and inserting in place thereof the following section:—*Section 31.* Whoever without the consent of the owner takes or uses or wilfully destroys, injures or molests any weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear, or any fish car or other contrivance used for the purpose of storing fish, including any such fishing gear which is swept ashore by storm or tide or other natural causes and deposited upon the shore, beaches or flats, whether public or private, or takes fish therefrom without the consent of the owner, shall be punished by a fine of not less than five hundred nor more than one thousand dollars or by imprisonment for two months, or both.

*Approved March 21, 1960.*

**Chap. 234.** AN ACT DEFINING THE WORDS “AUTOMOTIVE LUBRICATING OILS” AND PROHIBITING THE SALE THEREOF EXCEPT FROM CONTAINERS OR DISPENSERS MARKED WITH THE PROPER VISCOSITY CLASSIFICATION.

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

SECTION 1. Section 295A of chapter 94 of the General Laws, as amended by section 1 of chapter 515 of the acts of 1950, is hereby further amended by inserting after paragraph (2) the following paragraph:—

(2A) The term “automotive lubricating oils” shall mean any oil sold or offered for use as a fluid lubricant in any type of internal combustion engine used to propel any motor vehicle.

SECTION 2. Said chapter 94 is hereby further amended by striking out section 295F, as amended by chapter 183 of the acts of 1955, and inserting in place thereof the following section:—*Section 295F.* All above-ground equipment for storing or dispensing motor fuel or automotive lubricating oil operated by a retail dealer shall bear in a conspicuous place the brand name or trade-mark of the product stored therein or sold or dispensed therefrom. If the motor fuel or automotive lubricating oil stored in or sold or dispensed from above-ground equipment by a retail dealer has no brand name or trade-mark, such container or dispensing equipment shall have conspicuously displayed thereon the words “No Brand”.

All equipment or containers used for the storage or dispensing of automotive lubricating oils made in whole or in part from previously used lubricating oils shall have displayed thereon the words “made from previously used lubricating oils”. The size of the letters in said words shall be not less than size fourteen point type on two-gallon cans, or those holding a lesser quantity, and one inch high on all larger containers, but in no case shall the letters be smaller than those in any other words in the same descriptive panel.

All automotive lubricating oil containers shall bear, in a conspicuous place on the container, a number indicating the viscosity classification of the contents, such classification to be determined according to such standard methods as the division may from time to time prescribe.

SECTION 3. Said chapter 94 is hereby further amended by striking out section 295G, as most recently amended by chapter 496 of the acts of 1950, and inserting in place thereof the following section:—*Section 295G.* No person shall sell or offer to sell as gasoline any motor fuel or other substance which has an end point higher than four hundred and thirty-seven degrees Fahrenheit, when tested according to such standard methods as may, from time to time, be prescribed by order, rule or regulation under section two hundred and ninety-five I.

No person shall adulterate or permit the adulteration of any motor fuel or automotive lubricating oil offered for sale or sold under a brand name or trade-mark or distinguishing mark of the manufacturer or distributor of said products, or substitute or permit the substitution of any other motor fuel or automotive lubricating oil therefor. No person shall sell or dispense, or offer to sell or dispense, from any pump, tank or other dispensing device or container any motor fuel or automotive lubricating oil other than that indicated by the name, trade name, trade-mark, symbol, sign or other distinguishing mark of the manufacturer or distributor of said product, if any, appearing on said pump, tank or other dispensing device or container.

Every manufacturer or distributor of motor fuel or automotive lubricating oil shall submit samples of said products when requested by the division.

No person shall sell or offer to sell any automotive lubricating oil for automotive purposes which does not conform with the viscosity classification marked on the container, such classification to be determined according to such standard methods as the division may from time to time prescribe.

SECTION 4. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved March 21, 1960.*

**Chap. 235.** AN ACT PROVIDING THAT ATTACHMENT OF WAGES MAY BE MADE ONLY IN AN ACTION BROUGHT UPON A JUDGMENT.

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

Section 32 of chapter 246 of the General Laws is hereby amended by striking out paragraph Eighth, as most recently amended by chapter 467 of the acts of 1954, and inserting in place thereof the following paragraph:—

Eighth, By reason of money or credits due for the wages of personal labor or services of the defendant, unless such attachment is made in an action brought upon a judgment and is authorized in advance by written permission endorsed upon the writ and signed by a justice, associate justice or special justice of the court in which the action is commenced. Application to said justice, associate justice or special justice of the court for permission for said attachment shall be made only after ten days' written notice has been delivered or

sent by registered mail, return receipt requested, to the defendant at his last known address, place of business or employment. Such notice shall contain the name of the plaintiff, the name of the court in which the action is to be commenced, the nature of the claim, the time and place such application will be made, and shall inform the defendant that he is entitled to be present and be heard at said time and place if he objects to the granting of said application. A copy of said notice and a certificate of the person sending or delivering said notice shall be evidence thereof. Notwithstanding the preceding provisions relating to notice, if said justice, associate justice or special justice finds in his discretion that compliance with said provisions relating to notice will unreasonably delay and hinder justice, he may authorize the attachment with a shorter notice, or without notice, to the defendant.

*Approved March 21, 1960.*

**Chap. 236.** AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE ACQUISITION AND MAINTENANCE OF TIDAL MARSHES AND ESTUARIES AS RESERVATIONS.

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

Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (52), added by chapter 390 of the acts of 1958, the following clause:—

(53) For the acquisition and maintenance of tidal marshes and estuaries as reservations for the preservation of their natural beauty, and the protection of the fish, shellfish and other wildlife therein.

*Approved March 21, 1960.*

**Chap. 237.** AN ACT REQUIRING THAT A PERSON CHARGED WITH OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR BE FURNISHED WITH A COPY OF THE LAW GRANTING HIM THE RIGHT TO BE EXAMINED BY A PHYSICIAN UNLESS SUCH A COPY IS POSTED IN THE PLACE WHEREIN HE IS DETAINED.

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

Chapter 263 of the General Laws is hereby amended by striking out section 5A, inserted by chapter 401 of the acts of 1958, and inserting in place thereof the following section:—*Section 5A.* A person held in custody at a police station or other place of detention, charged with operating a motor vehicle while under the influence of intoxicating liquor, shall have the right, at his request and at his expense, to be examined immediately by a physician selected by him. The police official in charge of such station or place of detention shall inform him of said right immediately upon being booked, and shall afford him a reasonable opportunity to exercise it. Such person shall, immediately upon being booked, be given a copy of this section unless such a copy is posted in the police station or other place of detention in a conspicuous place to which such person has access.

*Approved March 21, 1960.*

**Chap. 238.** AN ACT RELATIVE TO INVESTMENT OF FUNDS OF FRATERNAL BENEFIT SOCIETIES.

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

Section 40 of chapter 176 of the General Laws, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out, in lines 3 and 4, the words "an amount not exceeding ten per cent of",—so that the first sentence will read as follows:—Every society shall invest its funds in securities permitted by chapter one hundred and seventy-five for the investment of the capital of insurance companies, except that it may invest its funds in the shares of federal savings and loan associations located in the commonwealth and, in addition, invest and deposit in paid-up shares and accounts of and in co-operative banks chartered by the commonwealth, and may deposit any of its funds in any savings bank, or savings department of a trust company, chartered under the laws of the commonwealth; provided, that any foreign society permitted or seeking to do business in the commonwealth may invest its funds in accordance with the laws of the state where it is incorporated; and provided, further, that a part thereof, not exceeding twenty per cent of its death fund, may be invested in a building for use and occupation by the society as its home office; and that a society having branches situated in the Dominion of Canada may invest a part of its death fund in the public funds of the Dominion of Canada, or of any province of the Dominion of Canada, not exceeding in the aggregate an amount equal to the sum of its collected premiums for the four months last past.

*Approved March 21, 1960.*

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**Chap. 239.** AN ACT INCREASING THE NON-CONTRIBUTORY PENSIONS OF CERTAIN SCHOOL JANITORS AND LABORERS IN CERTAIN CITIES AND TOWNS.

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

SECTION 1. Chapter 32 of the General Laws is hereby amended by inserting after section 45B the following section:—*Section 45C.* In any city or town which has accepted sections forty-four and forty-five A in the manner set forth in section forty-five and which accepts this section in the manner hereinafter provided, the pension payable to a person retired under said section forty-four shall be one half of the highest annual compensation received by him while holding the grade held by him at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent of said annual compensation for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said annual compensation.

This section shall take effect in a city having a plan D or plan E charter by the affirmative vote of two thirds of all the members of the city council, and in the case of any other city by vote of the city council, subject to the provisions of its charter, and in a town by a majority vote at an annual town meeting.

SECTION 2. Said chapter 32 is hereby further amended by inserting after section 77A, inserted by section 1 of chapter 750 of the acts of 1957, the following section:—*Section 77B.* In any city or town which accepts the provisions of this section, as hereinafter provided, any laborer retired under section seventy-seven shall receive an annual pension equal to one half of his annual rate of regular compensation for full-time service as a laborer at his retirement, and if he has completed more than twenty years of service an additional amount equal to one per cent for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said compensation.

This section shall take effect in a city or town having a plan D or plan E charter by the affirmative vote of two thirds of all the members of the city council, and in the case of any other city by vote of the city council subject to the provisions of its charter, and in a town by a majority vote at an annual town meeting.

*Approved March 21, 1960.*

**Chap. 240.** AN ACT AUTHORIZING COMPENSATION TO CITY AND TOWN TREASURERS FOR SERVICES RENDERED AS CUSTODIANS OF CERTAIN RETIREMENT FUNDS.

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

Subdivision (4) of section 20 of chapter 32 of the General Laws is hereby amended by adding at the end the following paragraph:—

(f) A city or town treasurer, may be compensated for services rendered as custodian of the funds of the retirement system; provided, that the compensation for such services shall be not more than five hundred dollars per annum, and shall be payable from the expense fund of the system.

*Approved March 21, 1960.*

**Chap. 241.** AN ACT PLACING THE OFFICE OF THE CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF AGAWAM UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The office of chief of the fire department of the town of Agawam shall, upon the effective date of this act, become subject to the civil service laws and rules, and said office shall thereupon be filled by a competitive promotional examination to be held by the director of civil service in accordance with the provisions of the civil service laws and rules. The incumbent of said office on January second, nineteen hundred and sixty, John W. Parent, shall be eligible to take such examination and if upon the establishment of the eligible list he fails of appointment to said office as a result of such examination, he shall be retained with the rank of permanent fire fighter in said department with full civil service status.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the town of Agawam at the biennial state election in the current year in the form of the following question, which shall be



placed on the official ballot to be used at said election :—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the office of the chief of the fire department of the town of Agawam under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved March 21, 1960.*

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**Chap. 242.** AN ACT PROVIDING THAT AUTOMOBILES PARKED UPON A WAY SHALL DISPLAY A WHITE OR AMBER LIGHT ON THE SIDE NEARER THE CENTER OF SAID WAY.

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

The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the sixth sentence, as appearing in chapter 51 of the acts of 1933, and inserting in place thereof the following sentence:—Every automobile operated during the period from one half an hour after sunset to one half an hour before sunrise shall display at least two white lights, or lights of yellow or amber tint, or, if parked within the limits of a way, one white or amber light on the side of the automobile nearer the center of the way, and every motor cycle so operated at least one white light, or light of yellow or amber tint, and every such motor cycle with a side-car attached, in addition, one such light on the front of the side-car, and every motor truck, trailer and commercial motor vehicle used solely as such, having a carrying capacity of three tons or over, in addition, a green light attached to the extreme left of the front of such vehicle, so attached and adjusted as to indicate the extreme left lateral extension of the vehicle or load, which shall in all cases aforesaid be visible not less than two hundred feet in the direction toward which the vehicle is proceeding or facing; and every such motor vehicle shall display at least one red light in the reverse direction; provided, that an automobile need display no light when parked within the limits of a way in a space in which unlighted parking is permitted by the rules or regulations of the board or officer having control of such way.

*Approved March 21, 1960.*

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**Chap. 243.** AN ACT ESTABLISHING CERTAIN MINIMUM PENALTIES FOR GIVING FALSE WEIGHT OR MEASURE.

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

Section 177 of chapter 94 of the General Laws, as amended by chapter 176 of the acts of 1946, is hereby further amended by striking out, in line 18 and in line 19, in each instance, the words "not more than",—so as to read as follows:—*Section 177.* Except as otherwise provided by section two hundred and forty-eight, whoever himself or by his servant or agent gives or attempts to give false or insufficient weight or measure, or inferentially misrepresents the weight or quantity of a commodity sold or delivered by weight or measure by stating a price without stating the weight or quantity of such commodity, such

price being in fact greater than the price advertised for such commodity or mutually understood by both parties to be the price for a given weight or measure, or demands or accepts payment in excess of the regularly quoted selling price of a commodity sold or delivered by weight or measure, or takes or attempts to take more than the quantity he represents when, as the buyer, he furnishes the weights, measures or weighing or measuring device by means of which the amount of commodity is determined, shall be punished for the first offence by a fine of fifty dollars, for the second offence by a fine of two hundred dollars, and for a subsequent offence by a fine of fifty dollars and by imprisonment for not less than one nor more than three months.

*Approved March 23, 1960.*

**Chap. 244.** AN ACT PROVIDING THAT CERTAIN PACKAGES OF FOOD SOLD AT RETAIL SHALL BEAR A STATEMENT AS TO PRICE PER POUND AND TOTAL SALES PRICE.

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

Chapter 94 of the General Laws is hereby amended by striking out section 181, as amended by section 10 of chapter 261 of the acts of 1939, and inserting in place thereof the following section:—*Section 181.* Subject to the variations, tolerances and exemptions provided for by section one hundred and eighty-two, no person shall himself or by his agent or servant sell or offer for sale food in package form unless the net quantity of the contents is plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count. No person shall himself or by his agent or servant sell or offer for sale at retail any meat, poultry or edible fish, except soft shell clams and oysters, in package form unless there is plainly and conspicuously marked on the outside of such package the price per pound of the contents and the total sales price. The first sentence of this section shall not apply to retail sales of food made from bulk if the quantity is weighed, measured or counted at the time of such sale by the retailer, nor to the sale of milk, cream or buttermilk in glass jars, as provided by section fifteen of chapter ninety-eight.

The director of standards and necessities of life shall enforce this and sections one hundred and eighty-two to one hundred and eighty-four, inclusive.

*Approved March 23, 1960.*

**Chap. 245.** AN ACT EXEMPTING THE REVOCATION OF THE LICENSE OF A FOREIGN INSURANCE COMPANY IN CERTAIN CASES FROM THE PROVISIONS OF THE STATE ADMINISTRATIVE PROCEDURE ACT REQUIRING AN OPPORTUNITY FOR HEARING IN CONNECTION WITH REVOKED LICENSES.

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

The third paragraph of section 13 of chapter 30A of the General Laws, as appearing in section 1 of chapter 681 of the acts of 1954, is hereby amended by adding after the word "regulation", in line 14, the following:— ; or

(4) Where there is a revocation of the license of a foreign insurance company by the commissioner of insurance, under authority of section five of chapter one hundred and seventy-five, upon the grounds that such company is insolvent or is in an unsound financial condition, or that its condition or management is such as to render its further transaction of business hazardous to the public or its policyholders, or that the amount of its funds, net cash or contingent assets is deficient or that its capital stock or deposit or guaranty capital or guaranty fund is impaired, as set forth in section twenty-three A of said chapter one hundred and seventy-five, or that such capital stock, deposit or guaranty capital or guaranty fund has been reduced below the amount required by section one hundred and fifty-one of said chapter one hundred and seventy-five.

*Approved March 23, 1960.*

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**Chap. 246.** AN ACT REQUIRING EMPLOYERS TO INDICATE DEDUCTIONS FOR HEALTH AND WELFARE FUNDS ON PAY CHECKS OR PAY SLIPS OF EMPLOYEES.

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

Chapter 149 of the General Laws is hereby amended by striking out section 150A, inserted by chapter 403 of the acts of 1938, and inserting in place thereof the following section:—*Section 150A.* Every person making deductions from the wages of any employee for social security and unemployment compensation benefits, or health and welfare funds, when requested by the employee or his representative, shall notify in writing such employee of the amounts and nature of such deductions at the time of payment of the wages from which such deductions are made.

*Approved March 23, 1960.*

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**Chap. 247.** AN ACT RELATIVE TO THE INVESTMENT OF THE TEACHERS' RETIREMENT FUND IN THE CITY OF BOSTON.

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

Section 3 of chapter 237 of the acts of 1900 is hereby amended by striking out the first sentence and inserting in place thereof the following:—Said board shall have control of the retirement fund and shall invest and reinvest the same in like manner as the board of a retirement system subject to sections one to twenty-eight, inclusive, of chapter thirty-two of the General Laws.

*Approved March 23, 1960.*

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**Chap. 248.** AN ACT PROVIDING FOR THE REAPPORTIONMENT OF CERTAIN BETTERMENT ASSESSMENTS APPORTIONED OVER A PERIOD OF LESS THAN TWENTY YEARS.

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

Section 13 of chapter 80 of the General Laws is hereby amended by striking out the third sentence, as amended by section 1 of chapter 311 of the acts of 1956, and inserting in place thereof the following sentence:—At any time before the completion by the assessors of the valuation list for the year in which such assessments will first appear

on the annual tax bill, the board of assessors may, and at the request of the owner of the land assessed shall, apportion all assessments or unpaid balances thereof made under this chapter into such number of equal portions, not exceeding twenty, as is determined by said board or as is requested by the owner, as the case may be, but no one of such portions shall be less than five dollars; provided, that, if an original assessment exceeds one hundred dollars and has been placed upon the annual tax bill, or has been apportioned into a number of portions less than twenty and the first portion has been placed upon an annual tax bill, the board of assessors may in its discretion, upon a request for the apportionment of such assessment into twenty portions made by the owner prior to a sale or taking of the land for the non-payment of such assessment or portion and upon payment of any necessary intervening charges and fees and such portions of such assessment as would have become due and payable if the request for apportionment had been seasonably made, apportion or reapportion the said assessment as aforesaid, and if any other tax or assessment constituting a lien upon the parcel to which the assessment so apportioned or reapportioned relates remains unpaid after such apportionment or reapportionment, the collector may institute proceedings anew for the sale or taking of such parcel at any time prior to the expiration of the lien or of a period of twenty days after such apportionment or reapportionment, whichever is the later.

*Approved March 23, 1960.*

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**Chap. 249.** AN ACT PROVIDING A PENALTY FOR THE ALTERING, FORGING, OR COUNTERFEITING OF A LICENSE TO OPERATE A MOTOR VEHICLE OR OF A CERTIFICATE OF REGISTRATION OF A MOTOR VEHICLE OR TRAILER.

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

Chapter 90 of the General Laws is hereby amended by inserting after section twenty-four A the following section:—*Section 24B.* Whoever falsely makes, alters, forges or counterfeits, or procures or assists another to falsely make, alter, forge or counterfeit, a license to operate motor vehicles or a certificate of registration of a motor vehicle or trailer, or whoever forges or without authority uses the signature, facsimile of the signature, or validating signature stamp of the registrar or deputy registrar upon a genuine or falsely made, altered, forged or counterfeited license to operate motor vehicles or certificate of registration of a motor vehicle or trailer, or whoever utters, publishes as true or in any way makes use of a falsely made, altered, forged or counterfeited license to operate motor vehicles or certificate of registration of a motor vehicle or trailer, and whoever utters, publishes as true, or in any way makes use of a falsely made, altered, forged or counterfeited signature, facsimile of the signature or validating signature stamp of the registrar or deputy registrar, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two years.

*Approved March 23, 1960.*

**Chap. 250.** AN ACT PROVIDING FOR SALARY ADJUSTMENTS FOR CERTAIN OFFICERS AND EMPLOYEES OF THE VARIOUS COUNTIES, EXCEPT SUFFOLK.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional income for certain officers and employees of the various counties, except Suffolk, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 51B of chapter 35 of the General Laws, as most recently amended by section 2 of chapter 621 of the acts of 1957, is hereby amended by striking out the salary schedule and inserting in place thereof the following:—

SALARY SCHEDULE.

*Effective March 1, 1960.*

JOB GROUP.	Minimum 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Maximum 7.
1	\$2,678	\$2,795	\$2,912	\$3,029	\$3,146	\$3,263	\$3,380
2	2,795	2,912	3,029	3,146	3,263	3,380	3,497
3	2,899	3,016	3,133	3,250	3,367	3,484	3,601
4	3,016	3,146	3,276	3,406	3,536	3,666	3,796
5	3,172	3,302	3,432	3,562	3,692	3,822	3,952
6	3,289	3,432	3,575	3,718	3,861	4,004	4,147
7	3,497	3,640	3,783	3,926	4,069	4,212	4,355
8	3,679	3,835	3,991	4,147	4,303	4,459	4,615
9	3,848	4,017	4,186	4,355	4,524	4,693	4,862
10	4,121	4,303	4,485	4,667	4,849	5,031	5,213
11	4,394	4,589	4,784	4,970	5,174	5,369	5,564
12	4,667	4,875	5,083	5,291	5,499	5,707	5,915
13	4,992	5,213	5,434	5,655	5,876	6,097	6,318
14	5,421	5,655	5,889	6,123	6,357	6,591	6,825
15	5,811	6,071	6,331	6,591	6,851	7,111	7,371
16	6,240	6,513	6,786	7,059	7,332	7,605	7,878
17	6,682	6,981	7,280	7,579	7,878	8,177	8,476
18	7,163	7,475	7,787	8,099	8,411	8,723	9,035
19	7,553	7,891	8,229	8,567	8,905	9,243	9,581
20	7,995	8,359	8,723	9,087	9,451	9,815	10,179
21	8,476	8,853	9,230	9,607	9,984	10,361	10,738
22	8,918	9,321	9,724	10,127	10,530	10,933	11,336

SECTION 2. This act shall take effect as of March first, nineteen hundred and sixty.

*Approved March 28, 1960.*

**Chap. 251.** AN ACT AUTHORIZING THE BUILDING AND MAINTENANCE OF A RADIO BROADCASTING SYSTEM IN THE COUNTY OF WORCESTER TO AID IN FIRE PROTECTION.

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

SECTION 1. Subject to appropriation, the county commissioners of Worcester county are hereby authorized to expend such sums as may be necessary, not exceeding four thousand dollars, for the establishment of a radio broadcasting system to aid in the fire protection of said Worcester county. The broadcasting station and the transmittal tower of said system shall be installed and located in such area and in such building in the town of Southbridge as the selectmen of said town may designate.

SECTION 2. Said radio broadcasting system shall be administered and operated by the fire-fighting personnel of the town of Southbridge, and the cost of their services shall be borne by said town.

SECTION 3. Said county commissioners are hereby authorized to expend such other sums as may be necessary, subject to appropriation, for the maintenance and operation of the aforesaid radio broadcasting system, other than personnel, and said expenses shall be assessed and collected against the cities and towns of said county in the manner provided by law for the assessment and collection of the county tax.

SECTION 4. Notwithstanding the provisions of section one of this act, no expenditure of funds by the county of Worcester for the purposes of this act shall be made unless prior approval of the said project is first obtained of the office of defense and civilian mobilization.

SECTION 5. This act shall take effect upon its passage.

*Approved March 28, 1960.*

**Chap. 252.** AN ACT RELATIVE TO THE HEIGHT OF BUILDINGS IN THE CITY OF CAMBRIDGE.

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

SECTION 1. Section 2 of chapter 143 of the General Laws, as most recently amended by chapter 563 of the acts of 1959, is hereby further amended by striking out, in line 9, the words "Boston and Newton" and inserting in place thereof the words:—Boston, Newton and Cambridge,—so as to read as follows:—*Section 2.* In a city no building shall be erected to a height of more than one hundred and twenty-five feet above the grade of the street; but this restriction shall not apply to grain or coal elevators, power plants or sugar refineries, nor to steeples, domes, towers or cupolas erected for strictly ornamental purposes, of fireproof material, on buildings of the above height or less. The supreme judicial or superior court may enforce this section and restrain any violation thereof. This section shall not apply to the cities of Boston, Newton and Cambridge.

SECTION 2. This act shall take effect upon its passage.

*Approved March 28, 1960.*

**Chap. 253.** AN ACT PROVIDING FOR THE TEMPORARY INVESTMENT OF CERTAIN REVENUES OF CITIES, TOWNS AND DISTRICTS.

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

Section 55 of chapter 44 of the General Laws, as most recently amended by chapter 103 of the acts of 1953, is hereby further amended by adding at the end the following sentence:—Said treasurer may invest in United States treasury bills such portion of revenue cash, exclusive of the proceeds from temporary notes issued under sections four, five, five A, five B, six, six A, and seventeen, as he shall deem not required for current maintenance expenses; provided, however, that no temporary notes in anticipation of revenue shall be issued by the treasurer as long as such revenue cash remains invested in United States treasury bills.

*Approved March 28, 1960.*

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**Chap. 254.** AN ACT TO ESTABLISH A SELECTMEN-MANAGER FORM OF GOVERNMENT IN THE TOWN OF FALMOUTH.

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

SECTION 1. *Name and Purpose.* This act shall be known and may be cited as the Falmouth Selectmen-Manager Administration Act.

The purpose of this act is to provide the town of Falmouth with a unified system of administration, whereby the several municipal departments are organized under a single executive authority in order to obtain better coordination between all departments.

SECTION 2. *Election of Selectmen.* At the first annual town meeting following the acceptance of this act the voters shall elect by ballot five selectmen, of whom two shall serve for terms of three years, two shall serve for terms of two years, and one for a term of one year. At each annual election thereafter there shall be elected in place of those selectmen whose terms are about to expire, a like number of selectmen, each to serve for a term of three years. The selectmen shall receive such compensation, if any, as the town may by vote determine. They shall serve until their successors are elected and qualified. If a vacancy shall occur in the membership of the board of selectmen, the remaining selectmen may appoint, and if the vacancy will be for more than three months, shall appoint a qualified person to serve as selectman until the next annual election, at which election the voters shall elect a selectman to serve for the unexpired portion, if any, of the original term.

If the selectmen fail to fill a vacancy within thirty days due to a tie vote, the moderator shall act with the selectmen in voting to fill the vacancy until the vacancy is filled.

SECTION 3. *Other Elected Officials.* In addition to the selectmen, the voters of the town shall continue to elect the following officials in accordance with any applicable statute, by-laws and votes of the town:—

- (a) A moderator
- (b) A school committee
- (c) Town meeting members
- (d) Library trustees

- (e) Planning board
- (f) Housing authority

(g) In addition to the other elected officials provided for in this section above there shall continue to be a finance committee, which shall be elected as provided in the town by-laws and as they may be amended.

The term of office of any elective office, board, commission or committee so continued under this section shall not be interrupted. Every other elective office, board, commission or committee shall be terminated as hereinafter provided, any other provision of law to the contrary notwithstanding. The term of office of any person elected to any office, board, commission or committee existing at the time of such acceptance, and terminated hereunder shall continue until such first town election after the adoption of this act, and until the appointment and qualification of his successor, if any, and thereafter the said offices, boards, commissions and committees shall be abolished, and all powers, duties, and obligations conferred or imposed thereon by law, except as provided by this act, shall be conferred and imposed upon the selectmen, and exercised in the mode and to the extent hereinafter provided.

#### SECTION 4. *Appointed Officials.*

(a) The selectmen shall appoint a town manager as provided in section eight, who may thereafter be removed as provided in section ten.

(b) The selectmen shall appoint a board of appeals, election officers, registrars of voters other than the town clerk, one member of the retirement board, a temporary town manager, as hereafter provided in section nine, and such other officers, boards, commissions or committees as they shall hereafter be directed to appoint by by-laws or by vote of the town. The selectmen may, by majority vote, undertake an investigation of the affairs of any committee, commission, board or official appointed by them or by the town manager, and they shall have access to all records and other documents which they may deem necessary or desirable for this purpose. The selectmen may remove, for due cause, after such hearing as the selectmen may deem advisable, any of the officers, boards, commissions or committees appointed by them, under the provisions of this paragraph, or any member thereof, other than the town clerk as a registrar of voters.

(c) The moderator shall appoint (1) a personnel board, (2) the managing board of the Recreation Building, (3) a committee to nominate the members of the finance committee which shall continue to be elected by town meeting, as specified in section three, and (4) such other committees as town meeting shall direct.

(d) The town manager shall appoint and fill vacancies, upon merit and fitness alone, and may remove for due cause, subject to provisions of chapter thirty-one of the General Laws where applicable:—

(1) a town clerk, a town treasurer, a town collector, a town accountant and a board of three assessors, subject, however, in each instance, to the approval of the selectmen;

(2) all other officers, boards, commissions, committees and employees of the town with the exception of the elected officials specified



in sections two and three, officials, boards, commissions and committees appointed by the town meeting, the school committee, the selectmen and the moderator, as provided in this section, and employees of the same.

SECTION 5. *Retirement Board.* The retirement board shall consist of the town accountant, one member elected by the town employees and one member other than a town employee, appointed by the board of selectmen.

SECTION 6. *Membership, Terms, Powers, Duties, Responsibilities, Termination and Qualification.* The membership of boards, commissions, and committees appointed as provided in section four, the length of the term of each member thereof and of officers so appointed, and the powers, duties and responsibilities of the same shall be as now or hereafter provided by applicable statutes and by-laws and votes of the town, except as herein otherwise provided. Upon appointment and qualification of the various boards, commissions, committees, or officials as provided for in section four, the term of office and all powers and duties of each person theretofore holding each such office shall cease and be terminated.

Officers, boards, commissions and committees appointed by the town manager or by the selectmen shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law upon them or upon officers, boards, commissions or committees having corresponding powers and duties, but in the performance thereof they shall be subject to the general supervision of the town manager.

Such committees and boards shall promptly organize for the proper conduct of their respective offices. Each member of a committee, commission or board and each officer appointed by the town manager shall hold office until his successor has been appointed and qualified, unless his office shall have become vacant by reason of his resignation or removal.

All elected and appointed officers shall be sworn to the faithful performance of their respective duties by the town clerk or a justice of the peace or notary public, except that the town clerk shall be sworn to the faithful performance of his duties by the chairman of the board of selectmen or by a justice of the peace or notary public.

SECTION 7. *Multiple Offices.* A member of the board of selectmen, or of the school committee, or of the finance committee, shall, during the term for which he was elected or appointed, be ineligible to hold any other permanent elective or appointive town office or position other than town meeting member. Any person elected or appointed to any other office, board, commission or committee under the provisions of this act or of any general or special law, shall be eligible, during his term of office, for election or appointment to any other town office, board, commission or committee, subject to the applicable provisions of any Salary Administration Plan in force in the town, except that the town accountant shall not be eligible to hold the office of the town treasurer or town collector.

The town manager may assume, subject to the approval of the selectmen, but without additional compensation, the powers, duties

and responsibilities of any office, board, commission, or committee which he is authorized to appoint, such assumption to be evidenced by and effective upon the filing with the town clerk of a written declaration of such assumption signed by the town manager, except that he shall not appoint himself as a member of any board, commission or committee. The membership of boards, commissions, committees and officers whose powers, duties and responsibilities are so assumed by the town manager, subject to the approval of the selectmen, shall have no further powers, duties or responsibilities as such.

SECTION 8. *Appointment of Town Manager.* The selectmen elected as provided herein shall by the affirmative vote of at least three members appoint as soon as practicable after the first town election following acceptance of this act or after the occurrence of any vacancy, for a term of three years, a town manager who shall be a person especially fitted by education or training and by previous full-time paid experience in municipal government as a town or city manager or assistant manager. During his term of office he shall engage in no other regular paid employment. The town manager shall be appointed without regard to his political beliefs. He need not be a resident of the town when appointed, but shall become a resident of the town as soon as practicable after his appointment. The town manager may be appointed for successive terms of office. Before entering upon the duties of his office, he shall be sworn, in the presence of a majority of the selectmen, to the faithful and impartial performance thereof by the town clerk or by a justice of the peace or notary public. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such sureties as may be fixed or approved by the selectmen, the premium for said bond to be paid by the town.

SECTION 9. *Appointment of a Temporary Town Manager.* In the event of the temporary absence or disability of the town manager, he may appoint, subject to the approval of the selectmen, a suitable person to perform the duties of the manager during such absence or disability. If the town manager fails to make such appointment or the person so appointed fails to serve, the selectmen may appoint a suitable person, who may be a selectman, to temporarily perform such duties. Pending the appointment of a town manager or in the event of any vacancy in the office of a town manager or the suspension of the town manager as hereinafter provided, the selectmen shall, within seven days, appoint a suitable person who may be a selectman, to perform such duties until a town manager is appointed or for the duration of such suspension.

SECTION 10. *Removal of Manager.* The selectmen may remove the town manager by the affirmative vote of at least three members of the board. At least thirty days before such proposed removal shall become effective, the selectmen shall file a preliminary written resolution with the town clerk setting forth the specific reasons for his proposed removal. The town clerk shall forthwith deliver a copy of such resolution to the town manager or mail the same to him by registered mail at his last known address. The manager may file with the selectmen, within seven days after receipt of such copy, a written request

for a public hearing as to the reasons for his removal. If the manager so requests, the board of selectmen shall hold a public hearing not earlier than ten days nor later than twenty days after the filing of such request. Not more than seven days after such public hearing, if any, otherwise before the expiration of thirty days following the filing of the preliminary resolution, and after full consideration, the selectmen, by the affirmative vote of at least three members of the board may adopt a final resolution of removal. In the preliminary resolution, the selectmen may suspend the manager from duty, but in any case his salary shall continue to be paid until the expiration of one month after the date of the final resolution of removal.

SECTION 11. *Compensation of Manager.* The town manager shall receive such compensation for all services performed by him as the selectmen shall determine, but it shall not exceed the amount appropriated therefor by the town.

SECTION 12. *Powers and Duties of Manager.* In addition to specific powers and duties provided elsewhere in this act, the town manager shall have the general powers and duties enumerated in this section:—

(a) The town manager shall supervise and direct and shall be responsible for the efficient administration of all offices, boards, and committees appointed by him or by the selectmen, and their respective departments. He shall, in addition, supervise and direct and shall be responsible for the efficient administration of any agency or activity of the town not subject to his appointment or control, but only to such extent and for such period as the elected officials having control of such agency or activity may, with the consent of the selectmen determine.

(b) The town manager, in accordance with the provisions of this act and except as otherwise expressly prohibited by the General Laws, may with the approval of at least three of the selectmen, organize a public works department; combine, reorganize, or discontinue departments, commissions, boards or offices under his supervision; and, with the approval of both the selectmen and the finance committee, he may transfer all or part of the appropriation of a discontinued department to any other office, committee, board or department, assuming the duties of the discontinued department, any balance not so transferred to be returned to the town treasury.

(c) The town manager shall fix the compensation of all town officers and employees appointed by him, subject to any applicable provisions of the Falmouth Salary Administration Plan, as the same may be amended from time to time, and for so long as the same may remain in force, and subject to the provisions of chapter thirty-one of the General Laws where applicable.

(d) The town manager shall keep full and complete records of his office, and shall render as often as may be required by the selectmen a full report of all operations during the period reported on. He shall keep the selectmen fully advised as to the needs of the town, and shall recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.

(e) With the exception of property under the jurisdiction of the

school committee and the library trustees, the town manager shall have full and exclusive jurisdiction over the rental and use of all town property, and shall be responsible for the proper maintenance and repair thereof; and, upon request by the school committee or the library trustees, he shall be responsible for the maintenance and repair of property under their jurisdiction, but only to such extent and for such period as they shall from time to time specify. He shall be responsible for the preparation of plans and the supervision of work on existing and on new buildings and grounds, unless a special committee of the town is created for such purpose.

(f) The town manager shall purchase all supplies and materials and equipment and award all contracts for all departments of the town, but he shall make purchases and award contracts for departments not under his supervision only upon requisition duly authorized by the head of such department.

(g) The town manager shall administer either directly or through a person or persons appointed by him in accordance with this act all provisions of general and special laws applicable to the town, and all by-laws and votes of the town, within the scope of his duties, and all rules and regulations made by the selectmen.

(h) The town manager, subject to the approval of the selectmen, shall have authority to prosecute, defend and compromise all litigation to which the town is a party, and to employ counsel whenever in his judgment it may be necessary.

(i) The town manager shall perform such other duties, consistent with his office, as may be required of him by the by-laws or vote of the town or by vote of the selectmen.

(j) The town manager shall have access to all town books and papers for information necessary for the proper performance of his duties, and may, without notice, cause the affairs of any department or activity under his control or the conduct of any officer or employee thereof, to be examined.

SECTION 13. *Approval of Warrants.* Warrants for the payment of town funds prepared by the town accountant, in accordance with the provisions of section fifty-six of chapter forty-one of the General Laws, shall be submitted to the town manager. The approval of any such warrant by the town manager, or in his absence, the acting town manager, shall be sufficient authority to authorize payment by the town treasurer, but the selectmen shall approve all warrants in the event of the absence of the town manager, temporary town manager, or a vacancy in the office of town manager.

Whenever any payroll, bill or other claim against the town is presented to the town manager, he shall, if the claim seems to him to be of doubtful validity, excessive in amount, or otherwise contrary to the interests of the town, investigate the claim, get full information on it, and, if unable to adjust the claim, then refer it to the selectmen who shall determine what, if any, payment should be made.

SECTION 14. *Fees Paid to Treasury.* The aggregate compensation of each town employee appointed by the town manager shall be limited to the amount established in accordance with the provisions of this act and all fees received in accordance with the provisions of any general or special law shall be paid into the treasury of the town.

SECTION 15. *Estimate of Expenditures.* All boards, officers and committees of the town shall annually, at the request of the town manager, submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments and offices during the next fiscal year. On or before the fifteenth day of November of each year, the town manager shall submit to each member of the finance committee and of the board of selectmen, a copy of his annual budget, which shall contain a careful, detailed estimate of the probable expenditures of the town for the ensuing fiscal year, including a statement of the amounts required to meet the interest and maturing bonds and notes or other indebtedness of the town, and showing specifically the amount necessary to be provided for each office, department and activity, together with a statement of the expenditures for the same purposes in the two preceding years, and an estimate of expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the two preceding years, together with an estimate of the receipts of the current year, and an estimate of the amount of income from all sources of revenue exclusive of taxes upon property in the ensuing year. He shall also report to said committee and to the selectmen the probable amount required to be raised by taxation to defray all of the proposed expenditures of the town together with an estimate of the tax rate necessary therefor. On or before the first day of December, any changes or recommendations which the selectmen make to the budget shall be transmitted to the finance committee.

SECTION 16. *By-Laws, Rules, etc.* All laws, by-laws, standing votes, rules, and regulations in force in the town of Falmouth on the effective date of this act, or any portion thereof, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-laws or vote; all other laws, by-laws, standing votes, rules and regulations, so far as they refer to the town of Falmouth, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 17. *Submission of Act and Time of Taking Effect.* This act shall be submitted for acceptance to the qualified voters of the town of Falmouth at the first annual town election after passage of this act. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the following question, which shall be placed upon the ballot to be used at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act to establish a selectmen-manager form of government in the town of Falmouth', be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, said act shall take effect immediately for the purpose of the next annual town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

If this act is rejected when first submitted, it may, after the expiration of five years from the date of such rejection, be again submitted for acceptance to the voters of said town at an annual town election, if so requested in a petition filed with the selectmen not less than ninety days before the date of said election, and signed by not less than twenty per cent of the registered voters of the town, and if then accepted shall take effect as hereinbefore provided.

SECTION 18. *Revocation of Acceptance.* At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual town meeting, a petition signed by not less than twenty per cent of the registered voters of the town may be filed with the selectmen, requesting that the question of rejecting the acceptance of this act be submitted to the voters. No such petition shall be valid unless notice thereof shall be published by the selectmen for at least two consecutive weeks in a newspaper having general circulation in the town, the first publication to be at least eighty days prior to said annual town meeting. The selectmen shall thereupon direct the town clerk to cause the said question to be printed on the official ballot to be used at the next annual election in the following form:—"Shall the acceptance by the town of Falmouth of an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act to establish a selectmen-manager form of government in the town of Falmouth', be continued?" If such continuance is not favored by a majority of the voters voting thereon, this act shall cease to be operative on and after the annual town meeting next following such vote. All general laws respecting town administration and town officers, and any special laws relative to said town, the operation of which has been suspended or superseded by acceptance of this act, shall be revived by such rejection and shall continue to be in full force and effect. By-laws, votes, rules and regulations in force when such rejection takes effect, so far as they are consistent with the general laws respecting town administration and town officers and with special laws relating to said town shall not be affected thereby, but any other by-laws, votes, rules and regulations inconsistent with such general or special laws shall be annulled. If such rejection is not favored by a majority of the voters voting thereon, no further petition therefor shall be filed under this section oftener than once in every three years thereafter.

*Approved March 28, 1960.*

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**Chap. 255.** AN ACT RELATIVE TO THE METHOD OF HAVING CERTAIN MEASURES VOTED BY THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF DEDHAM SUBMITTED TO THE REGISTERED VOTERS OF SAID TOWN.

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

SECTION 1. Chapter 358 of the acts of 1926 is hereby amended by striking out section 8, as amended by section 5 of chapter 419 of the acts of 1948, and inserting in place thereof the following section:—  
*Section 8.* A vote of the representative town meeting, either passing

or rejecting a measure, under any article in the warrant, except a vote declared by preamble by a two-thirds vote of the town meeting members present and voting thereon to be an emergency measure, necessary for the immediate preservation of the peace, health, safety or convenience of the town, shall not be operative until after the expiration of ten days, exclusive of Sundays and legal holidays, from the dissolution of the meeting. If, within said ten days, a petition, signed by not less than three hundred registered voters of the town at large, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen requesting that the question or questions involved in such vote be submitted to the registered voters of the town at large, then the selectmen, within fourteen days after the filing of the petition, shall call a special meeting of the voters of the town at large, which shall be held within ten days after the issuing of the call, for the sole purpose of presenting to such voters the question or questions so involved. The polls shall be opened at eight o'clock in the morning and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The question or questions so submitted shall be determined by a vote of the same proportion of the registered voters at large voting thereon as would have been required by law had the question or questions been finally determined at a representative town meeting. The question or questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to said representative town meeting by the moderator as appears from the records of the said meeting. If such petition is not filed within the said period of ten days, the vote of the representative town meeting shall become operative and effective upon the expiration of said period.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the town of Dedham at the biennial state election in the current year in the form of the following question, which shall be placed on the official ballot for use in said town at said election:—  
“Shall an act passed by the General Court in the current year, entitled ‘An Act relative to the method of having certain measures voted by the representative town meeting of the town of Dedham submitted to the registered voters of said town’, be accepted?” If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved March 28, 1960.*

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**Chap. 256.** AN ACT TO INCREASE THE AGGREGATE BALANCE OF PRINCIPAL OF CERTAIN PARTICIPATION LOANS BY A SAVINGS BANK WHICH MAY BE OUTSTANDING AT ANY ONE TIME.

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

Paragraph 8 of section 35 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby

amended by striking out, in line 12, the word "five" and inserting in place thereof the word:—ten,—so that the third sentence will read as follows:—The amount of the participation of any such corporation in any such loan shall not exceed one per cent of its deposits, and the aggregate balance of principal of all such participations, outstanding at any one time, shall not exceed ten per cent of the total deposits of such corporation.

*Approved March 28, 1960.*

**Chap. 257.** AN ACT TO AUTHORIZE SAVINGS BANKS TO MAKE CERTAIN COLLATERAL LOANS IN PARTICIPATION WITH ONE OR MORE OTHER SAVINGS BANKS.

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

Section 38 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by adding at the end the following paragraph:—

7. *Participation Loans.*—Any such corporation may, in participation with one or more other such corporations, make collateral loans of the class referred to in paragraph 6 of this section.

The participating corporations shall enter into a written agreement, for themselves, their successors and assigns, which shall include provisions for the custody of the note, lease, and mortgage and for the servicing and foreclosure thereof. No such corporation shall participate for a sum in excess of one-half of one per cent of its deposits in any such loan. No such corporation shall participate in any such loan if the total sum of such loan, including the sums loaned by each such corporation participating therein, would be in excess of the total cost of the leased land and buildings as determined by its board of investment, if the construction or reconstruction or substantial improvement of such buildings was completed within two years prior to the date of the loan, or would be in excess of seventy per cent of the value of such land and buildings, if such construction, reconstruction or substantial improvement was completed before the beginning of such two years. The aggregate of the outstanding balance of principal of all such participations by any such corporation and the outstanding balance of principal of all loans made by such corporation pursuant to paragraph 6 of this section shall not, at any one time, exceed five per cent of the deposits of such corporation.

*Approved March 28, 1960.*

**Chap. 258.** AN ACT INCREASING THE TERM OF OFFICE OF THE COMMISSIONER OF PUBLIC HEALTH OF THE CITY OF PITTSFIELD TO FIVE YEARS.

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

SECTION 1. Section 26 of chapter 280 of the acts of 1932 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—Subject to the confirmation or rejection of the city council, the mayor shall appoint as soon as con-



venient in the month of January after the beginning of his term of office a collector of taxes, a city treasurer, a city physician, a city auditor, a commissioner of public works, a commissioner of public health, a commissioner of public welfare, an inspector of buildings, an inspector of wires and an inspector of plumbing. Each officer so appointed, other than the commissioner of public health, shall serve for a term of two years from the third Monday in January in the year of his appointment and until his successor shall be duly appointed and qualified. The commissioner of public health shall serve for a term of five years from the third Monday of January in the year of his appointment and until his successor shall be duly appointed and qualified.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved March 28, 1960.*

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**Chap. 259.** AN ACT RELATIVE TO THE FILING OF LOOSE LEAF INSURANCE POLICIES.

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

Chapter 175 of the General Laws is hereby amended by inserting after section 192 the following section:—*Section 192A.* In the case of policies and contracts issued in accordance with sections one hundred and eight, one hundred and thirty-two, one hundred and thirty-two A, one hundred and thirty-two B, one hundred and thirty-three, and one hundred and thirty-four, the commissioner may approve such policies and contracts in loose leaf form and alternate pages submitted separately for use with such policies and contracts, if the provisions thereof otherwise comply with this chapter. Combinations of approved pages may be used to form complete policies and contracts provided a schedule is filed with the commissioner showing the pages to be used to form any particular policy or contract.

*Approved March 28, 1960.*

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**Chap. 260.** AN ACT INCREASING THE MINIMUM ANNUAL COMPENSATION FOR FIRE FIGHTERS IN CERTAIN CITIES AND TOWNS.

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

Chapter 41 of the General Laws is hereby amended by striking out section 108D, inserted by chapter 621 of the acts of 1958, and inserting in place thereof the following section:—*Section 108D.* Notwithstanding the provisions of section thirty-three A of chapter forty-four and any other general or special law to the contrary, the minimum annual compensation of each permanent fire fighter in the fire department of any city or town, except one who by virtue of section twenty D of chapter thirty-one is not regarded as holding employment, shall be not less than fifty-five hundred dollars. This section shall become effective when accepted in a city having a plan E char-

ter by the affirmative vote of a majority of all the members of the city council, and, in the case of other cities by vote of the city council, subject to the provisions of the charter, and in a town by a majority vote at a town meeting.

*Approved March 28, 1960.*

**Chap. 261.** AN ACT PROHIBITING THE SALE OF BRAKE FLUID WHICH DOES NOT COMPLY WITH THE MINIMUM STANDARDS PRESCRIBED BY THE REGISTRAR OF MOTOR VEHICLES.

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

Chapter 94 of the General Laws is hereby amended by inserting after section 295W the following section:—*Section 295X.* No person shall sell, offer for sale, or for compensation infuse in the brake system of any motor vehicle, any brake fluid which does not comply with such minimum standards as the registrar of motor vehicles may prescribe. Whoever violates the provisions of this section shall be punished by a fine of not more than fifty dollars.

*Approved March 28, 1960.*

**Chap. 262.** AN ACT AUTHORIZING THE CITY OF LOWELL TO PROVIDE FOR CERTAIN SCHOLARSHIPS IN NURSING.

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

SECTION 1. The city of Lowell may annually provide for residents of said city, ten nursing scholarships at schools of nursing within said city, the sum so required to be raised by taxation.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved March 28, 1960.*

**Chap. 263.** AN ACT TO PROVIDE FOR THE ALLOWANCE OF FURTHER TIME FOR FILING A DENIAL AND DEMAND OF PROOF OF THE GENUINENESS OF A SIGNATURE RELIED ON BY A PARTY IN A CIVIL ACTION.

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

Chapter 231 of the General Laws is hereby amended by striking out section 29, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 29.* A signature to an instrument declared on or set forth as a cause of action or as a ground of defence or set-off shall be taken as admitted unless the party sought to be charged thereby files in court, within the same length of time after such instrument is pleaded as is allowed for an answer or within such further time as the court may allow on motion and notice, a specific denial of the genuineness thereof and a demand that it shall be proved at the trial.

*Approved March 28, 1960.*

**Chap. 264.** AN ACT FURTHER REGULATING THE POWERS AND DUTIES OF THE BOARD OF APPEAL ON MOTOR VEHICLE LIABILITY POLICIES AND BONDS.

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

The fourth paragraph of section 113D of chapter 175 of the General Laws, as amended by section 1 of chapter 146 of the acts of 1933, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:—If the board finds in favor of the company in the case of such a cancellation, the order shall, unless the policy or bond has expired, affirm the cancellation and specify the date, which shall be ten days from the date of the filing of a memorandum of the finding and order in the office of the commissioner as hereinafter provided, on which the cancellation shall be effective; or if the complaint is withdrawn on or subsequent to the cancellation date shown in the insurance company cancellation notice, the order shall dismiss the said complaint and specify the effective date of cancellation, which shall be ten days from the date of the filing of the memorandum of the finding and order in the office of the commissioner of insurance; but, if the policy or bond will expire on or before the termination of a period of ten days from said date of filing, the order shall specify a date prior to such expiration, or the board may dispense with such a specification.

*Approved March 28, 1960.*

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**Chap. 265.** AN ACT RELATIVE TO THE QUALIFICATIONS OF THE MEMBERS OF THE BOARD OF REGISTRATION OF HAIRDRESSERS.

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

Chapter 13 of the General Laws is hereby amended by striking out section 42, as amended by section 1 of chapter 580 of the acts of 1949, and inserting in place thereof the following section:—*Section 42.* There shall be a board of registration of hairdressers, to be appointed by the governor, with the advice and consent of the council, consisting of three members, citizens of the commonwealth, each of whom at the time of his original appointment shall be a registered hairdresser operating his own establishment in this commonwealth and shall have had at least five years practical experience as a registered hairdresser. The governor shall designate the chairman of the board and may at any time change such designation. The chairman shall be the executive head of the board. No member shall, while in office, actually do the work of hairdressing for compensation. No two members of the board, while in office, shall be in any way interested in any hairdressing establishments in the same town, nor shall any member, while in office, be a teacher at, or have any financial interest in, any school giving courses of instruction in hairdressing or manicuring. As the term of office of a member expires, his successor shall be appointed by the governor, with like advice and consent to serve for three years. The governor may also, with like advice and consent, fill any vacancy in the board for the unexpired term. Definitions

contained in section eighty-seven T of chapter one hundred and twelve shall, so far as appropriate, apply to this and the two following sections.

*Approved March 28, 1960.*

**Chap. 266.** AN ACT PROVIDING THAT A PLANNING BOARD HOLD PUBLIC HEARINGS ON ALL DEFINITIVE PLANS SUBMITTED TO IT, AND PROVIDING THAT THE PLANNING BOARD EXPEDITE THE APPROVAL, MODIFICATION AND APPROVAL, OR DISAPPROVAL OF ANY SUCH PLAN.

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

SECTION 1. The last sentence of section 81T of chapter 41 of the General Laws, as appearing in section 7 of chapter 674 of the acts of 1953, is hereby amended by inserting after the word "approval", in line 1, the words:—, modification and approval, or disapproval,—so as to read as follows:—Before approval, modification and approval, or disapproval of the definitive plan is given, a public hearing shall be held by the planning board, notice of which shall be given at the expense of the applicant at least ten days prior thereto by advertisement in an official publication of, or in a newspaper of general circulation in, such city or town, and by mailing a copy of such advertisement to all owners of land abutting upon the land included in such plan as appearing upon the most recent tax list.

SECTION 2. Section 81U of said chapter 41 is hereby amended by striking out the fourth paragraph, as most recently amended by section 1 of chapter 377 of the acts of 1958, and inserting in place thereof the following paragraph:—

Failure of the planning board either to take final action or to file with the city or town clerk a certificate of such action regarding a plan submitted by an applicant within sixty days after such submission, or such further time as may be agreed upon at the written request of the applicant, shall be deemed to be an approval thereof. Notice of such extension of time shall be filed forthwith by the planning board with the city or town clerk.

*Approved March 30, 1960.*

**Chap. 267.** AN ACT EXEMPTING CERTAIN STREETS, WAYS, HIGHWAYS, ROADS AND PARKWAYS FROM TRAFFIC RULES AND REGULATIONS PROVIDING FOR PARKING ON ALTERNATE SIDES OF PUBLIC WAYS IN THE CITY OF BOSTON ON ALTERNATE NIGHTS.

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

The second paragraph of section 2 of chapter 263 of the acts of 1929, inserted by chapter 407 of the acts of 1957, is hereby amended by inserting after the word "days", in line 7, the following words:—; except that no such rule or regulation shall make such provision with respect to any street, way, highway, road or parkway less than twenty-five feet in width on which parking is restricted to one side between eight o'clock in the forenoon and six o'clock in the afternoon.

*Approved March 30, 1960.*

**Chap. 268.** AN ACT PROVIDING FOR THE APPOINTMENT BY THE MAYOR OF THE CITY OF QUINCY OF A HARBORMASTER AND ASSISTANT HARBORMASTERS WHO SHALL HAVE JURISDICTION OVER CERTAIN WATERS IN QUINCY BAY.

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

Notwithstanding the provisions of chapter five hundred and seventy-nine of the acts of nineteen hundred and eight, the mayor of the city of Quincy shall appoint a harbormaster and may appoint assistant harbormasters, pursuant to the provisions of section nineteen of chapter one hundred and two of the General Laws, who shall have all the powers and duties provided for by sections twenty to twenty-seven, inclusive, of said chapter one hundred and two and who shall have jurisdiction only in the waters of Quincy bay within a line drawn from Moon Head to Nut Island and in those waters within the territorial limits of said city of Quincy lying easterly and southeasterly of said city and westerly and northwesterly of the main ship channel of the Fore River including Town River and Town River Bay.

*Approved March 30, 1960.*

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**Chap. 269.** AN ACT PROVIDING THAT CERTAIN PERSONS CHARGED WITH A FELONY HELD IN CUSTODY IN A POLICE STATION OR OTHER PLACE OF DETENTION SHALL BE PERMITTED TO USE THE TELEPHONE WITHIN ONE HOUR AFTER BEING BOOKED.

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

Chapter 276 of the General Laws is hereby amended by striking out section 33A, as most recently amended by chapter 113 of the acts of 1958, and inserting in place thereof the following section:—*Section 33A.* The police official in charge of the station or other place of detention having a telephone wherein a person is held in custody, shall permit the use of the telephone, at the expense of the arrested person, for the purpose of allowing the arrested person to communicate with his family or friends, or to arrange for release on bail, or to engage the services of an attorney. Any such person shall be informed of his right to so use the telephone immediately upon being booked, and such use shall be permitted within one hour thereafter.

*Approved March 30, 1960.*

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**Chap. 270.** AN ACT AUTHORIZING THE CITY OF QUINCY TO PAY DANTE CAMPAGNA-PINTO FOR SERVICES RENDERED TO SAID CITY.

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

SECTION 1. The city of Quincy is hereby authorized to pay a sum of money not exceeding two thousand eight hundred and fifty-six dollars, in payment and discharge of a certain claim of Dr. Dante Campagna-Pinto for medical services rendered to the city of Quincy Hospital Department as a pathologist during the period of March twenty-seventh, nineteen hundred and fifty-nine through June twenty-ninth, nineteen hundred and fifty-nine, said claim being legally unenforceable against said city by reason of its failure to comply with the

provisions of section twenty-nine of chapter forty-three of the General Laws.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the city treasurer thereof under authority of this act unless and until certificates have been signed and filed with city auditor stating under the penalties of perjury that the services rendered were ordered by an official or employee of said city, that such services were actually performed and that the bill rendered represents the fair value of the services rendered to the said city.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for services which were not rendered to said city shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Quincy during the current year, subject to the provisions of its charter, but not otherwise.

*Approved March 30, 1960.*

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**Chap. 271.** AN ACT PROVIDING THAT CERTAIN ACTIONS OF TORT ARISING OUT OF THE OPERATION OF VEHICLES BE COMMENCED WITHIN TWO YEARS AFTER THE CAUSE OF ACTION ACCRUES.

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

Section 4 of chapter 260 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 235 of the acts of 1955 and inserting in place thereof the following paragraph:—Actions for assault and battery, false imprisonment, slander, actions against sheriffs, deputy sheriffs, constables or assignees in insolvency for the taking or conversion of personal property, actions of tort for injuries to the person against counties, cities and towns, and actions of contract or tort for malpractice, error or mistake against physicians, surgeons, dentists, optometrists, hospitals and sanatoria, hairdressers, operators and shops registered under sections eighty-seven T to eighty-seven JJ, inclusive, of chapter one hundred and twelve, actions of tort for bodily injuries or for death the payment of judgments in which is required to be secured by chapter ninety and also actions of tort for bodily injuries or for death or for damage to property against officers and employees of the commonwealth, of the metropolitan district commission, and of any county, city or town, arising out of the operation of motor or other vehicles owned by the commonwealth, including those under the control of said commission, or by any such county, city or town, suits by judgment creditors in such actions of tort under section one hundred and thirteen of chapter one hundred and seventy-five and clause (10) of section three of chapter two hundred and fourteen and suits on motor vehicle liability bonds under section thirty-four G of said chapter ninety shall be commenced only within two years next after the cause of action accrues; and actions for libel shall be commenced only within one year next after the cause of action accrues.

*Approved March 30, 1960.*

**Chap. 272.** AN ACT INCREASING THE AMOUNT WHICH SAVINGS BANKS MAY LEND ON CERTAIN PERSONAL LOANS AND EXTENDING THE TIME WITHIN WHICH SUCH LOANS SHALL BE PAID.

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

Chapter 168 of the General Laws is hereby amended by striking out section 37, as amended by section 7 of chapter 689 of the acts of 1956, and inserting in place thereof the following section:—*Section 37.* Such corporation may make a loan to one or more responsible borrowers upon a note in such form and at such rate of interest and subject to such other charges as the board of investment shall by rules or regulations determine; provided, that such rates and charges shall not exceed the maximums authorized or from time to time established or reestablished under section one hundred of chapter one hundred and forty with respect to loans subject to such section. Such loan shall be payable and shall be paid in instalments at intervals of not exceeding one month and all within a period of not exceeding thirty-six months from the date of the note. Such note may provide for the payment of the first instalment on a date not more than three months from the date of the note or of some one subsequent instalment on a date not more than three months from the date of the last prior instalment, and may, in the discretion of such corporation, be secured or unsecured. The total obligation of any one person to any such corporation in this class of investment shall not exceed fifteen hundred dollars, exclusive of interest or discount from the date of the note; and the aggregate balance of such loans made by any such corporation, at any time outstanding, shall not exceed five per cent of its deposits. The provisions of sections eighty-six to one hundred and ten, inclusive, of chapter one hundred and forty shall not, except as herein provided, apply to loans made under this section.

*Approved March 30, 1960.*

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**Chap. 273.** AN ACT RELATIVE TO THE TIME WHEN INTEREST RUNS ON DEMAND INSTRUMENTS.

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

Subsection (4) of section 3-122 of chapter 106 of the General Laws, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by striking out, in line 3, the words "of a demand note" and inserting in place thereof the words:— , acceptor or other primary obligor of a demand instrument,—so as to read as follows:—

(4) Unless an instrument provides otherwise, interest runs at the rate provided by law for a judgment

(a) in the case of a maker, acceptor or other primary obligor of a demand instrument, from the date of demand;

(b) in all other cases from the date of accrual of the cause of action.

*Approved March 30, 1960.*

**Chap. 274.** AN ACT RELATIVE TO OPENING CERTAIN BOARD OR COMMITTEE MEETINGS TO THE PUBLIC.

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

Section 23A of chapter 39 of the General Laws, inserted by section 4 of chapter 626 of the acts of 1958, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—All meetings of every district, city and town board, commission and school committee, and the meetings of the governing board of every local housing authority, shall be open to the public and to the press unless such board, commission or school committee shall vote to go into executive session. Such executive session may be held only for the purpose of discussing, deliberating or voting on those matters which by general or special statute, or federal grant-in-aid requirements, cannot be made public, and those matters which if made public might adversely affect the public security, the financial interest of the district, city, town or local housing authority, or the reputation of any person; provided, however, that the meetings of any such board, commission or school committee, or any sub-committee thereof, which shall be investigating any board or agency of a municipal government, and the meetings of any committee however appointed or constituted which shall be investigating any legislation which could ultimately change or alter the existing governmental structure of a city or town, shall, at all times, be open to the public and to the press, notwithstanding a vote of such board, commission or school committee to go into executive session.

*Approved March 30, 1960.*

**Chap. 275.** AN ACT REGULATING THE USE OF MOTORBOATS AND REQUIRING THE REGISTRATION THEREOF ON CERTAIN WATERS OF THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the numbering of certain motorboats and the promotion of boating safety on the territorial waters of the commonwealth under the supervision of an agency of the commonwealth and thereby assuring the commonwealth of certain revenue which would otherwise accrue to the federal government, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. Chapter 16 of the General Laws is hereby amended by inserting after section 11, added by chapter 416 of the acts of 1959, under the heading DIVISION OF MOTORBOATS, the following section:—*Section 12.* There shall be within the registry of motor vehicles a division of motorboats. With the approval of the council, the governor shall appoint for a term of seven years, and may remove for cause with like approval, an officer to be known as the director of the division of motorboats who shall be the executive and administrative head of the division. The director shall receive such salary not exceeding ten thousand two hundred dollars, as the governor and council



may determine, which shall be paid out of the recreational boating fund.

The director may, with the approval of the registrar of motor vehicles, employ such hearing officers, inspectors and such administrative, technical, clerical and other employees as in his opinion the duties of the division may require, and may expend for such purpose and other necessary expenses such amounts as may be appropriated therefor out of the recreational boating fund. Such employees shall not be subject to chapter thirty-one, but the qualifications for the positions shall be established by the civil service commission, and the positions and compensation of such employees shall be classified in accordance with sections forty-five to fifty, inclusive, of chapter thirty.

A certificate of award of number issued by the director of the division of motorboats shall become valid on the effective date thereof notwithstanding the fact that the director who issued the same ceased to hold said office prior to said effective date.

SECTION 2. The General Laws are hereby amended by inserting after chapter 90A the following chapter:—

#### CHAPTER 90B.

#### MOTORBOATS AND OTHER VESSELS.

*Section 1.* In this chapter, unless the context otherwise requires, the following words shall have the following meanings:

“Boating accident”,—an occurrence in which a waterborne vessel subject to this chapter is involved, whether or not there has been any actual collision, and which results in damage by or to such vessel or its equipment, or by or to an object or person being towed, pushed or propelled by such vessel, or in which there is an injury to any person, loss of life, or disappearance of any person under circumstances which indicate the possibility of death or injury or disappearance of a vessel other than by theft.

“Certificate of Number”,—a document issued by the director, upon application therefor, stating the name and address of the owner of, and the number awarded to a vessel subject to this chapter, except such vessels, other than livery boats, owned by a manufacturer of or dealer in boats.

“Director”,—the director of the division of motorboats.

“Division”,—the division of motorboats in the registry of motor vehicles.

“Horsepower”,—the aggregate rated horsepower of all propellant machinery at maximum operating revolutions per minute.

“Length”,—the extreme deck fore-and-aft measurement of a vessel.

“Livery boat”,—a boat hired or available for hire from a person who offers boats for hire as a regular business.

“Machinery”,—all inboard and outboard engines and all other types of motors or mechanical devices capable of propelling vessels.

“Motorboat”,—any vessel propelled by machinery of more than ten horsepower whether or not such machinery is the principal source of propulsion, but not a vessel which has a valid marine document issued by the Bureau of Customs of the United States government or any federal agency successor thereto.

“Operate”,—navigate or otherwise use a motorboat or vessel.

“Operator”,—a person who operates or who has a charge of the navigation or use of a motorboat or vessel.

“Owner”,—the person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to possession.

“Secretary”,—the Secretary of the Department of the United States government in which the coast guard is operating.

“Ship’s lifeboats”,—boats carried aboard a vessel and used solely for lifesaving purposes, but not including dinghies, tenders, speedboats or other types of craft carried aboard a vessel and used for other than lifesaving purposes.

“Underway”,—not at anchor, made fast to the shore or aground.

“Vessel”,—watercraft of every description, except a seaplane on the water used or capable of being used as a means of transportation on water.

“Waters of the commonwealth”,—all coastal and inland waters as defined in section one of chapter one hundred and thirty-one except ponds less than ten acres in area and owned by one person, and is not open to the public.

*Section 2.* Every motorboat on the waters of the commonwealth shall be numbered in accordance with this chapter, except:—

(1) A motorboat owned in a country other than the United States temporarily using the waters of the commonwealth.

(2) A motorboat owned by an agency of the United States government or by a state, county, city or town.

(3) Ship’s lifeboats.

(4) A motorboat numbered in accordance with a numbering system established by the secretary; provided, the certificate of number or similar document awarding a number to such motorboat is in full force and effect.

(5) A motorboat numbered in accordance with the numbering system of another state, which system has been approved by the secretary; provided the certificate of number or similar document awarding a number to such motorboat is in full force and effect; and provided, further, that such motorboat shall not have been within the commonwealth for a period of time in excess of ninety consecutive days.

Subject to the above exceptions, no person shall maintain, operate or suffer or permit the operation of any motorboat on the waters of the commonwealth unless such motorboat is numbered in accordance with this chapter within ninety days after the effective date hereof. In any prosecution under this section wherein one or more of the above exceptions is alleged in defense, the burden of proof thereof shall be on the defendant.

*Section 3.* (a) Subject to the exceptions listed in section two, the owner of any motorboat principally used in the commonwealth shall file an application for number with the director on a form approved by him. The application shall be signed by the owner of the motorboat, and shall be forwarded to the director together with a fee of five dollars for an original certificate of number, or a fee of three dollars

for the renewal of such certificate of number. Upon receipt of the application in approved form, the director shall cause the same to be entered upon the records of the department and shall issue to the applicant, if entitled thereto, a certificate of number. The owner shall cause to be painted on or attached to each side of the bow of the motorboat the identification number appearing on the certificate of number. The identification number shall read from left to right and shall be in block characters of good proportion not less than three inches in height. The number shall be of a color which will contrast with the color of the background and so maintained as to be clearly visible and legible. The certificate of number shall be pocket size (approximately two and one half by three and one half inches) and water resistant, and shall be available at all times for inspection on the motorboat for which issued whenever such motorboat is in operation.

(b) The requirements of this chapter shall apply to motorboats operated by manufacturers or dealers solely for the purpose of testing or demonstrating. The description of the motorboat will be omitted from the certificates of number since the numbers and certificates of number awarded may be transferred from one motorboat to another. In lieu of the description the word "manufacturer" or "dealer", as appropriate, will be plainly marked on each certificate of number. The manufacturer or dealer may have the number awarded painted upon or attached to a removable sign temporarily but firmly mounted upon or attached to the boat being demonstrated or tested. This subsection shall not apply to motorboats owned by a dealer or manufacturer and which are used for purposes other than testing or demonstrating.

(c) The certificate of number of a livery boat shall be plainly marked "livery boat". The description of the motor and type of fuel will be omitted from the certificate of number of a livery boat in any case where the boat is rented with different motors or with the person renting the boat supplying the motor.

(d) The owner of any motorboat already covered by a number in full force and effect, which number has been awarded by the secretary or pursuant to the numbering system of another state, which system has been approved by the secretary, shall record the number with the director within ninety days of the effective date of this chapter. Such recording shall be in the manner and pursuant to the procedure required for the award of a number under subsection (a) of this section, except that no additional or substitute Massachusetts number shall be issued. The number shall be recorded as valid for the remainder of its term and a registration fee prorated on the basis of a Massachusetts renewal of a number fee shall be charged.

(e) Should the ownership of a motorboat change, a new application form with fee shall be filed with the director and a new certificate of number shall be awarded in the same manner as provided for in an original award of number.

(f) The numbering system and pattern employed pursuant to this chapter by the division shall conform to the overall system of numbering for motorboats within the United States as prescribed by the laws of the United States, and must be approved by the secretary.

(g) All records of the division made or kept pursuant to this section shall be public records.

(h) The owner shall furnish the division notice of the transfer of all or any part of his interest other than the creation of a security in a motorboat numbered in the commonwealth pursuant to subsections (a) and (d) of this section or of the destruction or abandonment of such motorboat, within fifteen days thereof. Such transfer, destruction or abandonment shall terminate the certificate of number for such motorboat and such certificate of number shall be surrendered to the director within fifteen (15) days of such occurrence. In the case of a transfer of a part interest which does not affect the owner's right to operate such motorboat, such transfer shall not terminate the certificate of number.

(i) Any holder of a certificate of number shall notify the division within fifteen days, if his address no longer conforms to the address appearing on the certificate of number and shall, as a part of such notification, furnish the division with his new address.

(j) An original certificate of number initially awarded pursuant to this chapter shall be valid for a period ending one year from the anniversary of the date of birth of the applicant next succeeding the issuance of such certificate. Each renewal shall be valid for a period ending one year from the date of expiration of such certificate so renewed. A certificate of number issued to other than an individual shall expire one year from the date of issuance.

(k) No number other than the number awarded to a motorboat or granted reciprocity pursuant to this chapter shall be painted, attached or otherwise displayed on either side of the bow of such motorboat.

*Section 4.* If a certificate of number is lost, destroyed, or so mutilated as to be illegible, the owner shall, within fifteen days, notify the division in writing, describing the circumstances of the loss or destruction and certifying to its loss, together with a complete application form and a fee of one dollar for the replacement of such certificate of number. Any certificate of number so mutilated as to be illegible shall be forwarded to the director with the application form and prescribed fee for replacement.

*Section 5.* (a) Motorboats subject to the provisions of this chapter shall be divided into four classes as follows:—

Class A. Less than sixteen feet in length.

Class 1. Sixteen feet or over and less than twenty-six feet in length.

Class 2. Twenty-six feet or over and less than forty feet in length.

Class 3. Forty feet or over.

(b) Every motorboat in all weathers from sunset to sunrise shall carry and exhibit the following lights when underway, and during such time no other lights which may be mistaken for those prescribed shall be exhibited.

(1) Every motorboat of classes A and 1 shall carry the following lights:—

First. A bright white light aft to show all around the horizon.

Second. A combined lantern in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to

port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

(2) Every motorboat of classes 2 and 3 shall carry the following lights:—

First. A bright white light in the fore part of the vessel as near the stem as practicable, so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on each side.

Second. A bright white light aft to show all around the horizon and higher than the white light forward.

Third. On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw light from right ahead to two points abaft the beam on the port side. The said lights shall be fitted with inboard screens so set as to prevent these lights from being seen across the bow.

(3) Motorboats of classes A and 1 when propelled by sail alone shall carry the combined lantern, but not the white light aft, prescribed by subsection (b) (1) of this section. Motorboats of classes 2 and 3, when so propelled, shall carry the colored lights, suitably screened, but not the white lights prescribed by subsection (b) (2) of this section. A motorboat of classes A, 1, 2 or 3 of subsection (a) of this section when propelled by sail alone if not otherwise required or authorized by this section to carry one or more lights visible from aft, shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of twelve points of the compass, so fixed as to show the light six points, from right aft on each side of the vessel. Such light shall be carried as nearly as practicable on the same level as the side lights. In a small motorboat propelled by sail alone, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, an electric torch or lighted lantern shall be kept at hand ready for use, and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

(4) Every white light prescribed by this section shall be of such character as to be visible at a distance of at least two miles. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one mile. The word "visible" in this subsection, when applied to lights, shall mean visible on a dark night with clear atmosphere.

(5) When propelled by sail and machinery every motorboat shall carry the lights required by this section for a motorboat propelled by machinery alone.

(c) Any vessel may carry and exhibit the lights required by the Federal Regulations for Preventing Collisions at Sea, 1948 Federal Act of October 11, 1951 (33 USC 143-147D), as amended in lieu of the lights required by subsection (b) of this section.

(d) Nothing in this section shall be construed as permitting or requiring, on waters within the marine boundary of the commonwealth which have been designated by the Commandant of the Coast Guard as international waters, the display of lights other than those required by the laws of the United States.

(e) Every motorboat of class 1, 2 or 3 shall be provided with an efficient whistle or other sound-producing mechanical appliance.

(f) Every motorboat of class 2 or 3 shall be provided with an efficient bell.

(g) Every motorboat shall carry at least one Coast Guard-approved life preserver, or life belt, or ring buoy, or other devices of the sort prescribed by the regulations of the director for each person on board, so placed as to be readily accessible; provided, that every motorboat carrying passengers for hire shall carry so placed as to be readily accessible at least one Coast Guard-approved life preserver of the sort prescribed by the regulations of the director for each person on board.

(h) Every motorboat shall be provided with such number (as specified in this subsection), size and type of fire extinguisher capable of promptly and effectually extinguishing gasoline, as may be prescribed by the regulations of the director; which fire extinguishers shall be at all times kept in condition for immediate and effective use and shall be so placed as to be readily accessible. Outboard motorboats less than twenty-six feet in length of open construction, not carrying passengers for hire, are not required to carry fire extinguishers. Fire extinguishers shall be provided as follows:—

		<i>Minimum Number of B-1 Hand Portable Fire Extinguishers Required.*</i>	
<i>Class of Motorboat.</i>	<i>Length feet.</i>	<i>No Fixed Fire Extinguishing System in Machinery Space.</i>	<i>Fixed Fire Extinguishing System in Machinery Space.</i>
A	Under 16	0	0
1	16 and over, but under 26	1	0
2	26 and over, but under 40	2	1
3	40 and over	3	2

\* One B-2 hand portable fire extinguisher may be substituted for two B-1 hand portable fire extinguishers.

#### FIRE EXTINGUISHER CLASSIFICATION

<i>Classification, Type-size.</i>	<i>Foam, Gallons.</i>	<i>Carbon Dioxide, Pounds.</i>	<i>Dry Chemical, Pounds.</i>
B-1	1¼	4	4
B-2	2½	15	12

(i) The provisions of subsection (e), (f) and (h) shall not apply to motorboats propelled by outboard motors while competing in any race approved by the director, or while engaged in such navigation as is incidental to the tuning up of boats and engines for such race.

(j) Every motorboat shall have the carburetor or carburetors of every engine therein, except outboard motors, using gasoline as fuel, equipped with such efficient flame arrestor, backfire trap, or other similar device as may be prescribed by the regulations of the director.

(k) Every motorboat subject to the provisions of subsection (j), except open boats, using as fuel any liquid of a volatile nature, shall be provided with such means as may be prescribed by the regulations of the director for properly and efficiently ventilating the bilges of the engine and fuel tank compartments so as to remove any explosive or inflammable gases.

(l) No person shall operate or suffer or permit the operation of any motorboat which is not equipped as required by this section or modification thereof.

*Section 6.* The exhaust of every internal combustion engine on any motorboat shall be effectively muffled by a muffler or underwater exhaust of a type or types approved by and used in conformity with the rules and regulations of the director. The use of cutouts is prohibited, except for motorboats competing in a race previously approved by the director, and for such motorboats while on trial runs during a period not to exceed forty-eight hours immediately preceding such race, and for such motorboats while competing in official trials for speed records during a period not to exceed forty-eight hours immediately following such race.

*Section 7.* Neither the owner of a boat livery, nor his agent or employee shall permit any motorboat or any vessel permitted by him to be operated as a motorboat to depart from his premises unless it shall have been provided, either by the owner or renter, with the equipment required pursuant to section five of this chapter or pursuant to any rule or regulation of the director.

*Section 8.* (a) No person shall operate any motorboat on the waters of the commonwealth while he is under the influence of intoxicating liquor, narcotic drug, barbiturate or marijuana.

(b) No person shall operate any motorboat on the waters of the commonwealth or manipulate any water skis, surfboard or similar device thereon in a negligent manner so that the lives or safety of the public might be endangered.

(c) No person shall operate any motorboat on the waters of the commonwealth towing a person or persons on water skis, a surfboard or other similar device, unless there is in such motorboat a person in addition to the operator in a position to observe the person or persons being towed, and unless such motorboat is equipped with a ladder, steps or similar means by which any person being towed can be taken from the water.

(d) The provisions of subsections (c) and (d) shall not apply to a performer engaged in a professional exhibition which has previously been approved by the director.

*Section 9.* (a) The operator of any motorboat involved in a col-

lision, accident or other casualty shall, so far as he is able without serious danger to his own or other vessels or to any persons, render to other persons affected by the boating accident such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the boating accident. Such operator shall also give his name, address and identification of his vessel to any person injured and to the owner of any property damaged in the boating accident.

(b) The operator of any motorboat involved in a boating accident, shall file with the division a full description of such boating accident, including such information as the director may by regulation require. Such report shall conform to the requirements of a boating accident report under the laws of the United States. Whenever death results from a boating accident, a written report shall be submitted within forty-eight hours. For every other boating accident a written report shall be submitted within five days.

(c) Except as provided in subsection (d), individual boating accident reports shall not be public records, and shall not be admissible in evidence in a court of law other than in a proceeding petitioning for a review of a decision of the director.

(d) Boating accident reports may be made available for additional statistical studies subject to the regulations of the director; provided, that information from individual reports shall not be disclosed.

*Section 10.* In accordance with any request duly made by an authorized official or agency of the United States, any information compiled or otherwise available to the division whether the same be a matter of public record or information specified by this chapter as not to be released or made public shall be transmitted to said officials or agency of the United States.

*Section 11.* The director shall administer and enforce the provisions of this chapter, and, for such purposes, is authorized to make rules and regulations not contrary to the laws of the commonwealth or of the United States. He shall (1) submit to the secretary for his approval a numbering system for motorboats, and (2) require that all applications for number, certificates of number, and reports of boating accidents contain the same information as that contained in similar documents of the coast guard.

He may—

(a) Exempt any vessel or class of vessels from the numbering provisions of this chapter if such vessel or class of vessels has been made exempt from the numbering provisions of the Federal Boating Act of 1958 by the secretary.

(b) Issue safety certificates in such form and under such terms and conditions as he may designate and may require that any person, before operating on the waters of the commonwealth, any motorboat or other vessel subject to the provisions of this chapter or of any rule or regulation made under authority hereof, shall hold such a valid safety certificate.

(c) Prescribe the type of life preservers, life belts, ring buoys or other similar devices to be carried on board motorboats.

(d) Prescribe the make and type of fire extinguishers to be carried on board motorboats.



(e) Prescribe the make and type of flame arrestors, backfire traps or similar devices to be used on motorboats with inboard engines and using gasoline as fuel.

(f) Prescribe devices to be used for the proper and efficient ventilation of the bilge of engine and fuel tank compartments of motorboats using liquid of a volatile nature for fuel.

(g) Approve the conduct of motorboat races, including the times, places and any other circumstances of such races, and may require the establishment of safety precautions in connection therewith.

(h) Permit the use of cutouts on motorboats and operated in accordance with the provisions of section six.

(i) Approve professional exhibitions of waterskiing, surfboarding or similar activity, and therefore may suspend the provisions of section eight (c) and (d).

(j) Establish speed limits for motorboats on any of the rivers, harbors, lakes or ponds located within the commonwealth or any political subdivision thereof.

(k) Make the provisions of this chapter and rules and regulations made under authority thereof and such other rules and regulations as he may deem in the interest of the public safety applicable to any vessel not otherwise subject to the provisions of this act when operated or maintained on any waters lying wholly within the land boundaries of the commonwealth, except ponds less than ten acres in area and owned by one person.

(l) Inquire into the causes of boating accidents and, for such purpose, he may require the attendance of witnesses and the production of books and documents, and may examine witnesses on oath; and such witnesses shall be paid the same fees as in civil actions in the courts.

(m) Suspend or revoke and cancel and require the surrender of any certificate of number issued by him if, in his opinion, after a hearing, after due notice, by him or by some person designated by him, the holder thereof is guilty of violating any provision of this chapter or of any rule or regulation made under authority hereof. Pending such hearing and any appeal from a decision hereunder, said certificate of number shall be suspended.

(n) Approve or disapprove any ordinance or by-law of any city or town which regulates the operation of such vessels and such activities as are subject to the provisions of this chapter or of any rule or regulations made under authority hereof, on such waters of the commonwealth as lie within such city or town.

(o) Prescribe the manner in which and the contents of any reports required to be filed under the provisions of section seventeen.

*Section 12.* The provisions of this chapter and of all rules and regulations made under authority thereof shall be enforced by the director or his authorized agents, by harbor masters and assistant harbor masters and by police officers specifically assigned to harbor police, harbor patrol, river, lake or stream patrol and harbor master duties. For the purpose of such enforcement such officers may board any motorboat and may conduct an inspection thereof, including an examination of the certificate of number, and may require the operator of

such motorboat to give his true and correct name and address. Whoever, while operating or in charge of any motorboat on the waters of the commonwealth, refuses to stop such motorboat after having been requested or signaled so to do by any such officer, or whoever attempts to prevent such officer from boarding such motorboat for the purpose of inspecting, or who refuses to give his true and correct name and address or refuses to display the certificate of number of such boat and surrender it to such officer for examination, or whoever attempts to prevent such officer from making an inspection of such boat, shall be punished as provided in section fourteen.

*Section 13.* All officers empowered to enforce this chapter may arrest without a warrant any person found violating any provision of this chapter or of any rule or regulation made under authority hereof.

*Section 14.* (a) Whoever violates any provision of section two, three, four or six or of any rule or regulation pertaining thereto shall be punished by a fine of not more than fifty dollars, except as herein-after provided. Any person against whom a complaint has been issued for a violation of section two or of any rule or regulation pertaining thereto may, if it is the first offense committed by such person in violation of the provisions of this chapter or of any rule or regulation made under authority hereof, appear in person or through an attorney or agent duly authorized in writing, before the clerk of the court having jurisdiction of the offense, and confess the offense charged. Payment by such a person to such clerk of a fine of ten dollars and costs shall operate as a final disposition of the case. Proceedings so disposed of by such clerk shall not be deemed criminal and no person who appears before a clerk of court as provided herein shall be required to report to any probation officer and no record of the case shall be entered in the probation records. Such clerk shall, within three days of such payment, forward to the director a certified copy of such proceedings. For the purpose of counting violations such disposition shall operate as if a finding of guilty had been made in court.

(b) Whoever violates any provision of sections five, seven or twelve or of any rule or regulation pertaining thereto, shall be punished by a fine of not less than ten or more than fifty dollars.

(c) Whoever violates any provision of section eight or of any rule or regulation pertaining thereto shall be punished by a fine of not more than five hundred dollars and by imprisonment for not more than six months or both. If such violation results in the death of any person a fine of not more than one thousand dollars and imprisonment for not more than one year.

*Section 15.* (a) The provisions of this chapter shall govern the numbering, operation, equipment and all other matters relating thereto of any vessel subject to the provisions of this chapter or of any rule or regulation made under authority hereof, whenever any such vessel shall be operated or maintained on the waters of the commonwealth, or whenever any activity regulated by said chapter or said rules and regulations shall take place thereon.

(b) Nothing in this section shall be construed as prohibiting any city or town from regulating, by ordinance or by-law, not contrary to the provisions of this chapter or of any rule or regulation made under

authority hereof, other than numbering, of such vessels on such waters of the commonwealth as lie within the city or town, or such activities which take place thereon. Such cities and towns may, by joint action, provide for such regulations for such waters lying in two or more cities or towns.

(c) No such ordinance or by-law shall be valid unless it shall have been approved by the director and published in a newspaper of general distribution in said city or town not less than five days before the effective date thereof.

*Section 16.* Moneys received by the commonwealth from fees and other sources pertaining to the administration of this chapter shall be credited on the books of the commonwealth to a fund to be known as the Recreational Boating Fund. Said Recreational Boating Fund, subject to appropriation, shall be used as follows:

(1) For the payment of the administration and enforcement expenses of the division.

(2) For conducting programs of boating safety education.

(3) For the construction of access to water areas, including land, parking areas, roads, launching ramps and docks.

(4) For the reimbursement to cities and towns, so far as possible, for such projects as are indicated in (2) and (3) above, provided, the plans for such construction or programs have been approved in advance by the director.

*Section 17.* Every officer authorized to enforce the provisions of this chapter or any rule, regulation, ordinance or by-law made under authority hereof shall report to the director, on forms provided by him and in such manner as he may prescribe, every violation of such chapter, rule, regulation, ordinance or by-law which results in any disposition by a court or by a clerk of court acting under the provisions of section fifteen.

*Section 18.* The provisions of chapter thirty A shall be applicable to this chapter in so far as not inconsistent therewith.

*Section 19.* If any provisions of sections one through eighteen, inclusive, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of said sections, or the application of such provision to persons or circumstances other than those wherein it is held invalid, shall not be affected thereby.

SECTION 3. Sections fifteen, fifteen A, fifteen B, and sixteen of chapter one hundred and two of the General Laws are hereby repealed.

SECTION 4. Any ordinance, by-law or regulation of any city, town or other public body or authority relative to the identification of motorboats or other vessels shall become null and void upon the effective date of this act, and any such ordinance, by-law or regulation relative to the operation of motorboats or other vessels shall become null and void on the ninetieth day following said effective date.

SECTION 5. For the purpose of enabling the division of motorboats established under section twelve of chapter sixteen of the General Laws, inserted by section one of this act, to carry out the provisions of chapter ninety B of the General Laws, inserted by section two of this act, there is hereby appropriated the sum of one hundred thousand dollars from the General Fund to be expended for salaries, compensa-

tion, equipment, maintenance and other necessary expenses, subject to the approval of the director of the division of motorboats and subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the remaining part of the current fiscal year. Any sums so expended shall in the following fiscal year be reimbursed to the General Fund out of the Recreational Boating Fund, established under section sixteen of said chapter ninety B of the General Laws.

*Approved April 1, 1960.*

**Chap. 276.** AN ACT AUTHORIZING THE TOWN OF SALISBURY TO CONTRACT WITH THE SALISBURY WATER SUPPLY COMPANY TO EXTEND PIPE LINES IN SAID TOWN, AND TO RAISE AND APPROPRIATE MONEY TO PAY THE COST OF INSTALLING SAID EXTENSIONS, AND PROVIDING THAT SAID WATER SUPPLY COMPANY REFUND THE SAME.

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

SECTION 1. Chapter 243 of the Special Acts of 1915 is hereby amended by inserting after section 5 the following section:—*Section 5A.* Said corporation may enter into contracts with the town of Salisbury for the extension of pipe lines and related facilities in the town, the cost of installation of said pipe lines and related facilities to be paid by the town. Said town may appropriate and pay to said corporation such sums as are necessary to pay for the cost of such installation under any such contract.

Any money so appropriated and paid by the town shall be refunded to it by the said corporation, after said pipe line extensions are installed and public fire hydrants and consumer service lines are attached to said pipe line extensions, in the following manner: The town shall be paid annually an amount equal to three and one-half times the estimated or actual revenue received during the first year from each fire hydrant or consumer; provided, that such payment shall cease and terminate ten years from the date of each such contract; and provided, further, that the total amount of such refunds shall not exceed the amount appropriated and paid by the town under such contract, without interest. Said pipe lines and related facilities shall be and remain the property of said corporation.

In the event of the purchase of the franchise and corporate property of said corporation under provisions of section ten, the value of said corporate assets shall be arrived at without enhancement because of any contract made under authority of this section.

SECTION 2. Any action taken by the town of Salisbury at its annual town meeting in the current year pursuant to the authority contained in section one of this act, is hereby confirmed and validated and shall have the same effect as though this act were in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved April 4, 1960.*

**Chap. 277.** AN ACT AUTHORIZING THE CENTRAL BERKSHIRE REGIONAL SCHOOL DISTRICT TO SELL AND CONVEY A CERTAIN PARCEL OF LAND TO ROBERT L. BETIT AND ANN T. BETIT.

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

SECTION 1. In consideration, in whole or in part, of the conveyance by Robert L. Betit and Ann T. Betit to the Central Berkshire Regional School District of a certain parcel of land in the town of Dalton, hereinafter described as Parcel 1, said Central Berkshire Regional School District is hereby authorized to sell and convey to the said Robert L. Betit and Ann T. Betit a certain parcel of land in said town, hereinafter described as Parcel 2.

Parcel 1. Beginning at an iron pipe in the easterly line of Old Windsor Road at the northeasterly corner of land conveyed by Walter H. and Nellie N. Scace to Central Berkshire Regional School District; running thence North 78°, 05' East, 389.15 feet along the southerly line of Old Windsor Road to a point; thence South 11°, 55' East, 118.96 feet to a point; thence South, 56°, 55' West, 242.00 feet to a point; thence South 0°, 43' West, 162.79 feet to a point in the northerly line of a portion of said land formerly of said Scace; thence North 75°, 51', 28" West, 264.12 feet along said northerly line to an iron pipe; thence North 11°, 48', 36" East, 271.66 feet along the easterly line of a portion of land formerly of said Scace to the place of beginning.

Parcel 2. Beginning at a point in the northerly line of a portion of land of the grantor named herein said point being the southwesterly corner of land of the grantees named herein held under Land Court Certificate 3104, and shown as Lot "B" on Plan 4184C, filed with Certificate 763; running thence South 77°, 56', 58" East, 71.55 feet to an angle point; thence South 70°, 40', 58" East, 316.10 feet to a point; thence Southeasterly 99.94 feet making an interior angle of 129°, 53' to a point; thence South 335.00 feet making an exterior angle of 223°, 50' to a point; thence Southerly making an exterior angle of 180°, 58', 67.57 feet to a point; (the preceding four boundaries are along said land held under said Land Court Certificate 3104); thence North 52°, 13' West, 161.77 feet to a point; thence North 8°, 00' West, 572.12 feet to the place of beginning.

SECTION 2. This act shall take effect upon its passage.

*Approved April 4, 1960.*

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**Chap. 278.** AN ACT INCREASING THE AMOUNT WHICH MAY BE ALLOWED TO BE OUTSTANDING AT ONE TIME IN THE TOTAL INDEBTEDNESS AUTHORIZED FOR THE CONSTRUCTION AND OPERATION OF A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL IN THE TOWN OF RANDOLPH.

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

SECTION 1. Chapter 273 of the acts of 1955 is hereby amended by striking out section 9 and inserting in place thereof the following section:—*Section 9.* For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to

time borrow such sums as may be necessary, not exceeding in the aggregate four million, five hundred thousand dollars; provided, however, that the total outstanding indebtedness authorized under this section shall not exceed three million dollars at any time, and may issue bonds or notes therefor, which shall bear on their face the words, Randolph Sewerage Loan, Act of 1955. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Any action taken by the town of Randolph at a special town meeting to be held on March twenty-eighth, nineteen hundred and sixty pursuant to the authority contained in section one of this act shall be as valid and effective for all purposes as though this act were in full force and effect at the time of the posting of the warrant for said special meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved April 4, 1960.*

**Chap. 279.** AN ACT AUTHORIZING COUNTIES, CITIES, TOWNS AND DISTRICTS TO ACCEPT CERTAIN ADVANCES OF FEDERAL FUNDS FOR PLANNING PUBLIC WORKS PROJECTS.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to make available forthwith to counties, cities, towns and districts the benefits of federal advances for planning or other purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The first paragraph of section 2 of chapter 74 of the acts of 1945 is hereby amended by adding at the end the following two sentences:—Any such county, city, town or district may accept advances of federal funds for surveys or plan preparation for any useful public works project on such terms as may be prescribed under applicable federal laws and regulations and without being required to obtain the approval of the board and the governor. Such advances may be repaid from any funds including bond proceeds which are available for such project or for such surveys or plan preparation.

SECTION 2. Any action taken prior to the effective date of this act by any political subdivision of the commonwealth pursuant to the authority contained in section one of this act is hereby validated as if this act were in effect at the time such action was taken.

*Approved April 4, 1960.*

**Chap. 280.** AN ACT AUTHORIZING THE CITY OF MALDEN TO FUND CERTAIN INDEBTEDNESS.

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

SECTION 1. For the purpose of providing funds to meet certain loans issued in the year nineteen hundred and fifty-nine under clause

(9) of section eight of chapter forty-four of the General Laws, the city of Malden may borrow during the year nineteen hundred and sixty such sums, not exceeding, in the aggregate, four hundred and ninety-five thousand dollars, as may be necessary, and may issue bonds or notes therefor, which shall bear on their face the words, City of Malden Funding Loan, Act of 1960. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than three years from their dates. Indebtedness incurred under this act shall be within the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitations contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

*Approved April 4, 1960.*

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**Chap. 281.** AN ACT ESTABLISHING PRELIMINARY MUNICIPAL ELECTIONS IN THE CITY OF ATTLEBORO.

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

SECTION 1. On the third Tuesday preceding every regular or special municipal election in the city of Attleboro at which any elective municipal office is to be filled, there shall be held, except as otherwise provided in section nine, a preliminary election for the purpose of nominating candidates therefor. At every such election the polls shall be opened during such hours, in accordance with general law, as the members of the municipal council may prescribe and the general laws relative to municipal elections shall apply thereto, except as is otherwise specifically provided for in this act.

SECTION 2. Except as is otherwise provided in said section nine, there shall not be printed on the official ballot to be used at any regular or special municipal election in said city the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nomination, held as provided in this act. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such election unless he shall have submitted, within the time limited and as provided by section three, the nomination paper therein described.

SECTION 3. Any person who is qualified to vote at any regular or special municipal election in said city for a candidate for any elective municipal office in said city, and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election for nomination therefor; provided, that if he is a candidate to be voted for in a single ward he shall be a registered voter in the ward wherein he is a candidate; and provided, further, that on or before five o'clock in the afternoon of the sixth Tuesday preceding such regular or special municipal election there shall be submitted to the board of registrars of voters a nomination paper prepared and issued by the city clerk, wherein the candidate sets forth in writing his candidacy, and wherein the petition is signed in person by at least twenty-five, or, in

case of a candidate for the office of mayor and other offices, by at least one hundred, voters of the city qualified to vote for a candidate for the said office, whose signatures are certified as hereinafter provided.

Said nomination papers shall be in substantially the following form:—

COMMONWEALTH OF MASSACHUSETTS.

CITY OF ATTLEBORO.

NOMINATION PAPER.

STATEMENT OF CANDIDATE.

I ( ), on oath declare that I am a citizen of the United States of America, that I reside at (number, if any) on (name of street) and ward in the city of Attleboro; that I am a voter therein, qualified to vote for a candidate for the office hereinafter mentioned; that I am a candidate for the office of (name of office) for (state the term) to be voted for at the preliminary election to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballot for use at said preliminary election.

(Signed)

COMMONWEALTH OF MASSACHUSETTS.

Bristol, ss.

Subscribed and sworn to on this day of nineteen hundred and before me,

(Signed)

*Justice of the Peace  
(or Notary Public).*

PETITION OF ACCOMPANYING STATEMENT OF CANDIDATE.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we, the undersigned, voters of the city of Attleboro, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary election to be held on Tuesday, the day of , nineteen hundred and . We further state that we believe him to be of good moral character and qualified to perform the duties of the office, and that we have not subscribed to more nominations of candidates for this office than there are persons to be elected thereto.

Signatures of Nominators.  
(To be made in person.)

Residence  
January 1.

Ward.

Present  
Residence.



No acceptance by the candidate for the nomination named in the said nomination paper shall be necessary to its validity or its filing. The petition, which may be on one or more papers, need not be sworn to.

SECTION 4. After any such nomination paper has been submitted to said board of registrars of voters, hereinafter called the board, it shall certify thereon the number of signatures which are the names of registered voters in said city qualified to sign the same. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid, and such papers shall be preserved by the board for one year. The board shall complete its certification on or before five o'clock in the afternoon of the fifth Tuesday preceding such regular or special municipal election, and the board, or some member thereof, shall file with the city clerk on or before five o'clock in the afternoon of the next day all papers not found to be invalid as aforesaid.

SECTION 5. On the first day, other than a legal holiday, following the expiration of the time for filing the above described nomination papers with the city clerk, he shall post in a conspicuous place in his office the names and residences of the candidates for nomination who have duly qualified as such, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, which shall be drawn by lot by the city clerk within seventy-two hours succeeding five o'clock in the afternoon of the last day fixed for filing the nomination papers with him, and he shall cause the ballots, which shall contain said names in their order as drawn by him, and no others, with a designation of residence, and of the office and term of office, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. At any drawing for position on the ballot, each candidate shall have an opportunity to be present in person or by one representative. There shall be left at the end of the list of candidates for nomination for each office blank spaces equal in number to the number of persons to be nominated therefor, in which spaces the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office, but the name of such person shall not be printed on the official ballot to be voted for at any regular or special municipal election in said city unless such person is qualified to be nominated under section three. There shall be printed on such ballots such directions as will aid the voter, as, for example: "vote for one", "vote for two", and the like, and the ballots shall be headed substantially as follows:—

#### OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of (name of offices) in the city of Attleboro at a preliminary election to be held on the day of \_\_\_\_\_, in the year nineteen hundred and \_\_\_\_\_

On the back and outside of each ballot when folded shall be printed the words "Official Ballot for preliminary Election" followed by the designation of the ward for which the ballot is prepared, the date of the preliminary election and a facsimile of the signature of the city clerk.

SECTION 6. No ballot used at any preliminary election in said city shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating his views or opinion.

SECTION 7. The election officers of said city shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the city clerk, who shall canvass said returns and shall forthwith determine the result thereof, insert the same in a newspaper published in said city and post the same in a conspicuous place in his office.

SECTION 8. If any person receives at a preliminary election a majority of all the votes cast for the office for nomination to which he was a candidate, he shall be deemed and declared elected thereto; provided, that at said election at least eighty per cent of the total registered vote of the city, or, in the case of a ward councilor, of the ward, shall be cast; otherwise the two persons receiving at a preliminary election the highest number of votes for nomination for any office, except one to which two or more persons are to be elected at the regular or special municipal election following, and, as to each of such offices, the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office, shall, except as provided in this section and in section nine, be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special municipal election at which such office is to be filled.

If the preliminary election results in a tie vote among candidates for nomination to any office receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the regular or special municipal election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon the names of candidates to a number exceeding twice the number to be elected.

SECTION 9. If at the expiration of the time for filing with the city clerk nomination papers for candidates to be voted for at any preliminary election there have not been filed with him more than twice as many such nomination papers for an office as there are persons to be elected to such office, the candidates whose nomination papers have thus been filed shall be deemed to have been nominated to said office, and their names shall be printed on the official ballot to be used at the regular or special municipal election following, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of said city, no preliminary election shall be held in any such ward or wards.

SECTION 10. So much of chapter six hundred and eighty of the acts of nineteen hundred and fourteen, and acts in amendment thereof, and in addition thereto, as is inconsistent with this act, is hereby repealed.

SECTION 11. This act shall be submitted for acceptance to the registered voters of the city of Attleboro at the state election to be held in the year nineteen hundred and sixty, in the form of the following question, which shall be printed on the official ballot to be used in said city at said election:—"Shall an act passed by the general court in the year nineteen hundred and sixty, entitled 'An Act establishing Preliminary Municipal Elections in the City of Attleboro', be accepted?" If the majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect for the regular municipal election to be held in said city in the year nineteen hundred and sixty-one, and for all municipal elections in said city thereafter, but not otherwise. *Approved April 4, 1960.*

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**Chap. 282.** AN ACT FURTHER REGULATING THE INCURRENCE OF LIABILITIES OR THE EXPENDITURE OF FUNDS IN EXCESS OF APPROPRIATIONS BY COUNTIES.

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

SECTION 1. Chapter 35 of the General Laws is hereby amended by striking out section 32, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 32.* No county expenditure shall be made or liability incurred, nor shall a bill be paid for any purpose, in excess of the appropriation therefor, except as provided in sections fourteen and thirty-four.

SECTION 2. Section thirty-three of said chapter thirty-five is hereby repealed. *Approved April 4, 1960.*

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**Chap. 283.** AN ACT EXTENDING THE TIME WITHIN WHICH TOWNS MAY ACCEPT PROVISIONS OF THE GENERAL LAWS GRANTING NON-CONTRIBUTORY RETIREMENT PENSIONS TO PERMANENT MEMBERS OF POLICE AND FIRE DEPARTMENTS.

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

The first sentence of section 85 of chapter 32 of the General Laws, as amended by section 8 of chapter 483 of the acts of 1945, is hereby further amended by striking out, in line 3, the word "forty-six" and inserting in place thereof the word:—sixty-two,—so as to read as follows:—The selectmen of every town which accepts this section prior to January first, nineteen hundred and sixty-two, or has accepted corresponding provisions of earlier laws by a two thirds vote at an annual town meeting shall retire from active service and place upon the pension roll any permanent member of the police department and any permanent member of the fire department of such town found by them to be permanently incapacitated, mentally or physi-

cally, for useful service in the department to which he belongs, by injuries received through no fault of his own in the actual performance of his duty.

*Approved April 4, 1960.*

**Chap. 284.** AN ACT AUTHORIZING THE BOARD OF EDUCATION TO DESIGNATE ANY STATE TEACHERS COLLEGE AS A STATE COLLEGE.

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

Section 1 of chapter 73 of the General Laws, as most recently amended by section 2 of chapter 246 of the acts of 1959, is hereby further amended by adding at the end the following paragraph:—

The board of education may designate any state teachers college as a state college; provided, however, that any provisions contained in a general or special law, ordinance or by-law, rule or regulation, or judicial order or decree relative to a state teachers college shall continue to apply to any state teachers college designated as a state college.

*Approved April 4, 1960.*

**Chap. 285.** AN ACT REDUCING THE TIME WITHIN WHICH CERTAIN PERSONS ENGAGED IN THE BUSINESS OF PERFORMING WORK UPON OR STORING ARTICLES OF CLOTHING OR HOUSEHOLD GOODS AND HAVING A LIEN THEREON MAY SELL SUCH ARTICLES TO SATISFY THE INDEBTEDNESS SECURED BY SUCH LIEN.

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

Chapter 255 of the General Laws is hereby amended by striking out section 31D, inserted by chapter 607 of the acts of 1945, and inserting in place thereof the following section:—*Section 31D.* Any person engaged in cleaning, pressing, glazing, washing, dyeing or performing similar work on articles of clothing or household goods, or, with or without furnishing materials or supplies, in making alterations or repairs thereon, or placing any of such articles in storage at the request of the owners thereof, for a price shall have a lien upon any such articles coming into his possession for such purposes for the amount of any account that may be due for such work or storage. Such lien shall also include the value or agreed price, if any, of all materials furnished by the lienor in connection with such work, or storage, whether added to such article or articles or otherwise. If any such account remains unpaid for ninety days after the completion of the work, or after the expiration of the agreed term of storage, if any, or in the absence of such agreement, after the expiration of one hundred and twenty days from the date of storage, the lienor may, upon notice in writing to the owner specifying the amount due and informing him that payment of such amount within thirty days will entitle him to redeem the article or articles covered by such lien, sell the same or any part thereof, at the expiration of thirty days from the date of the notice, at public or bona fide private sale to satisfy the account. The proceeds of the sale, after paying the expenses thereof,

shall be applied in satisfaction of the indebtedness secured by such lien, and the balance, if any, shall be paid over to the owner on demand. Such notice may be served by mail, directed to the owner's last known address, or, if the owner's address be unknown, it may be posted in two public places in the town where he resided at the time such articles were delivered to the lienor. The word "owner" as used herein shall mean the person causing such articles to come into the possession of the lienor. The remedy herein provided to enforce such lien shall be in addition to any other provided by law.

*Approved April 4, 1960.*

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**Chap. 286.** AN ACT AUTHORIZING THE CITY OF FITCHBURG TO GRANT AN EASEMENT UNDER, OVER, ACROSS AND UPON CERTAIN PARK LAND TO THE FITCHBURG GAS AND ELECTRIC LIGHT COMPANY.

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

SECTION 1. The city of Fitchburg may sell and convey to the Fitchburg Gas and Electric Light Company, a Massachusetts corporation with a usual place of business in said city, for such price and on such terms as it may deem advisable, the perpetual right and easement under, over, across and upon a tract of land containing one hundred thousand square feet, more or less, now under the jurisdiction of the board of park commissioners and shown on a plan of the Fitchburg Gas and Electric Light Company, numbered F-1-3207, entitled "Right of Way Across Land of City of Fitchburg Park Department". Said right and easement may include the following:—

1. To erect, relocate, rebuild and maintain one or more lines for the transmission and distribution of high and low voltage electric current, lines for telephone use and such equipment and apparatus as poles, structures or towers with necessary anchors.

2. To excavate for, lay, alter, operate, use and remove one or more gas pipe lines with suitable foundations, manholes, equipment and appurtenances under the surface of said tract.

3. To pass along said tract to and from adjoining lands.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of park commissioners of the city of Fitchburg and by vote of the city council of said city, subject to the provisions of its charter.

*Approved April 4, 1960.*

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**Chap. 287.** AN ACT INCREASING THE AMOUNT PAYABLE FOR BURIAL EXPENSES UNDER THE WORKMEN'S COMPENSATION LAW.

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

Chapter 152 of the General Laws is hereby amended by striking out section 33, as most recently amended by chapter 270 of the acts of 1957, and inserting in place thereof the following section:—*Section 33.* In all cases the insurer shall pay the reasonable expenses of burial not exceeding one thousand dollars.

*Approved April 4, 1960.*

**Chap. 288.** AN ACT RELATIVE TO THE TRAVELING EXPENSES OF THE SECRETARY OF THE BOARD OF REGISTRATION OF ELECTROLOGISTS.

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

Section 60 of chapter 13 of the General Laws, as appearing in section 1 of chapter 625 of the acts of 1958, is hereby amended by striking out, in line 3, the words “ , not exceeding three hundred dollars,” — so as to read as follows:—*Section 60.* There shall be paid by the commonwealth to the secretary of said board a salary of five hundred dollars and his necessary traveling expenses actually incurred in attending to the necessary work of the board, and to each of the other members of the board a salary of two hundred dollars, and his necessary traveling expenses actually incurred in attending the meetings thereof, and such other expenses of the board as are incurred under section fifty-nine and under sections eighty-seven FFF to eighty-seven 000, inclusive, of chapter one hundred and twelve.

*Approved April 6, 1960.*

**Chap. 289.** AN ACT AUTHORIZING SAVINGS BANKS TO MAKE OR ACQUIRE CERTAIN MORTGAGE LOANS, THE NOTES ON WHICH HAVE BEEN GUARANTEED IN PART BY THE ADMINISTRATOR OF VETERANS' AFFAIRS.

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

Section 35 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out paragraph 11 and inserting in place thereof the following:—

11. *Insured or Guaranteed Loans Outside the Commonwealth.*—Any such corporation, subject to regulations made by the commissioner, may make or acquire mortgage loans on real estate located outside the commonwealth, (a) on which the notes have been endorsed for insurance by the federal housing administrator, or combined with secondary mortgages guaranteed in full by the United States of America under the Servicemen's Readjustment Act of nineteen hundred and forty-four, as amended, and (b) on which the notes have been guaranteed in part by the Administrator of Veterans' Affairs as provided by chapter forty-six of the acts of nineteen hundred and forty-five, as amended.

The aggregate balance of principal, outstanding at any one time, in each class of mortgage loans authorized by this paragraph shall not exceed fifteen per cent of the deposits of such corporation, or fifty per cent of the aggregate book value of loans secured by mortgages on real estate located in the commonwealth, whichever is the lesser.

Any amounts authorized but not invested in loans described in class (a) may be invested in loans described in class (b) and any amounts authorized but not invested in loans described in class (b) may be invested in loans described in class (a); provided, that no more than twenty-five per cent of deposits of such corporation shall at any time be invested in any one class, but if such privilege is exercised the aggregate investment authorized by this paragraph shall not exceed the

total book value of loans made by the corporation and secured by mortgages on real estate located in the commonwealth.

Such mortgage loans may be made or acquired notwithstanding the restrictions contained in section fifty-one of chapter one hundred and sixty-seven; provided, that the maximum aggregate investment in mortgages of real estate shall not exceed the limitations prescribed by paragraph 3 of section thirty-four. *Approved April 6, 1960.*

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**Chap. 290.** AN ACT AUTHORIZING THE TOWN OF MANCHESTER TO PAY A SUM OF MONEY TO THE GUILD CONSTRUCTION COMPANY.

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

SECTION 1. The town of Manchester is hereby authorized to appropriate and pay the sum of two thousand twenty-nine dollars and thirty-eight cents to the Guild Construction Company for services rendered and materials supplied to said town, the claim for such sum being legally unenforceable by reason of the failure of said town to invite bids pursuant to law.

SECTION 2. This act shall take effect upon its passage.

*Approved April 6, 1960.*

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**Chap. 291.** AN ACT EXEMPTING CERTAIN LOTS FOR WHICH APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED FROM THE EFFECT OF SUBSEQUENT AMENDMENTS TO ZONING ORDINANCES AND BY-LAWS.

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

Section 7A of chapter 40A of the General Laws, as amended by chapter 221 of the acts of 1959, is hereby further amended by adding at the end the following sentence:—No amendment to any zoning ordinance or by-law shall apply to or affect any lot shown on a plan previously endorsed with the words “approval under the subdivision control law not required” or words of similar import, pursuant to section eighty-one P of chapter forty-one, until a period of three years from the date of such endorsement has elapsed, provided such lot complies with the provisions of the zoning ordinance or by-law existing at the time of said endorsement, and provided further, that a city or town may, in the manner prescribed for in this chapter, increase the permitted uses of any lot shown on such a plan to include other uses.

*Approved April 6, 1960.*

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**Chap. 292.** AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO BORROW MONEY FOR THE PURPOSE OF CONSTRUCTING A NEW CAMBRIDGE CITY HOSPITAL BUILDING OR BUILDINGS IN SAID CITY AND TO EQUIP AND FURNISH THE SAME.

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

SECTION 1. Section 1 of chapter 506 of the acts of 1957 is hereby amended by inserting after the word “buildings”, in line 4, the

words:—, or for the construction of a new hospital building or buildings, and for equipping and furnishing said building or buildings, in another location within the confines of the city,—so as to read as follows:—*Section 1.* For the purpose of constructing an addition to the Cambridge City Hospital, for originally equipping and furnishing said building, and for remodeling or reconstructing the existing hospital buildings, or for the construction of a new hospital building or buildings, and for equipping and furnishing said building or buildings, in another location within the confines of the city, the city of Cambridge may borrow, from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two million five hundred thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Cambridge Hospital Loan, Act of 1957. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof.

*SECTION 2.* This act shall take effect upon its acceptance during the current year by vote of the city council of said city, but not otherwise.

*Approved April 6, 1960.*

**Chap. 293.** AN ACT PROVIDING FOR AN APPEAL FROM THE REFUSAL TO ISSUE A LICENSE TO CARRY FIREARMS.

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

Section 131 of chapter 140 of the General Laws, as most recently amended by section 6 of chapter 296 of the acts of 1959, is hereby further amended by adding at the end the following sentence:—Any person refused a license under this section may obtain judicial review of such refusal by filing, within ten days of such refusal, a petition for review thereof in the district court having jurisdiction in the city or town wherein the applicant filed for said license, and a justice of said court, after having heard all of the facts, may direct that a license be issued the applicant, if he is satisfied that there was no reasonable ground for refusing such license and that the applicant was not prohibited by law from holding the same.

*Approved April 6, 1960.*

**Chap. 294.** AN ACT AUTHORIZING DOMESTIC LIFE INSURANCE COMPANIES TO MAKE REAL ESTATE MORTGAGE LOANS UP TO SEVENTY-FIVE PER CENT OF THE VALUE OF THE MORTGAGED PROPERTY.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the making of loans by domestic life insurance companies on certain estates of up to seventy-five per cent of the fair market value, therefore it is hereby declared



to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Paragraph 7 of section 63 of chapter 175 of the General Laws, as most recently amended by chapter 183 of the acts of 1957, is hereby further amended by striking out, in lines 9 and 10, the words "sixty-six and two thirds" and inserting in place thereof the word:—seventy-five,—so that the second sentence will read as follows:—No loan on such real property or such leasehold estate shall exceed seventy-five per cent of the fair market value thereof at the time of making such loan and a certificate of the value of such property shall be executed before the making of such loan by the persons making or authorizing such loan on behalf of the company, which certificate shall be recorded on the books of the company. *Approved April 7, 1960.*

**Chap. 295.** AN ACT RELATIVE TO THE EFFECTIVE DATE OF ESTABLISHMENT, CANCELLATION OR CHANGE OF ENROLLMENT IN CASES AFFECTING THE MEMBERSHIP OF BI-PARTISAN BOARDS, SO CALLED.

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

SECTION 1. Chapter 4 of the General Laws is hereby amended by inserting after section 11, as appearing in the Tercentenary Edition, the following section:—*Section 12.* Establishment, cancellation or change of enrollment in a political party shall, for the purposes of any law establishing or limiting the number of members of any board, commission or other body who shall or may be members of any political party or the same political party, take effect two years thereafter.

SECTION 2. This act shall not affect the tenure of any person who, on the effective date of this act, is a member of any board, commission or other body. *Approved April 7, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, APRIL 12, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 295 of the Acts of 1960, entitled "An Act Relative to the Effective Date of Establishment, Cancellation or Change of Enrollment in Cases Affecting the Membership of Bi-Partisan Boards, so Called" and the enactment of which received my approval on April 7, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay the creation of effective bi-partisan boards, commissions or other bodies.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, APRIL 12, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and fifteen minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter two hundred and ninety-five of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 296.** AN ACT VALIDATING CERTAIN ACTS AND PROCEEDINGS TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF SUDBURY HELD IN THE CURRENT YEAR RELATIVE TO THE PAYMENT OF CERTAIN SUMS TO DONALD E. SHAY AND CREATING A TRUST IN FAVOR OF DONALD E. SHAY, JR.

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

SECTION 1. The acts and proceedings of the town of Sudbury at the annual town meeting held on March ninth in the current year and at the adjourned session held on March sixteenth in said year appropriating the sum of three thousand dollars and authorizing payment thereof to Donald E. Shay for expenses incurred by him on account of injuries sustained by his minor son, Donald E. Shay, Jr. as a result of an accident involving a school bus operated by said town, and appropriating the further sum of twelve thousand dollars to be held in trust for the benefit of the said Donald E. Shay, Jr., and all acts done in pursuance thereof are hereby in all respects ratified, validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved April 11, 1960.*

**Chap. 297.** AN ACT RELATIVE TO THE TIME FOR THE HOLDING OF THE ANNUAL TOWN ELECTION AND TOWN MEETING IN THE TOWN OF AGAWAM.

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

SECTION 1. Notwithstanding any contrary provision of general or special law the regular town election of the town of Agawam for the purpose of electing town officers for the year ensuing, and for the submission of questions to the voters of the town, if required to be sub-

mitted thereat, shall be held on the first Tuesday after the third Monday in November of each year, or at such other time in November or December as the voters of said town may determine by a ballot vote at an annual town meeting. The town officers elected thereat shall hold office from the second Monday of the following January until their successors are elected and qualified. The warrant for such annual election and the purposes thereof may be posted separately from the warrant for the annual town meeting for the transaction of all other town business to be held in the month of January, February or March of the following year, but said annual election shall be considered as part of said annual town meeting.

SECTION 2. Notwithstanding any contrary provision of general or special law, the annual meeting of the town of Agawam for the raising and appropriating of money necessary to defray town charges and pay any indebtedness of the town and for other proper purposes shall be held on the second Saturday in January of each year, or at such other time in January, February or March as the voters of said town may determine by a ballot vote at an annual town meeting.

SECTION 3. The terms of office of all elected town officers of the town of Agawam which expire in February, nineteen hundred and sixty-two, shall expire on January the eighth of said year at eleven o'clock antemeridian. Thereafter the terms of all elected town officers shall terminate at eleven o'clock antemeridian on the second Monday of January in the year in which their terms expire.

SECTION 4. This act shall be submitted for acceptance to the registered voters of the town of Agawam at the biennial state election in the current year, in the form of the following question, which shall be placed upon the official ballot to be used at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act relative to the time for the holding of the annual town election and town meeting in the town of Agawam', be accepted?"

If a majority of the voters voting thereon vote in the affirmative, this act shall take effect for all purposes incidental to the annual town election for the election of officers for the year nineteen hundred and sixty-two, which election shall be held on the first Tuesday after the third Monday of November, nineteen hundred and sixty-one, and shall take full effect beginning with said election.

*Approved April 11, 1960.*

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**Chap. 298.** AN ACT RELATIVE TO INTEREST ON DAMAGES IN CIVIL ACTIONS.

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

SECTION 1. Chapter 79 of the General Laws is hereby amended by striking out section 37, as amended by chapter 641 of the acts of 1956, and inserting in place thereof the following section:—*Section 37.* Damages under this chapter shall bear interest at the rate of four per cent per annum from the date as of which they are assessed until paid, except as herein otherwise provided. Interest shall be added by the clerk of the court to the damages expressed in a verdict,

finding, or order for judgment on an auditor's report. An award shall not bear interest after it is payable unless the body politic or corporate liable therefor fails upon demand to pay the same to the person entitled thereto.

SECTION 2. Section 11 of chapter 229 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "added", in line 5, the words:—by the clerk of the court,—so as to read as follows:—*Section 11.* In any civil action in which a verdict is given or a finding made for pecuniary damages for the death, with or without conscious suffering, of any person, whether or not such person was in the employment of the defendant against whom the verdict is rendered or finding made, there shall be added by the clerk of the court to the amount of the damages interest thereon from the date of the writ, even though such interest brings the amount of the verdict or finding beyond the maximum liability imposed by law.

SECTION 3. Section 6B of chapter 231 of the General Laws, as amended by chapter 244 of the acts of 1951, is hereby further amended by inserting after the word "made", in line 2, the words:—or an order for judgment made on the report of an auditor,—so as to read as follows:—*Section 6B.* In any action of tort in which a verdict is rendered or a finding made or an order for judgment made on the report of an auditor for pecuniary damages for personal injuries to the plaintiff or for consequential damages, or for damage to property, there shall be added by the clerk of court to the amount of damages interest thereon from the date of the writ, even though such interest brings the amount of the verdict or finding beyond the maximum liability imposed by law.

*Approved April 11, 1960.*

**Chap. 299.** AN ACT REDEFINING THE WORD "VETERAN".

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

The first paragraph of clause Forty-third of section 7 of chapter 4 of the General Laws, as appearing in section 1 of chapter 627 of the acts of 1954, is hereby amended by striking out, in lines 7 to 10, inclusive, the words "provided that ten days thereof was for wartime service, unless for wartime service of a lesser period he was awarded a service-connected disability or a Purple Heart".

*Approved April 11, 1960.*

**Chap. 300.** AN ACT RELATIVE TO THE VOTING RIGHTS OF CERTAIN PERSONS RECEIVING PUBLIC AID.

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

The last paragraph of section 1 of chapter 51 of the General Laws, added by chapter 206 of the acts of 1932, is hereby amended by striking out, in lines 10 to 13, inclusive, the words "given temporarily, or partial support continuously, to him or his family, or who receives assistance under the provisions of chapter one hundred and eighteen A".

*Approved April 11, 1960.*

**Chap. 301.** AN ACT AUTHORIZING THE ENACTMENT OF ORDINANCES PROVIDING FOR SALARY AND WAGE INCREASES DURING THE MONTH OF NOVEMBER IN NON-MUNICIPAL ELECTION YEARS.

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

Section 33A of chapter 44 of the General Laws, as most recently amended by chapter 358 of the acts of 1955, is hereby further amended by striking out, in line 11, the words "month of" and inserting in place thereof the words:—months of November and.

*Approved April 11, 1960.*

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**Chap. 302.** AN ACT INCREASING THE ANNUAL AMOUNT OF CERTAIN PENSIONS PAYABLE UNDER THE BOSTON RETIREMENT SYSTEM TO WIDOWS OF FIRE FIGHTERS AND POLICE OFFICERS TO FIFTEEN HUNDRED DOLLARS.

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

SECTION 1. Effective as of April first in the current year, the amount of every pension being paid to a widow of a fire fighter or police officer under section fifteen of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, shall be increased to fifteen hundred dollars per year.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

*Approved April 11, 1960.*

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**Chap. 303.** AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW RELATING TO TRANSFER OF ACTIONS FOR TRIAL BY THE SUPERIOR COURT TO THE DISTRICT COURTS.

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

Section 102C of chapter 231 of the General Laws, inserted by section 3 of chapter 369 of the acts of 1958, is hereby amended by striking out the third and fourth paragraphs and inserting in place thereof the following two paragraphs:—

Such action shall, unless retransferred as hereinafter provided, be pending in the district court and shall be tried by a full-time justice of the district court or by a justice authorized for such service in accordance with section seventy-seven A of chapter two hundred and eighteen. The parties shall have the benefits of and be subject to procedural rules of such district courts relative to interrogatories, specifications, amendments and all other procedural matters regulating cases pending in such district courts. The justice shall file a written decision or finding with the clerk who shall forthwith notify the parties or counsel of record. Any party to the action aggrieved by the finding or decision may as of right have the case retransferred for determination by the superior court. The request for retransfer shall be filed with the clerk of said district court within ten days after notice of the decision or finding. If either party neglects to appear at the time appointed for such trial, or at any adjournment thereof,

without just cause, or if at any such time either party refuses to produce in good faith the testimony relied on by him, the justice may close the trial and order that judgment be entered for the adverse party and file a finding or decision to that effect, and if both so fail to appear he may order that the action be dismissed. Judgment shall be entered accordingly at the first judgment day after the expiration of ten days from the filing of such finding or decision or order of dismissal, unless said justice for cause shown otherwise orders.

Upon the filing with the clerk of a request for retransfer, the decision or finding shall be forthwith transmitted, with any original papers received from the superior court and any original papers filed in the district court after transfer of the case by the superior court, to the clerk of the superior court of the county from which the case was referred. The clerk of the superior court shall forthwith notify the parties or counsel of record of the receipt and filing of said finding or decision.

*Approved April 11, 1960.*

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**Chap. 304.** AN ACT RELATIVE TO FLYING THE FLAG OF THE COMMONWEALTH AT HALF-STAFF ON STATE-OWNED OR STATE-CONTROLLED BUILDINGS AND ON STATE INSTALLATIONS.

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

Chapter 2 of the General Laws is hereby amended by inserting after section 6 the following section:—*Section 6A.* The flag of the commonwealth shall be flown at half-staff at or on the main or administration building of each public institution of the commonwealth, at or on each other state-owned or state-controlled building, and at all state military installations on the following occasions for the periods indicated:—

(a) On all occasions upon which the national flag is flown at half-staff and for the same period of time;

(b) On the death of a governor or ex-governor of the commonwealth for thirty days from the day of death;

(c) On the death of a lieutenant-governor, secretary, treasurer and receiver-general, attorney general, or auditor of the commonwealth, from the day of death until sunset of the day of interment;

(d) On the death of a senator in congress from the commonwealth, from the day of death until sunset of the day of interment;

(e) On the death of a representative in congress from the commonwealth, the flag of the commonwealth shall be flown at half-staff at the aforementioned sites in the representative's congressional district from the day of death until sunset of the day of interment;

(f) In the event of the death of other elected officials or former elected officials of the commonwealth, from the day of death until sunset of the day of interment in accordance with such orders or instructions as may be issued by or at the direction of the governor; and

(g) In the event two or more of the aforementioned periods coincide in full or in part, the state flag shall be displayed at half-staff for such period as will comply with the above provisions without resulting in an additional and separate period of such display for each such death.

*Approved April 11, 1960.*

**Chap. 305.** AN ACT PROVIDING FOR THE RESUMPTION BY THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY OF SUMMER PASSENGER SERVICE ON CERTAIN FORMER LINES OF THE OLD COLONY RAILROAD COMPANY.

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

SECTION 1. All other provisions of law to the contrary notwithstanding, the mass transportation commission is hereby authorized and directed to execute, in the name and on behalf of the commonwealth, a contract with The New York, New Haven and Hartford Railroad Company conforming substantially to the form of contract entitled "Contract Covering Certain Cape Cod Summer Passenger Service", April, 1960, a copy of which is on file with the department of public utilities and which is made a part hereof by reference, and in the name and on behalf of the commonwealth to do any and all such acts and things as may be contemplated therein and herein.

SECTION 2. Upon the execution of said contract by the parties thereto the summer passenger service of said railroad company on the former lines of the Old Colony Railroad Company within the commonwealth, to and from the city of New York and Woods Hole in the town of Falmouth and Hyannis in the town of Barnstable and intermediate points in the commonwealth, shall be resumed and operated thereafter with such service connecting therewith to and from the city of Boston as may be provided for in said contract, but subject wholly to all the terms, provisions and conditions of said contract.

SECTION 3. This act shall take effect upon its passage.

*Approved April 12, 1960.*

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**Chap. 306.** AN ACT EXTENDING THE COVERAGE OF WORKERS UNDER THE WORKMEN'S COMPENSATION ACT TO INCLUDE FARM LABORERS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that all farm laborers, be included within the provisions of the workmen's compensation act and be afforded the protection of said act during the current year agricultural season, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and welfare.

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

Paragraph (4) of section 1 of chapter 152 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 680 of the acts of 1956, and inserting in place thereof the following paragraph:—

The provisions of this chapter shall remain elective as to the employers of the following:—

(a) Persons other than laborers, workmen and mechanics employed by religious, charitable or educational institutions.

(b) Seasonal or casual or part-time domestic servants. For the purposes of this paragraph, a part-time domestic servant is one who

works in the employ of the employer less than sixteen hours per week.

(c) Persons other than farm laborers and other than workers engaged in hazardous employment as determined herein, employed by employers of three or less persons. The commissioner of labor and industries or his duly designated representative shall periodically conduct hearings for the purpose of determining what constitutes hazardous employment. Such hearings shall be held in accordance with the requirements of chapter thirty A. Upon a determination by the said commissioner or his duly designated representative that a particular employment is hazardous, promulgation thereof shall be made by the commissioner stating what employments have been determined to be hazardous. Within ninety days after the date of a promulgation that a certain employment is determined to be hazardous, all employees therein shall, unless specifically exempted by any other provision of law, be required to be covered under this chapter.

*Approved April 12, 1960.*

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**Chap. 307.** AN ACT TO PROVIDE FOR APPROVAL OF NON-GROUP AND GROUP MEDICAL SERVICE AGREEMENTS AND FURTHER REGULATING THE ISSUANCE OF SUBSCRIPTION CERTIFICATES.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for approval of non-group and group medical service agreements between medical service corporations, their subscribers and participating physicians, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 176B of the General Laws is hereby amended by striking out section 4, as most recently amended by chapter 130 of the acts of 1959, and inserting in place thereof the following section:—  
*Section 4.* Any medical service corporation may enter into contracts with its subscribers and with participating physicians, dentists and chiropodists (podiatrists) licensed under the laws of the commonwealth, for such medical and surgical services as may lawfully be rendered by them to the subscribers and to their dependents, and may pay for such services. The form of agreement with participating physicians, dentists and chiropodists (podiatrists) and the rates at which participating physicians, dentists and chiropodists (podiatrists) are compensated for their services to the subscribers or to covered dependents, shall at all times be subject to the written approval of the commissioner.

Any agreement between a medical service corporation and a person whereby such corporation undertakes to furnish benefits for medical service to said person and his covered dependents, if any, shall be considered a non-group medical service agreement. Under such an agreement the form of subscription certificate and the rates charged by such corporation to the subscribers shall be filed with and receive the prior approval of the commissioner. No such agreement shall be approved if he finds that the benefits provided therein are unreasonable



in relation to the rate charged, nor if the rates charged are excessive, inadequate or unfairly discriminatory.

Any agreement between a medical service corporation and a group of five or more persons or with the employer, employers or other representatives of such group whereby the medical service corporation undertakes to furnish benefits for medical service to said persons and to their covered dependents, if any, shall be considered a group medical service agreement.

Under such a group medical service agreement, subscription certificates and the rates charged by the corporation to the subscribers shall be filed with the commissioner within thirty days after their effective date, and shall be subject to subsequent disapproval by the commissioner if he finds that the benefits provided therein are unreasonable in relation to the rate charged, or that the rates charged are excessive, inadequate or unfairly discriminatory.

Nothing in this section shall be construed to prohibit as unreasonable or unfairly discriminatory the establishment of classifications or modifications of classifications of risks based upon size, expense, management, individual experience, purpose, location or dispersion of hazard or any other reasonable considerations, or to prohibit retrospective refunds. Acquisition costs in connection with the solicitation of subscribers and costs of administration shall at all times be limited to such amounts as the commissioner shall approve.

SECTION 2. Section 6 of said chapter 176B is hereby amended by striking out the first sentence, as appearing in chapter 306 of the acts of 1941, and inserting in place thereof the following sentence:—A subscription certificate shall be issued by a medical service corporation to each non-group subscriber.

*Approved April 12, 1960.*

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**Chap. 308.** AN ACT VALIDATING AND CONFIRMING THE LOCATION AND LAYING OUT OF PUBLIC WAYS IN THE CITY OF LEOMINSTER.

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

SECTION 1. The location and laying out of all highways and other ways in the city of Leominster during the years nineteen hundred and thirty-three to nineteen hundred and fifty-nine, inclusive, by the city council of said city, in so far as such location and laying out may be invalid by reason of failure to comply with the provisions of chapters seventy-nine, eighty and eighty-two of the General Laws, is hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved April 12, 1960.*

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**Chap. 309.** AN ACT AUTHORIZING THE CITY OF QUINCY TO PAY A SUM OF MONEY TO ALBERT H. COCHRANE.

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

SECTION 1. For the purpose of discharging a moral obligation, the city of Quincy is hereby authorized to pay to Albert H. Cochrane, for

services of special value rendered to the public schools in the city of Quincy, a sum of money, not exceeding nine hundred and ninety-six dollars, out of funds appropriated for school purposes or available federal funds provided by Public Law 874.

SECTION 2. This act shall take effect upon its passage.

*Approved April 12, 1960.*

**Chap. 310.** AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF FALMOUTH MAY BORROW MONEY FOR SEWERAGE PURPOSES.

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

SECTION 1. Section 1 of chapter 97 of the acts of 1958 is hereby amended by striking out, in line 5, the word "two" and inserting in place thereof the word:—seven,—so as to read as follows:—*Section 1.* For the purpose of paying the necessary expenses and liabilities incurred or to be incurred by the town of Falmouth under authority of chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-eight and the amendments thereto, said town of Falmouth may borrow, from time to time, within seven years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, seven hundred and fifty thousand dollars and may issue bonds or notes therefor, which shall bear on the face thereof the words, Falmouth Sewer Loan, Act of 1958. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be outside the statutory limit but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Any action taken by the town of Falmouth at its annual town meeting in the current year pursuant to authority contained in section one shall be valid and effective for all purposes as though this act were in effect at the time of the posting of the warrant for said annual town meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved April 12, 1960.*

**Chap. 311.** AN ACT FURTHER REGULATING THE DISTRIBUTION OF OBSCENE PUBLICATIONS.

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

Section 28B of chapter 272 of the General Laws, as amended by section 2 of chapter 492 of the acts of 1959, is hereby further amended by inserting after the word "impure", in line 4, the following words:— , or whoever, being a wholesale distributor, a jobber, or publisher sends or delivers to a retail storekeeper a book, pamphlet, magazine or other form of printed or written material, knowing it to be obscene, indecent or impure, which said storekeeper had not previously ordered in writing, specifying the title and quantity of

such publication he desired,—so as to read as follows:—*Section 28B.* Whoever imports, prints, publishes, sells, loans or distributes, or buys, procures, receives, or has in his possession for the purpose of sale, loan or distribution, a book, knowing it to be obscene, indecent or impure, or whoever, being a wholesale distributor, a jobber, or publisher sends or delivers to a retail storekeeper a book, pamphlet, magazine or other form of printed or written material, knowing it to be obscene, indecent or impure, which said storekeeper had not previously ordered in writing, specifying the title and quantity of such publication he desired, shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or by a fine of not less than one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment in jail or the house of correction.

*Approved April 12, 1960.*

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**Chap. 312.** AN ACT RELATIVE TO THE PENALTY FOR ABSENCE WITHOUT LEAVE FROM A DORMITORY OR PLACE OF EMPLOYMENT OF CERTAIN PERSONS UNDER THE JURISDICTION OF THE COMMISSIONER OF CORRECTION.

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

Chapter 127 of the General Laws is hereby amended by striking out section 86C, inserted by section 18 of chapter 715 of the acts of 1956, and inserting in place thereof the following section:—*Section 86C.* Any person who leaves such dormitory or his employment without permission may be arrested and returned to such dormitory or to the Massachusetts Correctional Institution, Bridgewater, by order of the commissioner. The commissioner may order the arrest of such person by any state police officer or any officer qualified to serve civil or criminal process in any county, and the return of such person to the dormitory or the Massachusetts Correctional Institution, Bridgewater. A person who has been so returned shall be detained therein according to the terms of his original sentence and during the period of time absent without permission from the dormitory or his employment and during the period of time elapsed before his return to the dormitory or to the Massachusetts Correctional Institution, Bridgewater, shall not be considered as having served any part of the term of his original sentence.

*Approved April 12, 1960.*

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**Chap. 313.** AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO INVESTIGATION OF NEGLECTED CHILDREN AND FOR THE REPEAL OF THE REQUIREMENTS OF REPORTS OF AND VISITS TO MINOR CHILDREN SUPPORTED AT THE EXPENSE OF A TOWN.

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

SECTION 1. Chapter 77 of the General Laws is hereby amended by striking out section 13, as amended by section 2 of chapter 231 of the

acts of 1954, and inserting in place thereof the following section:—  
*Section 13.* Supervisors of attendance shall inquire into all cases arising under section eight of chapter seventy-two, sections one, two, four to eleven, inclusive, and fifteen of chapter seventy-six, sections three, four, five and eight of this chapter and sections ninety, ninety-two, ninety-three and ninety-five of chapter one hundred and forty-nine, and may make complaints and serve legal processes issued under this chapter. They shall, if the court so orders, have oversight of children placed on probation under section seven; of minors licensed by the school committee under section nineteen of chapter one hundred and one; and of children admitted to or attending shows or entertainments contrary to section one hundred and ninety-seven of chapter one hundred and forty. They may apprehend and take to school without a warrant any truant or absentee found wandering in the streets or public places.

SECTION 2. Section thirty-three of chapter one hundred and seventeen of the General Laws is hereby repealed.

SECTION 3. Sections eight and sixteen of chapter one hundred and twenty-one of the General Laws are hereby repealed.

*Approved April 12, 1960.*

**Chap. 314.** AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF EMPLOYMENT SECURITY TO ISSUE A CHECK TO MARCUS E. HENNEBERY.

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

Notwithstanding the provisions of section thirty-two of chapter twenty-nine of the General Laws, the director of the division of employment security is hereby authorized and directed to issue, in lieu of a check numbered H-962310, dated January eighth, nineteen hundred and fifty-three, payable to and endorsed by Louis Dimo of West Warren, S. S. Account No. 029-09-5605, a new check in the amount of twenty-five dollars payable to the order of Marcus E. Hennebery of said West Warren, the present holder of the check numbered H-962310, upon surrender by him of said check.

*Approved April 12, 1960.*

**Chap. 315.** AN ACT PROHIBITING TRESPASSING UPON LAND APPURTENANT TO A COUNTY COURTHOUSE.

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

Chapter 266 of the General Laws is hereby amended by striking out section 123, as most recently amended by chapter 213 of the acts of 1959, and inserting in place thereof the following section:—*Section 123.* Whoever wilfully trespasses upon land or premises belonging to the commonwealth appurtenant to the state prison, state prison colony, Massachusetts reformatory, reformatory for women, state farm, Tewksbury hospital, Soldiers' Home in Massachusetts, Soldiers'

Home in Holyoke, any public institution for the care of insane, feeble minded or epileptic persons, any Massachusetts training school or state charitable institution, or upon land or premises belonging to any county appurtenant to a jail, house of correction, or courthouse, or whoever, after notice from an officer of any of said institutions to leave said land, remains thereon, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than three months.

*Approved April 12, 1960.*

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**Chap. 316.** AN ACT PROVIDING THAT POLL TAX BILLS HAVE PRINTED THEREON A NOTICE OF THE PERSONS ENTITLED TO EXEMPTION THEREFROM, AND A CERTIFICATE FOR THE USE OF ANY PERSON CLAIMING SUCH EXEMPTION.

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

Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Seventeenth A, as most recently amended by chapter 358 of the acts of 1953, and inserting in place thereof the following clause:—

Seventeenth A, The poll of every male inhabitant of the commonwealth who is sixty-five years of age or over, or who, during the preceding calendar year, was a recipient of old age assistance or of aid furnished by a municipality from funds appropriated by it for the relief, support, maintenance and employment of the poor; provided, that such inhabitant makes written request for the exemption of his poll. Notice of the exemption provided herein shall be printed on the face of each poll tax bill together with a certificate to be executed, delivered or mailed by an inhabitant requesting such exemption to the board of assessors. If a male inhabitant who is sixty-five years of age or over shall in any year make such request, such request shall be deemed to continue in effect for subsequent years unless such inhabitant shall otherwise direct in writing. *Approved April 12, 1960.*

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**Chap. 317.** AN ACT TO CLARIFY THE STATUS OF BUILDINGS SITUATED ON LAND OF THE MARTHA'S VINEYARD CAMP MEETING ASSOCIATION IN OAK BLUFFS FOR PURPOSES OF THE OLD AGE ASSISTANCE LAWS.

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

All dwelling houses and other buildings erected on or affixed to the grounds of the Martha's Vineyard Camp Meeting Association, situated in the town of Oak Bluffs, which association was incorporated by chapter one hundred and seventy-six of the acts of eighteen hundred and sixty-eight, shall, for the purposes of chapter one hundred and eighteen A of the General Laws, be considered real estate and any instrument creating a lien as provided in section four of said chapter shall be recorded in accordance with the provisions of said section.

*Approved April 12, 1960.*

**Chap. 318.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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

SECTION 1. To provide for supplementing certain appropriations previously made, and for certain new activities and projects, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine.

SECTION 2.

**STATE PURPOSES APPROPRIATIONS.**

**APPROPRIATIONS MADE FROM THE GENERAL FUND.**

**Service of the Legislature.**

*Senate.*

Item		
0101-02	For the salary of the clerk of the senate . . .	\$1,500 00
0101-03	For the salary of the assistant clerk of the senate . . .	1,120 00
0101-04	For clerical assistance to the clerk of the senate, including not more than two permanent positions . . .	2,000 00
0101-06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions . . .	3,600 00
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate . . .	1,000 00
0101-60	For traveling and such other expenses of the committees of the senate as may be authorized by order of the senate . . .	1,100 00

*House of Representatives.*

0102-02	For the salary of the clerk of the house of representatives . . .	\$1,500 00
0102-03	For the salary of the assistant clerk of the house of representatives . . .	1,120 00
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions . . .	16,770 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions . . .	3,500 00
0102-53	For expenses of the counsel to the house of representatives . . .	1,500 00
0102-60	For traveling and such other expenses of the committees of the house of representatives as may be authorized by order of the house of representatives . . .	500 00

*Sergeant-at-Arms.*

Item		
0103-01	For the salary of the sergeant-at-arms	\$225 00
0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than thirty-six permanent positions	39,000 00
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than twenty-four permanent positions	38,712 00
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	6,075 00
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	10,000 00
0103-52	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	200 00

*Other Expenses.*

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	\$50,000 00
0110-05	For telephone service, prior appropriation continued	5,000 00
0110-11	For the compilation, indexing, annotating, printing and distribution of veterans' laws subject to the joint committee on rules, as provided by a joint order	3,000 00
0110-30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	1,000 00
0110-75	For expenses of the committee on redistricting, as authorized by a joint order	10,000 00
0110-76	For an investigation and study of the correctional system of the commonwealth, as authorized by joint orders, for the year nineteen hundred and sixty and the previous year	5,000 00

*Special Investigations.*

0210-00	For an investigation and study relative to the establishment of a southeastern Massachusetts water district, as authorized by chapter seventy-seven of the resolves of nineteen hundred and fifty-nine	\$18,400 00
0257-14	For an investigation and study relative to the systems of sewage and sewerage disposal in the north and south metropolitan sewer districts and the city of Boston, and the water systems in said districts, as authorized by chapter sixty-three of the resolves of nineteen hundred and fifty-nine, to be assessed as provided in chapter one hundred and forty-four of the resolves of nineteen hundred and fifty-seven	20,000 00

*Service of the Judiciary.**Superior Court.*

0305-11	For compensation of justices of district courts while sitting in the superior court	\$891 00
0305-12	For expenses of justices of district courts while sitting in the superior court, for the year nineteen hundred and sixty and the previous year	4,759 00

*Probate and Insolvency Courts.*

Item

For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:

*Hampden:*

- 0327-04 Clerical assistance to register, including not more than thirteen permanent positions . . . . . \$1,938 00

*Land Court.*

- 0340-02 Item 0340-02 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in lines one and two, the word "forty-three" and inserting in place thereof the word:—  
forty-four . . . . . \$2,285 00

*District Attorneys.*

- 0354-01 Item 0354-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "four" and inserting in place thereof the word:—six . . . \$3,250 00

*Service of the Executive Department.*

*Extraordinary Expenses.*

- 0405-01 For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided that requests for such transfers shall be referred to the commission on administration and finance which, after investigation, shall submit for the approval of the governor and council its written recommendation as to the amount of funds required, with facts pertinent thereto . . . . . \$25,000 00
- 0405-26 For the purpose of printing the official papers of a former governor . . . . . 12,000 00

*Civil Defense Agency.*

- 0406-01 For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one, prior appropriation continued . . . . . \$28,482 00

*Conference on Youth Fitness.*

- 0407-01 For expenses of the governor's committee on youth fitness . . . . . \$2,000 00

*Service of the Military Division.*

*Adjutant General.*

- 0420-02 For the office of the adjutant general, including not more than thirty-eight permanent positions . . . . . \$300 00

*State Quartermaster.*

- 0423-02 For the operation of armories of the first class, including not more than ninety permanent positions . . . . . \$15,000 00



## Boards and Commissions serving under Governor and Council.

*Commission on Administration and Finance.*

Item		
0441-01	For the office of the commissioner of administration, including not more than fourteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and six thousand and sixty-one dollars from the Highway Fund . . . . .	\$26,000 00
0442-01	For the bureau of the comptroller, including not more than one hundred and seventeen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and seventy-eight thousand two hundred and ninety-four dollars from the Highway Fund . . . . .	12,251 00
0443-01	For the bureau of the budget commissioner, including not more than fourteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of thirty-two thousand two hundred dollars from the Highway Fund . . . . .	10,316 00
0444-01	For the bureau of the purchasing agent, including not more than seventy-four permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and seven thousand six hundred and forty-five dollars from the Highway Fund . . . . .	3,500 00
0444-04	For the rental of space and for other expenses of the operation and supervision of a passenger automobile pool, under regulations to be approved by the commission on administration and finance . . . . .	4,000 00
0448-01	For administration of the state employees' group insurance, including not more than eleven permanent positions . . . . .	500 00

*State Superintendent of Buildings.*

0450-01	For the office of the superintendent of buildings and for the maintenance of the state house and Ford building, including not more than one hundred and sixty-nine permanent positions . . . . .	\$48,500 00
0450-30	For certain renovations in the state house, including the cost of furnishings and equipment, appropriation expires June thirtieth, nineteen hundred and sixty-one . . . . .	25,000 00

*Massachusetts Commission Against Discrimination.*

0462-01	For the service of the Massachusetts Commission Against Discrimination, including not more than fourteen permanent positions . . . . .	\$2,500 00
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*New England Board of Higher Education.*

0476-02	For payments to medical or dental schools on acceptance of certain Massachusetts students, as authorized by the New England Board of Higher Education, prior appropriation continued . . . . .	\$82,000 00
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*Medical, Dental and Nursing Scholarship Board.*

0479-02	Item 0479-02 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by adding at the end the following:—, for the year nineteen hundred and sixty and the previous year . . . . .	\$200 00
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*State Housing Board.*

0483-01	For the service of the board including not more than thirteen permanent positions; provided, that the compensation and expenses for legal services payable from this item shall be limited to ten thousand dollars and shall be by direction and under the control of the attorney general . . . . .	\$5,500 00
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*Commissioner of Veterans' Services.*

Item		
0485-02	For the office of the commissioner, and for the administration of the veterans' bonus act, so called, including not more than eighty-three permanent positions . . . . .	\$1,800 00
0485-03	For the payment of annuities to certain disabled veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, prior appropriation continued . . . . .	3,510 00

*Massachusetts Aeronautics Commission.*

0490-02	For the service of the commission, including not more than nine permanent positions . . . . .	\$1,064 00
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*Massachusetts Rehabilitation Commission.*

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued . . . . .	\$10,000 00
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*Service of the Treasurer and Receiver-General.*

0601-02	Item 0601-02 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out the wording and inserting in place thereof the following:— For the office of the treasurer and receiver-general, including not more than fifty-eight permanent positions, and to authorize the adjustment of certain accounts and the charging against this appropriation of the net amount of one thousand three hundred and ten dollars and sixty-seven cents, certified by the auditor of the commonwealth to be the amount necessary to correct certain accounting discrepancies; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and thirty-nine thousand two hundred and fourteen dollars from the Highway Fund . . . . .	\$1,311 00
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*State Board of Retirement.*

0604-01	For the administrative office of the board, including not more than twenty permanent positions . . . . .	\$4,785 00
0604-03	Item 0604-03 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line five, the words "eight hundred and twenty-five thousand" and inserting in place thereof the following:—one million fifty thousand . . . . .	1,500,000 00

*Emergency Finance Board.*

0605-01	For administrative expenses of the board, including not more than one permanent position . . . . .	\$6,000 00
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*Service of the Auditor of the Commonwealth.*

0701-02	For the office of the auditor, including not more than forty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of ninety-five thousand four hundred and seventeen dollars from the Highway Fund . . . . .	\$21,000 00
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**Service of the Department of the Attorney General.**

- | <i>Item</i> |   |           |
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| 0801-02     | Item 0801-02 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "forty-one" and inserting in place thereof the word:—forty-two   | \$900 00  |
| 0802-01     | For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees; provided, that the comptroller shall transfer to the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds . . . . . | 30,000 00 |

**Service of the Department of Agriculture.***Division of Dairying and Animal Husbandry.*

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| 0905-04 | For matching certain federal funds allocated to the department for a program of quality improvement of dairy products . . . . . | \$300 00 |
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*Division of Livestock Disease Control.*

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| 0907-08 }<br>0907-07 } | From the unexpended balance remaining in item 0907-08 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, the sum of five thousand dollars is hereby transferred and made available for the purpose of item 0907-07 of said section two of said chapter four hundred and thirty-three. |  |
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**Service of the Department of Natural Resources.***Division of Forests and Parks.*

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|---------|---|------------|
| 1002-31 | For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles under any general or special law, and including not more than eighteen permanent positions . . . . . | \$2,205 00 |
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*Division of Law Enforcement.*

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| 1003-03 | For conservation officers, including not more than thirty-nine permanent positions; provided, that the comptroller shall transfer to the General Fund a sum equal to fifty per cent of the payments made under this item from the Inland Fisheries and Game Fund, as provided by section three A of chapter one hundred and thirty-one of the General Laws . . . . . | \$2,000 00 |
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*Division of Water Resources.*

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| 1010-23 | For certain studies, as authorized by chapters fifty, fifty-four and eighty-three of the resolves of nineteen hundred and fifty-nine, to be in addition to any federal funds available for the purpose . . . . . | \$15,000 00 |
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**Service of the Department of Banking and Insurance.***Division of Banks.*

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| 1101-02 | For the office of the commissioner, including not more than one hundred and sixty-five permanent positions . . . . . | \$69,100 00 |
| 1102-01 | For the office of the supervisor of loan agencies, including not more than eleven permanent positions . . . . .      | 26,740 00   |

*Division of Insurance.*

Item		
1103-02	For the service of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, and including not more than two hundred and forty-five permanent positions; provided, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that the comptroller shall transfer to the General Fund the sum of two hundred and sixty-four thousand six hundred and seventy-four dollars from the Highway Fund . . . . .	\$22,400 00

**Service of the Department of Corporations and Taxation.**

*Division of Accounts.*

1203-12	For the expenses of certain books, forms and other material which may be sold to cities and towns requiring the same for maintaining their system of accounts . . . . .	\$10,000 00
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*Appellate Tax Board.*

1204-01	For the service of the board, including not more than twenty-nine permanent positions . . . . .	\$4,000 00
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**Service of the Department of Education.**

1301-02	For the office of the commissioner, including not more than seventy-five permanent positions . . . . .	\$250 00
1301-03	Item 1301-03 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line fourteen, the words "two hundred and thirty-five" and inserting in place thereof the following:—three hundred and fifty.	
1301-10	For the service of the state building on Newbury Street, Boston, including not more than five permanent positions . . . . .	1,000 00
1301-32	For assistance to children of certain war veterans, prior appropriation continued, as authorized by section seven B of chapter sixty-nine of the General Laws and corresponding provisions of earlier laws . . . . .	25,000 00

*Division of Immigration and Americanization.*

1315-01	For the service of the division, including not more than seventeen permanent positions . . . . .	\$425 00
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*Division of the Blind.*

1317-08	For aiding the adult blind, subject to the conditions provided by law, including the cost of certain medical assistance and supplies, prior appropriation continued . . . . .	\$115,000 00
1317-11	For the operation of local shops, including not more than eleven permanent positions . . . . .	2,000 00
1317-17	For the operation of a workshop for the blind in the city of Springfield, as authorized by chapter six hundred and sixty-six of the acts of nineteen hundred and fifty-one, including not more than three permanent positions . . . . .	2,700 00

*Massachusetts Maritime Academy.*

1327-10	For maintenance of the academy and ship, including not more than forty-nine permanent positions, with the approval of the commissioner of education . . . . .	\$5,250 00
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*For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:*

Item		
1330-01	Item 1330-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the words "one hundred and nine" and inserting in place thereof the words:—one hundred and twenty-five.	
1331-01	Item 1331-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "ninety" and inserting in place thereof the words:—one hundred and two	\$2,000 00
1332-01	Item 1332-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "eighty-nine" and inserting in place thereof the word:—ninety.	
1334-01	Item 1334-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "thirty-eight" and inserting in place thereof the word:—forty-four.	
1335-01	Item 1335-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in lines one and two, the word "eighty-one" and inserting in place thereof the word:—ninety-eight.	5,200 00
1336-01	Item 1336-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "sixty-two" and inserting in place thereof the word:—sixty-five.	
1337-01	Item 1337-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "sixty-six" and inserting in place thereof the word:—eighty-two	15,000 00
1338-01	Item 1338-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in lines one and two, the words "one hundred and nine" and inserting in place thereof the words:—one hundred and twenty-three.	
1339-01	Item 1339-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in lines one and two, the word "forty-three" and inserting in place thereof the word:—forty-six.	

*For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof:*

1340-01	Item 1340-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "fifty-four" and inserting in place thereof the word:—sixty-three.	
1342-01	Item 1342-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "forty-nine" and inserting in place thereof the word:—sixty.	

*Lowell Technological Institute of Massachusetts.*

1345-22	For a certain program designed to encourage students in the field of science . . . . .	\$5,000 00
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*University of Massachusetts.*

Item

- 1350-01 Item 1350-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in lines two and three, the words "one thousand one hundred and twenty-six" and inserting in place thereof the words:—one thousand two hundred and six.
- 1350-37 For the purchase and installation of equipment for the public health building, to be in addition to the amount appropriated in item 8654-11 of section two of chapter six hundred and sixty of the acts of nineteen hundred and fifty-three . . . . . \$18,000 00

*Regional Community College.*

- 1360-40 Regional community college at Pittsfield, appropriation expires June thirtieth, nineteen hundred and sixty-one \$82,950 00

*Division of Youth Service.*

- 1380-01 For the youth service board and for the administration of the division of youth service, including not more than seventy-nine permanent positions . . . . . \$21,000 00

*For the maintenance of and for certain improvements at the institutions within the division:*

- 1385-01 For the operation of the institute of juvenile guidance, including not more than fifty-two permanent positions \$10,000 00
- 1386-01 For the operation of reception and detention facilities for girls in the city of Boston, including not more than twenty-seven permanent positions . . . . . 5,323 00
- 1387-01 For the operation of a detention center in Hampden county, including not more than two permanent positions 5,023 00
- 1388-01 For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-one permanent positions 3,321 00
- 1389-01 For the operation of a detention center in Worcester county, including not more than two permanent positions 5,023 00

**Service of the Department of Civil Service and Registration.**

*Division of Civil Service.*

- 1402-02 For the service of the division, including not more than two hundred and thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and fifty-two thousand six hundred and seventy-eight dollars from the Highway Fund . . . . . \$20,000 00

*Division of Registration.*

- 1403-02 For the service of the division, including not more than forty-eight permanent positions . . . . . \$55,185 00

*For the service of the following agencies in the division:*

- 1405-01 Item 1405-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by adding at the end the following:—, for the year nineteen hundred and sixty and the previous year \$119 00
- 1406-01 Board of registration in chiropody, including not more than five permanent positions . . . . . 375 00
- 1407-01 Board of registration in pharmacy, including not more than nine permanent positions . . . . . 400 00

Item	
1410-01	Item 1410-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by adding at the end the following:—, for the year nineteen hundred and sixty and the previous year
	\$220 00
1412-01	Board of registration of professional engineers and land surveyors
	11,390 00

**Service of the Department of Commerce.**

1551-01	{ From the unexpended balance remaining in item 1551-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, the sum of twenty-five thousand dollars is hereby transferred and made available for the purposes of the following item:	
1551-02		
	1551-02 For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item.	
1551-03	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item.	\$50,000 00

**Service of the Department of Labor and Industries.**

1609-05	For administration, by said division, of sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions.	\$371 00
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**Labor Relations Commission.**

1630-01	For the service of the commission, including not more than nineteen permanent positions.	\$3,694 00
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**Health, Welfare and Retirement Trust Funds Board.**

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws, prior appropriation continued.	\$50,060 00
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**Division of Industrial Accidents.**

1651-06	Item 1651-06 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line six, the words "three hundred and twenty-five thousand five hundred" and inserting in place thereof the words:—four hundred and thirty-three thousand three hundred and seventy-five.	\$222,500 00
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**Service of the Department of Mental Health.**

1701-02	For administration, including community nurseries for retarded children, the division of mental hygiene, psychiatric services to the courts and other state departments, therapy and outpatient treatment of sexual offenders including those incarcerated in institutions within the commonwealth, and for the transportation and medical examination of patients and certain feeble-minded persons, including not more than three hundred and thirty-nine permanent positions.	\$77,250 00
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*For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:*

Item		
1710-00	Massachusetts mental health center, including not more than two hundred and thirty-nine permanent positions	\$14,885 00
1719-00	Taunton state hospital, including not more than six hundred and eighty-seven permanent positions . . .	20,000 00
1723-00	Belchertown state school, including not more than four hundred and sixty-two permanent positions . . .	37,500 00
1726-00	Item 1726-00 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line one, the words "Myles Standish" and inserting in place thereof the words:—Paul A. Dever . . .	30,000 00

**Service of the Department of Correction.**

**Non-Contributory Pensions:**

1801-21	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired, prior appropriation continued . . .	\$655 00
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*For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:*

1810-01	Correctional institution at Bridgewater, including not more than four hundred and eighty-one permanent positions	\$80,500 00
8260-51	Item 8260-51 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine is hereby amended by adding at the end the following:—, including the cost of furnishings and equipment.	
1814-01	Item 1814-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by adding at the end the following:—; provided, that notwithstanding any other provision of law to the contrary, there shall be included a payment of one hundred and eighty-five dollars and eighty-eight cents for certain prior-year salaries earned but not paid.	
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-two permanent positions	6,500 00
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-three permanent positions .	38,000 00
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions .	17,680 00

**Service of the Department of Public Welfare.**

*1901-04	For payments on account of permanent and total disability assistance made in accordance with section three of chapter one hundred and eighteen D of the General Laws	\$16,000 00
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*Division of Child Guardianship.*

1901-06	For payments on account of old age assistance grants made in accordance with section one C of chapter one hundred and eighteen A of the General Laws . . .	\$13,000 00
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued . . .	16,000 00



**Service of the Department of Public Health.***Bureau of Administration.*

Item		
2001-01	For the salary of the commissioner . . .	\$2,000 00

*Bureau of Preventive Disease Control.*

2003-21	For the continuation of a study by the department of public health, as authorized by chapter twelve of the resolves of the current year, to be in addition to any amount at present available for the purpose . . .	\$31,000 00
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*Bureau of Health Services.*

2004-01	For the service of the bureau of health services, including not more than fifty-four permanent positions . . .	\$37,000 00
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*For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:*

2022-00	Lakeville state sanatorium, including not more than two hundred and forty-five permanent positions . . .	\$7,600 00
2027-00	Massachusetts Hospital School, including not more than two hundred and eleven permanent positions . . .	7,800 00

**Service of the Department of Public Safety.***Division of Inspection.*

2104-01	For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions . . .	\$1,500 00
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*Division of Subversive Activities.*

2109-01	For the service of the division of subversive activities, including not more than five permanent positions . . .	\$1,093 00
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**Service of the Department of Public Works.***Division of Waterways.*

2220-47	For the dredging of Cohasset harbor, as authorized by chapter eighty-six of the resolves of nineteen hundred and forty-one . . .	\$30,000 00
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*Mass Transportation Commission.*

2260-02	For expenses of the Mass Transportation Commission, as authorized by chapter four hundred and sixteen of the acts of nineteen hundred and fifty-nine, to be in addition to the amount made available by chapter one hundred and five of the resolves of nineteen hundred and fifty-nine (Item No. 2260-01) and any federal funds made available for the purpose . . .	\$26,500 00
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**Service of the Department of Public Utilities.**

2301-02	For administration, including not more than seventy-three permanent positions . . .	\$9,133 00
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*Commercial Motor Vehicle Division.*

2304-01	For the service of the division, including not more than thirty-two permanent positions . . .	\$2,102 00
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**Non-Contributory Pensions.**

Item		
2811-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and for the cost of medical examinations in connection therewith; provided, that the comptroller shall transfer to the General Fund the sum of five hundred and sixty-four thousand seven hundred and forty dollars from the Highway Fund . . . . .	\$160,000 00

**Miscellaneous.**

2820-06	For the repayment to claimants, as authorized by section one hundred and forty-nine D of chapter one hundred and seventy-five of the General Laws and for reimbursement of other persons for funds previously deposited in the treasury of the commonwealth and escheated to the commonwealth . . . . .	\$500 00
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**APPROPRIATIONS MADE FROM THE HIGHWAY FUND.**

**Service of the Department of Public Works.**

*Highway Activities.*

*The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:*

2900-09	Item 2900-09 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by inserting, in line five, after the word "Laws" the following:— ; provided, that the department may expend an amount not exceeding twenty-five thousand dollars in conjunction with a like amount to be provided by the town of Agawam for the construction of a public way known as "Maynard Street" in said town for an access road with sewer and drainage connections to the site of the new national guard armory.	
2900-42	For claims and other payments, as authorized by chapters twenty-three and one hundred and sixteen of the resolves of nineteen hundred and fifty-nine . . . . .	\$8,600 00
7973-25	Notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, the sum of eight thousand nine hundred and ninety-seven dollars shall be allowed and paid for the purchase and installation of certain equipment from funds authorized for the purchase in chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six.	
8333-00	From the unexpended balance remaining in funds made available by chapter two hundred and thirty-six of the acts of nineteen hundred and fifty-six, payments are hereby authorized to be made as provided in chapters twenty-one and one hundred and fifteen of the resolves of nineteen hundred and fifty-nine.	
2900-80	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions . . . . .	10,760 00
2900-81	Item 2900-81 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by adding at the end thereof the following:— , appropriation expires June thirtieth, nineteen hundred and sixty-one . . . . .	30,000 00

**Service of the Department of Public Safety.*****Division of State Police.***

- |         |  |
|---------|--|
| Item    |  |
| 2926-01 | Item 2926-01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in line two, the word "twenty-seven", and inserting in place thereof the word:—<br>thirty-seven . . . . . <b>\$7,000 00</b> |

**Service of the Metropolitan District Commission.**

*The following items are to be paid with the approval of the Metropolitan District Commission:*

- |         |  |
|---------|--|
| 7955-21 | To meet the cost of certain highway improvements, as authorized by chapter five hundred and sixty-one of the acts of nineteen hundred and fifty-nine, the commission may expend such amounts as may be necessary from funds made available by section three of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six. |
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**APPROPRIATIONS MADE FROM THE INLAND FISHERIES AND  
GAME FUND.**

**Service of the Department of Natural Resources.**

*Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund):*

- |         |   |
|---------|---|
| 3304-42 | For the expenses of fish hatcheries and for the improvement and management of lakes, ponds and rivers, including not more than forty-four permanent positions . . . . . <b>\$2,923 00</b> |
|---------|---|

**APPROPRIATIONS PAYABLE FROM THE MOSQUITO  
CONTROL FUND.**

**Service of the State Reclamation Board.**

- |         |   |
|---------|---|
| 3915-00 | Item 3915-00 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by striking out, in lines three and four, the words "seven hundred and thirty-four of the acts of nineteen hundred and fifty" and inserting in place thereof the words:—three hundred and three of the acts of nineteen hundred and fifty-nine . . . . . <b>\$22,000 00</b> |
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**APPROPRIATIONS PAYABLE FROM THE STATE RECREATION  
AREAS FUND.**

**Service of the Department of Public Works.**

- |         |   |
|---------|---|
| 4050-01 | For the administration of public beaches, including not more than three permanent positions . . . . . <b>\$1,180 00</b>         |
| 4050-02 | For the maintenance of Salisbury beach reservation, including not more than three permanent positions . . . . . <b>5,218 00</b> |

Item		
4050-03	For the care and maintenance of the province lands, including the bathhouse, and of the lands acquired and structures erected by the Provincetown tercentenary commission, including not more than five permanent positions	\$570 00
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position	2,810 00
4050-06	For the maintenance of Scusset beach	1,017 00

# APPROPRIATIONS PAYABLE FROM THE METROPOLITAN

## DISTRICT COMMISSION FUNDS.

*The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:*

### Metropolitan Parks, General.

- 8601-40 To meet the cost of certain improvements authorized by chapter five hundred and sixty-four of the acts of nineteen hundred and fifty-nine, the commission may expend such sums as may be necessary from funds made available by section four of chapter five hundred and forty-nine of the acts of nineteen hundred and fifty-nine.

### Metropolitan Sewerage District.

- 8702-00 } The unexpended balances remaining in items 8702-00 and  
8807-00 } 8807-00 of section two of chapter four hundred and thirty-  
8701-00 } three of the acts of nineteen hundred and fifty-nine on the  
effective date of this act are hereby transferred and made  
available for the purposes of the following item:—  
8701-00 For the maintenance and operation of a system of  
sewage disposal for the metropolitan sewerage district, including the retirement of veterans under the provisions of the General Laws, and including not more than three hundred and eighteen permanent positions . . . . . \$36,800 00

### Metropolitan Water System.

- 8902-00 For the maintenance and operation of the metropolitan water system, including the retirement of veterans under the provisions of the General Laws and including not more than five hundred and ninety-five permanent positions \$55,000 00

## LOCAL AID APPROPRIATIONS.

*The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:*

# APPROPRIATIONS MADE FROM THE GENERAL FUND.

## Service of the Department of Natural Resources.

### Division of Marine Fisheries.

- 2610-06 For bounties on seals . . . . . \$50 00

**Service of the Department of Corporations and Taxation.***Reimbursement for Loss of Taxes.*

Item		
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by section eight A of chapter fifty-eight and section five of chapter fifty-nine of the General Laws . . . . .	\$50,000 00

**Service of the Department of Education.**

2613-05	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law . . . . .	\$215,403 00
2613-07	For the reimbursement of certain towns for the transportation of pupils, as authorized by section eight A of chapter seventy-four of the General Laws; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax . . . . .	1,287 00

**DEBT SERVICE APPROPRIATIONS.****APPROPRIATIONS MADE FROM THE GENERAL FUND.****Interest and Redemption of Debt.**

2420-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2952-00, and to be in addition to any amounts made available by section eighteen of this act, prior appropriation continued; provided, that to reimburse the General Fund for the cost of debt service on account of highway expenditures made in accordance with the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and fifty-four, as amended, the comptroller shall transfer to the General Fund the sum of two hundred and forty-six thousand two hundred dollars from the Highway Fund . . . . .	\$85,790 00
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**DEFICIENCIES.**

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2899-00	General Fund . . . . .	\$27,731 00
2999-00	Highway Fund . . . . .	17,218 00
4099-00	State Recreation Areas Fund . . . . .	10,389 00

**SECTION 3.** The joint committee on ways and means is hereby authorized to revise the subsidiary account schedules filed in accordance with the provisions of section twenty-seven of chapter twenty-nine of the General Laws relating to appropriations authorized in chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine; provided, that any revision of said subsidiary accounts shall be filed with the comptroller and the budget commissioner at the same time that schedules of subsidiary accounts are so filed for appropriations authorized by this act.

**SECTION 3A.** Notwithstanding the provisions of section ten A of chapter eight of the General Laws, no lease negotiated as provided therein, payable from state funds, shall take effect until an appropria-

tion has been made specifically for and adequate to meet the cost for the fiscal year for which said lease may be executed. Renewal of rentals may be continued at existing rates pending appropriation if the general court has not provided otherwise.

SECTION 4. The rate of compensation for each position in the service of the commonwealth not classified under the provisions of section forty-five of chapter thirty of the General Laws, except those the salary of which is specifically fixed by statute, including, however, the salaries of the officers and members of the uniformed branch of the state police established in accordance with the provisions of section nine A of chapter twenty-two of the General Laws, shall be increased over the rate authorized for such position on December thirty-first, nineteen hundred and fifty-eight, by an increase comparable to that authorized for classified employees as a result of the enactment of section one of chapter six hundred and twenty of the acts of nineteen hundred and fifty-nine; provided, that no such increase shall be authorized under the provisions of this section for a position the salary of which has already been increased over the rate paid on December thirty-first, nineteen hundred and fifty-eight, in excess of the increase granted by section one of said chapter six hundred and twenty.

The rate of compensation of each position at the Massachusetts Maritime Academy is hereby increased according to a schedule filed in accordance with the provisions of paragraph (5) of section forty-five of chapter thirty of the General Laws and limited as provided for comparable positions by section two of said chapter six hundred and twenty.

The rate of compensation for each position established at a regional community college shall be fixed at rates as provided in said section two of chapter six hundred and twenty for comparable positions and in accordance with a schedule filed as provided by paragraph (5) of section forty-five of chapter thirty of the General Laws, notwithstanding any provision of law to the contrary.

To provide for meeting the cost of salary adjustments authorized by this section, such sums as may be required are hereby made available from the sum appropriated in section three of chapter six hundred and twenty of the acts of nineteen hundred and fifty-nine, subject to the provisions as provided in said section three.

SECTION 5. In order that the borrowing of funds in anticipation of receipts may be kept at a minimum, every department, board, commission or agency shall, before scheduling for payment or otherwise providing for the disbursement of public funds from any sum available for expenditure or distribution for the fiscal year nineteen hundred and sixty, submit for approval by a board consisting of the budget commissioner, or his designated representative, the commissioner of corporations and taxation, or his designated representative, and the state treasurer, or his designated representative, the proposed date of payment or distribution of such funds if the combined total thereof, as prepared by any such single agency, exceeds one million

dollars on any one day, notwithstanding any special or general law regulating the disbursement of public funds by the commonwealth. Said board may require any agency to notify it of the anticipated receipt of revenue from any source, including federal subventions and grants.

SECTION 6. Notwithstanding the provisions of section six of chapter six hundred and twelve of the acts of nineteen hundred and fifty-nine relating to the amount which the state treasurer shall include in his warrants to apportion the cost of maintenance, operation, interest and principal for the sewerage system of the metropolitan district commission, the mayor of any city or the selectman of any town may elect to make payment of the increase in the assessment, or any part thereof, over the amount assessed in such city or town for the metropolitan sewerage district in the calendar year nineteen hundred and fifty-nine in five equal annual installments beginning with the year nineteen hundred and sixty, upon notice in writing to the commissioner of corporations and taxation of such election. In the event of such election, the commissioner of corporations and taxation shall include the amount of such annual installments in the estimate of charges and assessments required to be made to the assessors of the several cities and towns by section twenty-one of chapter fifty-nine for the calendar year nineteen hundred and sixty, nineteen hundred and sixty-one, nineteen hundred and sixty-two, nineteen hundred and sixty-three and nineteen hundred and sixty-four.

SECTION 7. Notwithstanding the limitations of section eighteen of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine or any other provision of law, the commission on administration and finance, with the approval of the governor and council, may transfer the sum of one hundred thousand three hundred and sixty-nine dollars from the sum available in item 8260-68 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine to the appropriation accounts listed in the following schedule, and the amounts transferred are not to exceed the amounts listed in said schedule and any amount so transferred shall be in addition to any amount at present available in said items:

7617-11 . . . . .	\$373
7617-21 . . . . .	20,782
8255-32 . . . . .	13,425
8255-33 . . . . .	1,215
8255-35 . . . . .	28,520
8255-36 . . . . .	15,125
8255-38 . . . . .	760
8255-39 . . . . .	7,630
8255-45 . . . . .	11,125
8255-55 . . . . .	1,414

SECTION 8. This act shall take effect upon its passage.

*Approved April 13, 1960.*

**Chap. 319.** AN ACT AUTHORIZING THE CITY OF CHELSEA TO BORROW MONEY TO DEMOLISH CERTAIN DANGEROUS AND CONDEMNED BUILDINGS.

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

SECTION 1. To meet the costs and expenses to be incurred in the demolition of certain dangerous and condemned buildings at various locations throughout the city, the city of Chelsea may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words City of Chelsea Building Demolition Loan, Act of 1960. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

*Approved April 13, 1960.*

**Chap. 320.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO BORROW MONEY FOR ERECTING, EQUIPPING AND FURNISHING AN ADDITION TO ITS WATER DEPARTMENT SERVICE BUILDING.

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

SECTION 1. For the purpose of erecting, equipping and furnishing an addition to its present water department service building, the city of Springfield may, from time to time, borrow such sums as may be necessary not exceeding in the aggregate three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Springfield Water Department Building Loan, Act of 1960. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, and, except as provided herein, shall be subject to the provisions of chapter forty-four of the General Laws, excluding the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

*Approved April 18, 1960.*

**Chap. 321.** AN ACT FURTHER REGULATING FRATERNAL BENEFIT SOCIETIES.

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

SECTION 1. Section 18 of chapter 176 of the General Laws, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out the second paragraph.

SECTION 2. Said chapter 176 is hereby further amended by striking out section 20, as so appearing, and inserting in place thereof the



following section:—*Section 20.* A society may grant paid-up nonforfeiture benefits, cash surrender values, certificate loans and such other options as its by-laws may permit. As to each certificate issued, a society shall grant at least one paid-up nonforfeiture benefit, except in the case of pure endowment, annuity or reversionary annuity contracts, reducing term insurance contracts or contracts of term insurance of uniform amount of fifteen years or less expiring before age sixty-six.

In the case of certificates other than those for which reserves are computed on the Commissioners 1941 Standard Ordinary Mortality Table, the Commissioners 1941 Standard Industrial Mortality Table or the Commissioners 1958 Standard Ordinary Mortality Table, the value of every paid-up nonforfeiture benefit and the amount of any cash surrender value, loan or other option granted shall not be less than the excess, if any, of (a) over (b) as follows:

(a) The reserve under the certificate determined on the basis specified in the certificate; and

(b) The sum of any indebtedness to the society on the certificate, including interest due and accrued, and a surrender charge equal to two and one-half per cent of the face amount of the certificate, which, in the case of insurance on the lives of children, shall be the ultimate face amount of the certificate, if death benefits provided therein are graded.

However, in the case of certificates issued on a substandard basis, or in the case of certificates, the reserves for which are computed upon the American Men Ultimate Table of Mortality, the term of any extended insurance benefit granted, including accompanying pure endowment, if any, may be computed upon the rates of mortality not greater than one hundred and thirty per cent of those shown by the mortality table specified in the certificate for the computation of the reserve.

In the case of certificates for which reserves are computed on the Commissioners 1941 Standard Ordinary Mortality Table, the Commissioners 1941 Standard Industrial Mortality Table or the Commissioners 1958 Standard Ordinary Mortality Table, every paid-up nonforfeiture benefit and the amount of any cash surrender value, loan or other option granted shall not be less than the corresponding amount ascertained in accordance with the provisions of the laws of the commonwealth applicable to life insurance companies issuing policies containing like insurance benefits based upon such tables.

SECTION 3. Subsection (1) of section 24 of said chapter 176, as so appearing, is hereby amended by striking out paragraph (j) and inserting in place thereof the following paragraph:—

(j) A provision that in case the age or sex of the member or of any other person is considered in determining the premium and it is found at any time before final settlement under the certificate that the age or sex has been misstated, and the discrepancy and premium involved have not been adjusted, the amount payable shall be such as the premium would have purchased at the correct age and sex; but if the correct age was not an insurable age under the society's charter or by-laws, only the premiums paid to the society, less any payments

previously made to the member, shall be returned, or, at the option of the society, the amount payable under the certificate shall be such as the premium would have purchased at the correct age according to the society's promulgated rates and any extension thereof based on actuarial principles;

SECTION 4. Subsection (6) of section 41 of said chapter 176, as so appearing, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:—

(a) For certificates of life insurance—American Men Ultimate Table of Mortality, with Bowerman's or Davis' Extension thereof or with the consent of the commissioner, the Commissioners 1941 Standard Ordinary Mortality Table, the Commissioners 1941 Standard Industrial Mortality Table or the Commissioners 1958 Standard Ordinary Mortality Table, using actual age of the insured for male risks and an age not more than three years younger than the actual age of the insured for female risks;

SECTION 5. The provisions of this act shall apply only to certificates issued on or after the effective date of this act.

*Approved April 18, 1960.*

**Chap. 322.** AN ACT RELATIVE TO THE CREATION OF NEW PRECINCTS IN WARDS TWO, SEVEN AND EIGHT IN THE CITY OF SPRINGFIELD.

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

Notwithstanding the provisions of section two of chapter fifty-four of the General Laws, the following new precincts in wards two, seven and eight of the City of Springfield, established by vote of the board of aldermen of said city on December twenty-eighth, nineteen hundred and fifty-nine, shall be effective on the date of passage of this act:—  
Ward Two, Precinct F divided into Precinct F and Precinct L;  
Ward Seven, Precinct G divided into Precinct G and Precinct J;  
Ward Eight, Precinct B divided into Precinct B and Precinct K; and  
Ward Eight, Precinct D divided into Precinct D and Precinct J.

*Approved April 18, 1960.*

**Chap. 323.** AN ACT RELATIVE TO MORTALITY TABLES IN CONNECTION WITH VALUATION STANDARDS AND NONFORFEITURE BENEFITS FOR LIFE INSURANCE POLICIES.

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

SECTION 1. Subdivision 2 of section 9 of chapter 175 of the General Laws is hereby amended by striking out clause First, as appearing in section 1 of chapter 227 of the acts of 1943, and inserting in place thereof the following clause:—

First, for all ordinary policies of life insurance issued on the standard basis, excluding any total and permanent disability and accidental death benefits in such policies, the "Commissioners 1941 Standard Ordinary Mortality Table" shall be used for such policies issued prior to January first, nineteen hundred and sixty-six and the "Commissioners 1958 Standard Ordinary Mortality Table" shall be used for

such policies issued on or after said date; provided, that for any category of such policies issued on female risks all modified net premiums and present values referred to in this section may be computed according to an age not more than three years younger than the actual age of the insured.

SECTION 2. Section 144 of said chapter 175 is hereby amended by striking out subdivision 6, as appearing in section 3 of said chapter 227, and inserting in place thereof the following subdivision:—

6. (a) All adjusted premiums and present values referred to in this section, except as otherwise provided in paragraph (b) and as provided in section one hundred and forty-six, shall be computed on the basis of the "Commissioners 1941 Standard Ordinary Mortality Table", and the rate of interest, not exceeding three and one half per cent per annum, specified in the policy for the computation of the cash surrender values and other nonforfeiture benefits; provided, that for any category of ordinary insurance issued on female risks, adjusted premiums and present values may be computed according to an age not more than three years younger than the actual age of the insured; and provided, that in computing the present value of any extended term insurance with accompanying pure endowment, if any, the rates of mortality assumed may be not more than one hundred and thirty per cent of the rates according to the applicable table of mortality; and provided, further, that in the case of any policy issued on a substandard basis, any such adjusted premiums and present values may be computed on such other table of mortality as the company may specify with the approval of the commissioner.

(b) In the case of policies of ordinary insurance issued on or after January first, nineteen hundred and sixty-six, all adjusted premiums and present values referred to in this section shall be computed on the basis of the "Commissioners 1958 Standard Ordinary Mortality Table", and the rate of interest, not exceeding three and one half per cent per annum, specified in the policy for the computation of the cash surrender values and other nonforfeiture benefits; provided, that for any category of ordinary insurance issued on female risks, adjusted premiums and present values may be computed according to an age not more than three years younger than the actual age of the insured; and provided, that in computing the present value of any extended term insurance with accompanying pure endowment, if any, the rates of mortality assumed may be not more than those shown in the "Commissioners 1958 Extended Term Insurance Table"; and provided, further, that in the case of any policy issued on a substandard basis, any such adjusted premiums and present values may be computed on such other table of mortality as the company may specify with the approval of the commissioner.

(c) All values referred to in this section may be computed on the assumption that any death benefit is payable at the end of the policy year in which death occurs.

SECTION 3. Notwithstanding the provisions of clause First of subdivision 2 of section nine and paragraph (b) of subdivision 6 of section one hundred and forty-four of chapter one hundred and seventy-five of the General Laws, as appearing in sections one and two, respectively, of this act, any life insurance company may elect to have

the provisions of said clause First and said paragraph (b) become effective as to its operations at an earlier date by filing a written notice with the insurance commissioner of its election to comply with the provisions of said clause First and of said paragraph (b) on or after a specified date before January first, nineteen hundred and sixty-six. On the date specified in said notice the provisions of said clause First and of said paragraph (b) shall become effective with respect to policies of ordinary insurance thereafter issued by such company.

*Approved April 18, 1960.*

**Chap. 324.** AN ACT PROVIDING THAT A CERTAIN DOCUMENT TO THE EFFECT THAT COASTAL WATERS AND FLATS HAVE BEEN EXAMINED IN ORDER TO DETERMINE WHAT AREAS THEREOF ARE SO CONTAMINATED THAT SHELLFISH OBTAINED THEREFROM ARE UNFIT FOR FOOD, AND THAT A DETERMINATION HAS BEEN MADE THAT CERTAIN AREAS ARE SO CONTAMINATED, SHALL BE PRIMA FACIE EVIDENCE OF SAID DETERMINATION.

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

Section 74 of chapter 130 of the General Laws, as most recently amended by section 1 of chapter 243 of the acts of 1954, is hereby further amended by inserting after paragraph (5), the following paragraph:—

The presentation in evidence by any officer of the commonwealth empowered to enforce this chapter of a document attested by the commissioner of public health or his deputy to the effect that the provisions of this section have been complied with, shall be prima facie evidence that an effective determination has been made.

*Approved April 18, 1960.*

**Chap. 325.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WELFARE TO SEEK AND ACCEPT ON ORDER OF THE PROBATE COURT CUSTODY OF CERTAIN CHILDREN, AND RELATING TO SUCH CUSTODY.

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

Section 23 of chapter 119 of the General Laws, as appearing in section 1 of chapter 646 of the acts of 1954, is hereby amended by striking out subsection C and inserting in place thereof the following subsection:—

C. The department may seek and may accept on order of a probate court the custody of any child under twenty-one years who is without proper guardianship due to the death, unavailability or incapacity of the parent or guardian, or on the consent of the parent or parents. Such custody shall include the right to determine the child's place of abode, medical care, education; to control visits to the child; to give consents to enlistments, marriages and other contracts requiring parental consent, such custody to include the right to consent to adoption only when it is expressly included in the order of the court.

*Approved April 18, 1960.*

- Chap. 326.** AN ACT PROVIDING THAT LIMITED OR CONDITIONAL ZONING VARIANCES AND SPECIAL PERMITS SHALL NOT TAKE EFFECT UNTIL NOTICE THEREOF IS RECORDED IN THE REGISTRY OF DEEDS.

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

Section 18 of chapter 40A of the General Laws, as appearing in section 2 of chapter 368 of the acts of 1954, is hereby amended by adding at the end the following two sentences:—A limited or conditional zoning variance and special permit shall not take effect until the town clerk records in the registry of deeds for the county in which the land is located, a notice certified by the chairman or clerk of the board of appeals, containing the name and address of the land owner, identifying the land affected, and stating that a limited or conditional variance or special permit has been granted which is set forth in the decision of the board on file in the office of the clerk of the city or town in which the land is located. The fee for recording such notice of a limited or conditional zoning variance or special permit shall be paid by the owner, or on his behalf, and the notice shall be indexed in the grantor index under the name of the owner of record.

*Approved April 18, 1960.*

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- Chap. 327.** AN ACT PROVIDING THAT JUDGMENT DEBTORS IN CERTAIN ACTIONS FOR PROPERTY DAMAGE MAY DEPOSIT THE AMOUNT OF THE JUDGMENT WITH THE CLERK OF COURT WHEN UNABLE OTHERWISE TO SATISFY SAID JUDGMENT.

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

Section 22A of chapter 90 of the General Laws, added by section 1 of chapter 304 of the acts of 1932, is hereby amended by adding at the end the following paragraph:—

If a judgment debtor satisfies the clerk of the court in which the judgment was obtained that said judgment debtor is unable to locate the judgment creditor or his legal representative, he may deposit with such clerk the full amount of the execution with interest and said clerk shall give to him a receipt therefor reciting such facts. Upon presentation to the registrar, such receipt in full shall be evidence of satisfaction, release, or discharge of the judgment debt.

*Approved April 18, 1960.*

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- Chap. 328.** AN ACT RELATIVE TO THE LAW PROHIBITING MEMBERS, AGENTS OR EMPLOYEES OF THE MASSACHUSETTS PORT AUTHORITY FROM ENTERING INTO CERTAIN CONTRACTS WITH SAID AUTHORITY.

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

Section 23 of chapter 465 of the acts of 1956, as amended by section 11 of chapter 599 of the acts of 1958, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—Any member, agent or employee of the Authority

who contracts with the Authority or is interested, either directly or indirectly, in any contract with the Authority or in the sale or lease of any property, either real or personal, to, or in the purchase or lease of any property from the Authority, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

*Approved April 18, 1960.*

**Chap. 329.** AN ACT PROVIDING THAT CALL MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF SHREWSBURY APPOINTED HEREAFTER SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAWS AND RULES.

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

SECTION 1. The civil service laws and rules shall not apply to call members of the fire department in the town of Shrewsbury appointed after the effective date of this act.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town at an annual town meeting or any special town meeting called for the purpose.

*Approved April 18, 1960.*

**Chap. 330.** AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION BY THE TOWNS OF METHUEN, ANDOVER AND NORTH ANDOVER AND THE CITY OF LAWRENCE.

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

SECTION 1. The city of Lawrence, by vote of its city council, and the towns of Methuen, Andover and North Andover, or any two of said towns by vote in town meeting duly called therefor, may create a special unpaid board to be known as a regional school district planning board, to consist of one member of the school committee of said city to be appointed by the city council, and one member of the school committee of each of said towns so voting to be appointed by the moderator. Said city and each of said towns may appropriate for the expense of said board such sum or sums, not exceeding one tenth of one per cent of the assessed valuation of such municipality in the preceding year, as it may deem necessary. Said board shall organize forthwith upon its appointment by the election of a chairman and secretary-treasurer.

SECTION 2. It shall be the duty of the regional school district planning board to study the advisability of establishing a regional school district, its organization, operation and control, and of constructing, maintaining and operating a school or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of a regional school district; and to submit a report of its findings and recommendations to the city council of said city and to the selectmen of each of said towns.

SECTION 3. The said regional district planning board may recommend that there shall be established a regional school district which may include all the municipalities represented by its membership, or alternatively, any specified combination of such municipalities. If the said regional district planning board so recommends, it shall submit a proposed agreement or agreements setting forth as to each alternative recommendation, if such be made, the following:—

(a) The number, composition, method of selection, and terms of office of the members of the regional district school committee.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district school or schools are to be located.

(c) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(d) The method by which school transportation shall be provided.

(e) The terms by which any municipality may be admitted to or separated from the regional school district.

(f) The method by which the agreement may be amended.

(g) The detailed procedure for the preparation and adoption of an annual budget.

(h) Any other matters, not incompatible with law, which the said board may deem advisable.

Copies of such agreement shall be submitted to the emergency finance board, established under chapter forty-nine of the acts of nineteen hundred and thirty-three of the General Laws, and the department of education, and, subject to their approval, to the several municipalities for their acceptance.

The type of regional district school or schools shall be a vocational high school or schools consisting of grades nine through twelve, inclusive, which may offer vocational education notwithstanding that one or more of the towns may have previously joined a regional school district or districts providing for vocational education. When the district has been organized and its school is available for use, no city or town belonging to the district and no other regional school district of which such city or town is a member shall offer vocational education except with the approval of the commissioner of education. Said commissioner shall not give such approval if in his opinion it would involve unnecessary duplication of facilities. As used in this section, vocational education includes such kinds of education as may be provided by cities or towns pursuant to chapter seventy-four of the General Laws.

SECTION 4. The agreement made under section three of this act, or any amendment to such an agreement, may contain provisions authorizing any member municipality to sell, lease or grant a license to use any school building and any land appurtenant thereto or used in connection therewith to the regional school district, and any such municipality may authorize such sale, lease or license accordingly, notwith-

standing the provisions of section three of chapter forty of the General Laws or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the municipalities other than the selling municipality shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license to use may be for a term or period not in excess of twenty years, and may contain provisions for the extension of the lease or license to use for an additional term or period not in excess of twenty years, at the option of the regional district school committee.

SECTION 5. Upon receipt by the city council of Lawrence of a recommendation that a regional school district be established, and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three, inclusive, of this act, said council shall direct the city clerk to cause the question of accepting the provisions of this act to be placed on the ballot to be used at the next state election or at the regular city election to be held in the year nineteen hundred and sixty-one, whichever occurs first, in substantially the form hereinafter set forth; and upon receipt by the selectmen of each of said towns of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three of this act, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual or a special town meeting called for the purpose the question of accepting the provisions of this act, which question shall be in substantially the following form:—"Shall the city (town) accept the provisions of an act passed by the General Court in the year nineteen hundred and sixty, providing for the establishment of a regional school district by the city of Lawrence, and the towns of (such towns as may be recommended under section three of this act) and the construction, maintenance, and operation of a regional school by the said district in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said towns?" If a majority of the voters in said city, present and voting, and a majority of the voters present and voting on said question in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional school district, comprising said city and the towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties:—

- (a) To adopt a name and a corporate seal.
- (b) To sue and be sued, but only to the same extent and upon the same conditions that a city or town may sue or be sued.
- (c) To acquire property within the municipalities comprising the



district under the provisions of chapter seventy-nine and section fourteen of chapter forty of the General Laws, for the purposes of the district, and to construct, reconstruct, add to, remodel, make extraordinary repairs to, equip, organize and operate a school or schools for the benefit of the municipalities comprising the district, and to make any necessary contracts in relation thereto.

(d) To incur debt for the purpose of acquiring land and constructing, reconstructing, adding to, and equipping a school building or buildings for a term not exceeding twenty years or for the purpose of remodeling and making extraordinary repairs to a school building or buildings for a term not exceeding ten years; provided, however, that any indebtedness so incurred shall not exceed an amount approved by the emergency finance board; and provided, further, that written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of said city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the said debt shall not be incurred and the district school committee shall thereupon prepare an alternative proposal and a new or revised authorization to incur debt.

(e) To issue bonds and notes in the name and upon the full faith and credit of said district; said bonds or notes shall be signed by the chairman and the treasurer of the district committee and each issue of bonds or notes shall be a separate loan.

(f) To receive and disburse funds for any district purpose.

(g) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(h) To assess member municipalities for any expenses of the district.

(i) To receive any grants or gifts for the purposes of the regional district school or schools.

(j) To engage legal counsel.

(k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of said city or by the selectmen of any member town.

(l) To employ a superintendent of schools who may also be a superintendent of one or more of the municipalities comprising said district, and said superintendent shall have all the powers and duties imposed upon school superintendents by law.

(m) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of a regional school district shall be vested in and exercised by a regional district school committee organized in accordance with the agreement. The committee shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district and shall pay any bill of the district which shall have been approved by the committee. The treasurer may, by vote of said committee, be compensated for his services. The treasurer of said district shall be subject to the provisions of sections thirty-five, fifty-two and one hundred and nine A of chapter forty-one of the General Laws to the extent applicable.

SECTION 8. The regional district school committee shall annually determine the amounts necessary to be raised to maintain and operate the district school or schools during the ensuing calendar year, and the amounts required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several municipalities in accordance with the terms of the agreement. The amounts so apportioned for each municipality shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several municipalities. Each municipality shall appropriate the amounts so certified, and in case any such municipality fails to pay over to the treasurer of said district the amount of its apportionment within the time specified in said agreement for such payment, the district school committee shall invoke the provisions of section thirty-four of chapter seventy-one of the General Laws. The city or town treasurer, as the case may be, shall pay the amount so appropriated or any amount ordered to be raised by court decree to said district at the time or times specified in the agreement.

SECTION 9. The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school district from the proceeds of the tax on incomes, which shall be available therefor, subject to appropriation, the sums required for such reimbursement and approved by the commissioner of education. There shall be allocated from the proceeds of the tax on incomes such sums as said commissioner shall certify as necessary for the payment of such reimbursement.

SECTION 10. Each municipality comprising the regional school district shall continue to receive state aid for educational purposes in the amount to which it would be entitled if such district had not been

formed; and such regional school district shall be entitled to receive state aid for construction of regional schools. The state treasurer in making annual payments to the several municipalities of the amounts required under chapter seventy of the General Laws shall pay to each municipality comprising a regional school district an additional amount equal to fifteen per cent of the amount to which such municipality would be entitled if such regional school district had not been formed. No payment shall be made under section three B of chapter seventy of the General Laws to any such municipality prior to the date of award of a contract for the construction of a regional school by the regional district school committee.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of said city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three of this act, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. The regional school district shall maintain a contributory retirement system for non-teaching employees of the district, subject in all respects to the applicable provisions of chapter thirty-two of the General Laws.

SECTION 13. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said district by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 14. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended, including chapter seventy-four of the acts of nineteen hundred and forty-five.

SECTION 15. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 16. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the

remainder of said act and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 17. This act shall take effect upon its passage.

*Approved April 25, 1960.*

**Chap. 331.** AN ACT PERMITTING THE RECORDING OF CERTAIN DECREES, ORDERS, INSTRUMENTS AND PROCEEDINGS OF PROBATE COURTS BY MEANS OF MICROPHOTOGRAPHY OR OTHER SIMILAR PHOTOGRAPHIC PROCESS.

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

Section 36 of chapter 215 of the General Laws is hereby amended by striking out the third sentence, added by chapter 498 of the acts of 1958, and inserting in place thereof the following sentence:—They may also direct the recording of any decrees, orders, instruments and other proceedings in their offices irrespective of the time when such decrees, orders, instruments or other proceedings were made, received or held, by means of microphotography or other similar photographic process, and, in such case need not maintain books for such records but shall provide such filing equipment therefor as they deem proper, the cost of which shall be paid by the county.

*Approved April 25, 1960.*

**Chap. 332.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE COMMISSIONER OF INSURANCE AND OF THE REGISTRAR OF MOTOR VEHICLES.

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

Section 34H of chapter 90 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 39 of the acts of 1948, and inserting in place thereof the following two paragraphs:—

The registrar shall forthwith upon receipt of a notice under section thirty-four F of the failure of the owner of a motor vehicle to maintain a deposit send written notice to the owner of the motor vehicle covered by such deposit that the registration thereof will be revoked, unless within five days after the sending of said notice he shall file with the registrar a new certificate.

The registrar shall forthwith upon receipt of a notice under section one hundred and thirteen C of said chapter one hundred and seventy-five of the cessation of the authority of an insurance or surety company to issue or execute motor vehicle liability policies or bonds in the commonwealth, upon the written request of the commissioner of insurance, send written notice to every owner of a motor vehicle covered by a motor vehicle liability policy or bond issued or executed by such a company that the registration thereof will be revoked unless within five days after the sending of said notice he shall file with the registrar a new certificate; provided, that if the authority of such a company to issue or execute motor vehicle liability policies or bonds

in the commonwealth ceases by reason of its merger or consolidation with another company so authorized, and it is proved to the satisfaction of the commissioner of insurance that the new or continuing company has assumed all the obligations and liabilities of such company under any and all such policies and bonds issued by it, such notice of the registrar will not be required with respect to policies or bonds so issued previous to the date of merger or consolidation.

*Approved April 25, 1960.*

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**Chap. 333.** AN ACT RELATIVE TO THE GRANTING OF TEACHING CERTIFICATES BY THE BOARD OF EDUCATION TO APPLICANTS WHO ARE BLIND.

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

SECTION 1. Section 38G of chapter 71 of the General Laws, as most recently amended by chapter 20 of the acts of 1960, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—The board of education, hereinafter referred to as the board, shall grant certificates upon application to teachers, principals, supervisors, directors, school librarians, superintendents and assistant superintendents of schools who furnish the board with satisfactory proof that they (1) are American citizens, (2) are in good health, provided that no applicant shall be disqualified because of his blindness, (3) are of sound moral character, (4) possess a bachelor's degree or an earned higher academic degree or are graduates of a normal school approved by the board, and (5) meet such requirements as to courses of study and semester hours therein as may be established and put into effect by said board; provided, nevertheless, that no requirements respecting such courses of study and semester hours therein shall take effect prior to three years subsequent to their promulgation by said board. The board may adopt such rules and regulations as may be necessary for the proper conduct of its duties in granting such certificates.

SECTION 2. Section 38 of said chapter 71, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence:—No school committee shall refuse to elect and contract with a candidate for a teaching position because of such person's blindness.

*Approved April 27, 1960.*

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**Chap. 334.** AN ACT VALIDATING THE ELECTION, ACTS AND PROCEEDINGS OF THE ROAD SUPERVISOR OF THE TOWN OF PLAINFIELD.

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

SECTION 1. Notwithstanding any general or special law to the contrary, the acts and proceedings of the town of Plainfield heretofore done or taken, and in any manner relating to the election of a road supervisor of said town for the year nineteen hundred and sixty, and all acts done in pursuance thereof are hereby ratified, confirmed and validated. Said road supervisor shall have the power and perform the

duties of a superintendent of streets as provided in section sixty-eight of chapter forty-one of the General Laws. The position of road supervisor shall be an elective office for one year which shall terminate on the date of the annual town meeting of the town of Plainfield to be held in the year nineteen hundred and sixty-one.

SECTION 2. All acts and proceedings of the road supervisor of the town of Plainfield heretofore done or taken are hereby ratified, confirmed and validated.

SECTION 3. This act shall take effect upon its passage.

*Approved May 2, 1960.*

**Chap. 335.** AN ACT AUTHORIZING THE CITY OF HOLYOKE TO CONSTRUCT A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

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

SECTION 1. For the purposes of constructing a sewerage disposal plant, pumping stations and any appurtenant structures, the city of Holyoke may borrow from time to time, within five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five million dollars and may issue bonds and notes therefor, which shall bear on the face thereof the words, Holyoke Sewerage Disposal Loan, Act of 1960. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates.

Indebtedness incurred under this act shall be in excess of the statutory limit and, except as provided herein, shall be subject to the provisions of chapter forty-four of the General Laws.

SECTION 2. The said city shall, by vote of the board of aldermen, determine what proportion of the cost of the sewerage works provided for in section one of this act the city shall pay. In providing for the payment of any portion of the cost thereof by abutters, including public and private institutions, contributing sewage, the city may avail itself of any and all of the methods permitted by General Laws, including just and equitable annual charges as provided for in section sixteen of chapter eighty-three thereof. Such charges shall be paid by every person, including public and private institutions, who enters or has entered his or its particular sewer into the sewerage system of the city. The provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act. At the same meeting at which the city determines the proportion of the cost which is to be borne by the city, or at a subsequent meeting, it shall by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said city shall certify the payments of such assessments or apportionments thereof to the board of public works, who shall preserve a record thereof.

SECTION 3. This act shall take effect upon its passage.

*Approved May 2, 1960.*

**Chap. 336.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BERKSHIRE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Berkshire county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in this act are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

#### BERKSHIRE COUNTY.

Item	
1.	For interest on county debt ..... \$6,796 87
3.	For county commissioners, salaries and expenses 18,435 00
4.	For transportation and expenses of county and acting commissioners ..... 1,500 00
5.	For clerk of courts, salaries and expenses ..... 23,879 33
6.	For county treasurer, salaries and expenses .... 12,241 25
7.	For sheriff, salary and expenses ..... 7,650 00
8.	For registries of deeds, salaries and expenses ... 99,202 00
8a.	For registry of probate, salaries and expenses .. 7,875 00
9.	For law library, salaries and expenses ..... 8,554 00
10.	For highways, including state highways, bridges and land damages ..... 221,123 74
11.	For examination of dams ..... 215 00
12.	For criminal costs in superior court ..... 49,676 85
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees ..... 46,440 00
14.	For district courts, salaries and expenses ..... 188,507 22
15.	For medical examiners and commitments of insane ..... 10,000 00
16.	For jail and house of correction, maintenance and operation ..... 132,776 09
17.	For training school ..... 800 00
18.	For court houses and registry buildings, maintenance and operation ..... 37,496 25
20.	For agricultural school or county aid to agriculture, maintenance and operation ..... 45,492 75
21.	For state reservation, maintenance and operation, Mount Greylock ..... 57,206 30
21a.	For state reservation, maintenance and operation, Mount Everett ..... 6,399 00
22.	For hospital or sanatorium ..... 105,148 68
24.	For non-contributory pensions ..... 793 32

Item	
25. For contributory retirement system and supervisory expenses .....	\$27,773 48
26. For miscellaneous and contingent expenses .....	9,367 93
27. For unpaid bills of previous years .....	1,200 00
28. For reserve fund .....	6,000 00
28a. For reserve for salary adjustments .....	19,155 56
29. For advertising recreational, industrial and agricultural advantages of the county .....	30,000 00
30. For forest development in co-operation with the state .....	2,250 00
31. For radio system for fire protection .....	1,000 00
32. For Dutch elm disease .....	5,000 00
33. For forest fire patrol .....	5,000 00
35. For industrial development commission .....	81,963 50
39. For group insurance .....	8,400 00
Total Amount of Appropriations .....	\$1,285,319 12
Less Estimated amount available for Reduction of County Tax .....	238,943 94

And the county commissioners of Berkshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$1,046,375 18

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Berkshire county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".



Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate

of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved May 2, 1960.*

**Chap. 337.** AN ACT FURTHER REGULATING CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF POLITICAL SUBDIVISIONS OF THE COMMONWEALTH, AND THEIR DEPENDENTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that the state employees group insurance commission advise and inform certain political subdivisions of the commonwealth relative to contributory group general or blanket insurance policies and practices, and establish maximum schedules of benefit rates for such policies of insurance, thereby protecting persons insured under such policies, and the public funds expended therefor, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

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

SECTION 1. Section 2 of chapter 32B of the General Laws is hereby amended by adding after paragraph (g) the following paragraph:—

(h) "Commission", the state employees' group insurance commission.

SECTION 2. The first paragraph of section 3 of said chapter 32B, as most recently amended by chapter 170 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following five sentences:—Upon acceptance of this chapter as hereinafter provided, the appropriate public authority of the governmental unit, after consultation with an advisory committee consisting of five persons to be elected from and representing organizations of the employees affected, shall negotiate with and purchase, on such terms as it deems to be in the best interest of the governmental unit and its employees, from one or more insurance companies, savings banks or non-profit hospital or medical service corporations, a policy or policies of group life and accidental death and dismemberment insurance covering employees, and group general or blanket insurance providing hospital, surgical and medical benefits covering employees and their dependents as provided under section eleven and shall execute all agreements or contracts pertaining to said policies or any amendments thereto for and on behalf and in the name of such governmental unit. The appropriate public authority may execute said agreements or contracts for a period not exceeding three years; provided, however, that the portion of the cost of the premium per month to be borne by the governmental unit shall not exceed the estimated monthly cost for which funds have been appropriated for the

then current fiscal year. A copy of said agreements or contracts shall be filed with the commission by the appropriate public authority no later than thirty days after their effective date for a review by the commission to determine compliance with section eleven. Where non-compliance is noted, the commission shall send a report to the director of the bureau of accounts, department of corporations and taxation, and to the county commissioners, to the mayor or manager and city governments in cities, to the selectmen, or manager and selectmen in towns or to the prudential committee and commissioners in a district, as the case may be, for appropriate action. Any insurance carrier issuing a policy or policies of group life insurance and group accidental death and dismemberment insurance, or any non-profit hospital service corporation or medical service corporation issuing a group general or blanket hospital, surgical and medical insurance to any governmental unit under the provisions of this chapter shall, no later than thirty days after the issuance thereof, notify the commission and certify that the benefits provided in any such policy or policies do not exceed the benefits authorized under section eleven.

SECTION 3. Said chapter 32B is hereby further amended by striking out section 5, as appearing in section 1 of chapter 730 of the acts of 1956, and inserting in place thereof the following section:—*Section 5.* The amount of group life insurance on each employee shall be two thousand dollars, and the amount of group accidental death and dismemberment insurance on each employee shall be two thousand dollars as provided under section eleven. The amount of hospital, surgical and medical benefits shall not exceed the schedule of benefits provided under section eleven for the county in which the city, town or district lies. Subject to the foregoing the schedule of hospital, surgical and medical benefits and the amount to be provided each employee and his dependents shall be determined by the appropriate public authority subject to the amount of the appropriation available for the purpose.

SECTION 4. Section 11 of said chapter 32B is hereby amended by striking out the first two paragraphs, as so appearing, and inserting in place thereof the following two paragraphs:—In accordance with the provisions of section three of chapter thirty-two A, the commission shall issue from time to time in the form of rules and regulations a schedule of group life, accidental death and dismemberment insurance for each employee and a schedule of hospital, surgical and medical benefits for employees and their dependents which shall be the maximum schedule of insurance coverage to be made available for persons in the service of counties, cities, towns and districts. On or before December thirty-first in each year the county commissioners of each county shall establish a schedule of group life, accidental death and dismemberment insurance for each employee and a schedule of hospital, surgical and medical benefits for employees, and their dependents, of the county, and of cities and towns within the county and of districts which are wholly or principally within the county, which schedules may be the same as, or lower, but no higher than the schedules issued by said commission. Upon request, the commission shall furnish information and advisory rulings in accordance with the provisions of section eight of chapter thirty A.

The amount of group life insurance on each employee shall be two thousand dollars, and the amount of group accidental death and dismemberment insurance on each employee shall be two thousand dollars. The amount of hospital, surgical and medical benefits in said schedules shall not exceed the schedule of benefits provided to employees of the commonwealth and their dependents under chapter thirty-two A.

SECTION 5. Said chapter 32B is hereby further amended by striking out section 14, as so appearing, and inserting in place thereof the following section:—*Section 14.* The appropriate public authority in each governmental unit shall adopt such rules and regulations, not inconsistent with the rules and regulations of the commission, issued in accordance with section eleven, as may be necessary for the administration of this chapter.

*Approved May 2, 1960.*

**Chap. 338.** AN ACT DESIGNATING THE SWIMMING POOL IN MARINE CORPS LEAGUE PARK IN THE CITY OF EVERETT AS THE EVERETT ALLIED VETERANS' MEMORIAL POOL.

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

SECTION 1. The swimming pool being constructed by the metropolitan district commission in Marine Corps League Park in the city of Everett shall, upon its completion, be known and designated as the Everett Allied Veterans' Memorial Pool. The metropolitan district commission shall erect at said pool a suitable marker bearing said designation.

SECTION 2. This act shall take effect upon its passage.

*Approved May 2, 1960.*

**Chap. 339.** AN ACT PROHIBITING THE INCLUSION OF PROVISIONS IN HOSPITALIZATION CONTRACTS WHICH PRECLUDE PAYMENT TO SOLDIERS' HOMES AND RENDERING SUCH PROVISIONS VOID.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is in part to provide that the contracts authorized thereby may be entered into without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Section 22 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph:—

No policy of insurance issued by a company under the authority of section twenty-four, one hundred and eight and one hundred and ten, and no contract or agreement entered into by the trustee of any trust fund authorized by chapter one hundred and fifty-one D, shall contain a provision excluding liability on the part of the insurance company

or health and welfare fund for hospital, medical or surgical expenses if the insured is hospitalized or receives medical or surgical treatment in a soldiers' home established by the commonwealth. Any such provision shall be void.

*Approved May 2, 1960.*

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**Chap. 340.** AN ACT ESTABLISHING THE FIRST BAPTIST CHURCH OF BOSTON AND AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY BY THE FIRST BAPTIST SOCIETY IN BOSTON AND THE FIRST BAPTIST CHURCH IN BOSTON TO SAID THE FIRST BAPTIST CHURCH OF BOSTON.

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

SECTION 1. The First Baptist Church in Boston, a voluntary religious association, and The First Baptist Society in Boston, an incorporated religious society, incorporated under general law, both situated in Boston, upon acceptance of this act by a two-thirds vote of the members of said respective organizations present and voting at a meeting called by each of said religious organizations for the purpose, and by recording with the secretary of the commonwealth and in the registry of deeds in Suffolk county certificates of said votes, duly made and sworn to by the respective clerks of said religious organizations, shall hereafter be a religious corporation by the name of The First Baptist Church of Boston, and shall have all the rights, powers, franchises, privileges and authority which the members of the aforesaid respective religious organizations have heretofore acquired or enjoyed by statute, vote, gift, grant, usage, prescription, or otherwise, and shall be subject to all the duties, obligations and liabilities to which said organizations have heretofore been subject. The First Baptist Church of Boston shall have, except as may be provided otherwise in this act, all the rights, powers and privileges, and be subject to all the duties, obligations and liabilities of religious corporations organized under general laws; and, upon acceptance of this act as aforesaid, all members of said voluntary religious association and The First Baptist Society in Boston shall be members of said new corporation, The First Baptist Church of Boston.

SECTION 2. The corporation created by section one is authorized to receive and hold, or disburse for religious, benevolent and charitable purposes, gifts, grants, bequests and devises of real and personal property, with full power to sell and convey, in accordance with the terms of any trust upon which the same is held, any part of the whole of said property, including land and buildings, for the purpose of investment and reinvestment, for the improvement, alteration or relocation of any said buildings, or for benevolence and charities, and upon any such sale the proceeds thereof shall be held upon the same trusts upon which the property thus sold was held; and the purchaser shall not be responsible for the application of the purchase money.

SECTION 3. At any time after the acceptance of this act, as provided in section one, the said voluntary religious association and said The First Baptist Society in Boston, or either of them, may, by a two-thirds vote of their respective members present and voting at meetings called for the purpose, authorize one or more persons in their name

and on their behalf to execute, acknowledge and deliver proper deeds and other instruments conveying and transferring in fee simple any or all of their property, real and personal, except such as may be held or owned by them for or in connection with specific and limited charitable uses and trusts, to the corporation created by section one. Upon the acceptance of said conveyance by the corporation created by section one by a two-thirds vote of its members present and voting at a meeting duly called for the purpose, there shall be recorded in the registry of deeds in Suffolk county the deed and other instruments of transfer, together with certificates, duly made and sworn to by the clerks of said meetings, respectively, of said vote authorizing the said conveyance and the acceptance thereof.

SECTION 4. At any time after the acceptance of this act, as provided in section one, the said voluntary religious association and said The First Baptist Society in Boston, or either of them, may, by a two-thirds vote of their members present and voting at meetings called for the purpose, convey and transfer property, real and personal, owned or held by them for or in connection with any and all specific and limited charitable uses and trusts, to the corporation created by section one.

SECTION 5. The property conveyed to, or vested in, the corporation created by section one, under the provisions of this act, shall not, after such conveyance and vesting, be applied or apportioned with reference to the source or the religious body from which it was derived under the provisions of this act, but shall be administered and applied by the corporation created by section one, for its general church, benevolent and charitable purposes.

SECTION 6. In case of doubt as to the names in which any property, or the income thereof, held in trust or otherwise, conveyed to or vested in the corporation created by section one, under the provisions of this act, should be held, administered or applied by the said corporation, the issue may be determined at any time by a court of competent jurisdiction upon the application of any person interested or of the attorney general; and, until said court shall otherwise order, such property and the income thereof shall be held, administered and applied by the said corporation in accordance with the terms of the original trusts or as nearly in accordance therewith as is possible. At any time within six months after the recording of the various deeds or other instruments in this act provided for, any person injured or aggrieved by any provision of this act may allege the cause of such injury in a petition to a court of competent jurisdiction and have his damages determined by a jury therein, or by or under the direction of said court; and damages so awarded, with the costs of suit allowed by statute in civil cases, shall be paid by the corporation created by section one.

SECTION 7. After acceptance of this act by said voluntary religious association and by said The First Baptist Society in Boston, as provided in section one, all gifts, grants, bequests and devises made to or for the benefit of said religious organizations, however described, shall vest in the corporation created by section one.

SECTION 8. All documents, records, books and papers of said vol-

untary religious association and of said The First Baptist Society in Boston shall be the property of The First Baptist Church of Boston, the corporation created by section one, which shall have and enjoy all franchises, powers and privileges of every kind now or formerly belonging to said voluntary religious association and said The First Baptist Society in Boston, and shall assume and be subject to all the debts and liabilities of said voluntary religious association and of said The First Baptist Society in Boston.

SECTION 9. The first meeting of the corporation created by section one shall be held within ninety days following the passage of this act, for the adoption of by-laws consistent with law for the regulation of its government as a religious corporation.

SECTION 10. This act shall take effect upon its passage.

*Approved May 2, 1960.*

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**Chap. 341.** AN ACT ELIMINATING THE REQUIREMENT OF A PUBLIC HEARING BEFORE SPECIAL REGULATIONS FOR THE SPEED AND USE OF MOTOR VEHICLES SHALL BECOME EFFECTIVE.

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

Section 18 of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 500 of the acts of 1956, and inserting in place thereof the following paragraph:— The city council, the traffic commission of the city of Boston, the selectmen, park commissioners, or the department, on ways within their control, may make special regulations as to the speed of motor vehicles and as to the use of such vehicles upon particular ways, and may prohibit the use of such vehicles altogether on certain ways; provided, that no such special regulation shall be effective unless it shall have been published in one or more newspapers, if there be any, published in the town in which the way is situated, otherwise in one or more newspapers published in the county in which the town is situated; nor until after the department, and in the case of a speed regulation the department and the registrar, acting jointly, shall have certified in writing that such regulation is consistent with the public interests; and no regulation shall be valid which excludes motor vehicles from any state highway or from any main highway leading from any town to another, except a regulation of heavy commercial vehicles of a carrying capacity of five tons or over on main highways when such regulation describes a reasonable alternate route; provided, that nothing herein contained shall be construed as affecting the right of the metropolitan district commission or of the department of natural resources to make rules and regulations governing the use and operation of motor vehicles on lands, roadways and parkways under its care and control. No such regulation shall be effective until there shall have been erected, upon the ways affected thereby and at such points as the department and the registrar, acting jointly, may designate, signs, conforming to standards adopted by the department, setting forth the speed or other restrictions established by the regulation, and then only during the time such signs are in place. Any sign, pur-

porting to establish a speed limit, which has not been erected in accordance with the foregoing provisions may be removed by or under the direction of the department.

*Approved May 2, 1960.*

**Chap. 342.** AN ACT RELATIVE TO THE CORRECTION OF ERRORS IN RECORDS OF BIRTHS, MARRIAGES AND DEATHS AND AMENDING BIRTH RECORDS TO CONFORM TO CERTIFICATES OF ADOPTION AND ADOPTION DECREES.

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

SECTION 1. Section 13 of chapter 46 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 3 of chapter 61 of the acts of 1939, and inserting in place thereof the following paragraph:—If the record relating to a birth, marriage or death does not contain all the required facts, or if it is claimed that the facts are not correctly stated therein, the town clerk shall receive an affidavit containing the facts required for record, accompanied by documentary evidence substantiating such facts beyond reasonable doubt, if made by a person required by law to furnish the information for the original record, or, at the discretion of the town clerk, by credible persons having knowledge of the case, or, in the case of an abandoned child or foundling referred to in section one A, by the director of the division of child guardianship in the department of public welfare.

SECTION 2. Said section 13 is hereby further amended by striking out the second sentence of the fourth paragraph, as amended by chapter 146 of the acts of 1959, and inserting in place thereof the following:—Except as hereinafter provided, said clerk shall forthwith, after receiving such certificate of adoption or any such certified copy of a decree of adoption, notify the adopting parents, or parent, of the receipt thereof and, upon payment of the fees prescribed by section thirty-four of chapter two hundred and sixty-two, he shall correct the record of birth of the person so adopted in the manner hereinafter provided and furnish to such parents, or parent, a certified copy of such record, as so corrected. If the certificate of adoption or the certified copy of decree of adoption does not indicate the desire of the adopting parents, or parent, to have the record of birth of the person adopted corrected, the clerk shall not correct such record until he has received a statement, signed by the adopting parents, or parent, or by the person adopted, in the presence of some official authorized by law to administer oaths, requesting that such record be corrected. If such certificate or certified copy does not contain the original name and date and place of birth of the person adopted, the clerk shall not correct such record until he has received a statement of such facts from the court issuing such certificate or certified copy. If such certificate or certified copy does not contain the facts relative to the adopting parents, or parent, hereinafter required for correcting such record, the clerk shall not correct such record until he has received an affidavit, signed and sworn to by the adopting parents, or parent, or by



the person adopted, or, at his discretion, by credible persons having knowledge of the case, and documentary evidence substantiating such facts beyond reasonable doubt.

*Approved May 2, 1960.*

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**Chap. 343.** AN ACT PROVIDING THAT A CERTAIN EMPLOYEE APPOINTED BY A DISTRICT WELFARE COMMITTEE SHALL HAVE THE TITLE OF DIRECTOR OF PUBLIC WELFARE.

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

SECTION 1. Section 44 of chapter 117 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 353 of the acts of 1952, and inserting in place thereof the following sentence:—Two or more towns may, upon recommendation of the commissioner of public welfare, or by vote of each such town and subject to the approval of said commissioner, form a public welfare district, hereinafter called the district, for the purpose of employing therein suitable persons, one of whom shall have the title of director of public welfare, to assist the board of public welfare, or the selectmen acting as such board, of each constituent town in carrying out this chapter and chapters one hundred and eighteen, one hundred and eighteen A, one hundred and eighteen D and one hundred and twenty-two.

SECTION 2. Section 3 of chapter 118B of the General Laws is hereby amended by striking out the first sentence, as amended by section 4 of said chapter 353, and inserting in place thereof the following sentence:—Every town having less than five thousand inhabitants which has not in its service a full-time agent or administrator or one or more full-time employees, appointed under the provisions of chapter thirty-one and engaged in the performance of its duties and obligations with respect to the administration of the programs of aid to dependent children, assistance to persons who are disabled and old age assistance, or a part-time employee so appointed who is adequately performing such duties and obligations, shall make every reasonable effort to enter into a contract with one or more other such towns, so that the administrative duties respecting such aid and assistance shall be performed by a full-time agent or administrator, who shall have the title of director of public welfare, and such other employees as may be necessary.

SECTION 3. Section 4 of said chapter 118B, as appearing in section 7 of chapter 793 of the acts of 1950, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:—Such committee shall appoint an agent or administrator who shall have the title of director of public welfare and such other employees as may be necessary to administer the programs of aid, assistance and relief carried on by such combination, and shall determine their compensation and shall authorize such other expenditures as may be required to carry on such programs. The positions of such directors of public welfare and employees shall be subject to chapter thirty-one and the rules made thereunder.

*Approved May 2, 1960.*

**Chap. 344.** AN ACT RELATIVE TO THE ACCEPTANCE OF THE PROVISIONS OF THE LAW RELATIVE TO EQUAL PAY FOR MEN AND WOMEN TEACHERS.

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

The provisions of section forty of chapter seventy-one of the General Laws, relative to equal pay for men and women teachers, shall be submitted for acceptance in each city and town, where the same or similar provisions are not already in force, in a city by a vote at its next annual or biennial city election and in a town by a vote at the annual town election held after the effective date of this act, in answer to the following question, which in any municipality using official ballots shall be placed on the official ballot to be used for the election of city or town officers:—"Shall the provisions of section forty of chapter seventy-one of the General Laws, relative to equal pay for men and women teachers be in force in this city (or town)?"

YES.	
NO.	

If a majority of the votes in answer to said question is in the affirmative then the provisions of said section forty of said chapter seventy-one relative to equal pay for men and women teachers shall thereupon take full effect in such city or town, but not otherwise.

*Approved May 2, 1960.*

**Chap. 345.** AN ACT ESTABLISHING AN HISTORIC DISTRICTS COMMISSION FOR THE TOWN OF CONCORD AND DEFINING ITS POWERS AND DUTIES, ESTABLISHING HISTORIC DISTRICTS IN THE TOWN OF CONCORD, AND PROVIDING FOR HISTORIC ZONING DISTRICTS.

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

**SECTION 1. Purpose.**—The purpose of this act is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of buildings, places and districts of historic or literary significance through the development and maintenance of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as sites and landmarks compatible with the literary and historic tradition of Concord.

**SECTION 2. Creation of Districts.**—There is hereby established in the town of Concord the four following historic districts bounded and described as follows:

**BARRETT FARM DISTRICT.**

Beginning at a point on the center line of Lowell road three hundred feet north of its intersection with Barrett's Mill road, thence running:

Westerly, parallel to and three hundred feet from Barrett's Mill road to a point in the stone wall marking the boundary between land of Thomas J. McGrath and land of Charles J. Sheehan, said wall being approximately fourteen hundred feet westerly of the center line of Strawberry Hill road;

Southerly, along said stone wall to the center line of Barrett's Mill road;

Westerly, along the center line of Barrett's Mill road approximately one hundred and ninety feet;

Southerly, along the boundary between land of Alice C. Lee and Francis J. and Margaret E. McGrath a distance of approximately one thousand and fifty feet to the north bound of the former Boston & Maine Railroad right of way;

Easterly, along the north bound of said Railroad right of way to the Assabet river;

Easterly, and southerly along the Assabet river and the Concord river to a point in the Concord river three hundred feet northeast of the center line of Lowell road;

Northwesterly, westerly and northwesterly parallel to and three hundred feet from the center line of Lowell road to a point three hundred feet north of the center line of Barnes Hill road;

Westerly, parallel to and three hundred feet from the center line of Barnes Hill road to the point of beginning.

#### NORTH BRIDGE — MONUMENT SQUARE DISTRICT.

Beginning at a point on the center line of Monument street at the center of the Concord river, thence running:

Westerly, along the river to a point three hundred feet from the center line of Monument street;

Southerly, parallel to and three hundred feet from the center line of Monument street to the Southern Division of the Boston & Maine Railroad;

Easterly, along the railroad to a point one hundred and fifty feet from the center line of Monument street;

Southerly, parallel to and one hundred and fifty feet from the center line of Monument street to a point one hundred and fifty feet from Lowell road;

Northwesterly, parallel to and one hundred and fifty feet from the center line of Lowell road to the center of Mill brook;

Southerly, southwesterly and southeasterly along the Mill brook to a point two hundred feet from the center line of Main street;

Northeasterly, perpendicular to Monument square to a point one hundred feet from the center line of the southwesterly portion of Monument square;

Southeasterly, parallel to and one hundred feet from the center line of the southwesterly portion of Monument square to the center line of Main street;

Northeasterly, along the center line of Main street to and across Lexington road to a point three hundred feet northeast of the center line of Lexington road;

Northwesterly and northerly, parallel to and three hundred feet from the center line of the northeasterly portion of Monument square and the center line of Monument street to the center of the Concord river;

Westerly along the center line of the Concord river to the point of beginning.

# AMERICAN MILE DISTRICT.

Beginning at a point at the center line of Lexington road at the culvert under Lexington road approximately two hundred and fifty feet east of the intersection of Old Bedford road and Lexington road, thence running:

Southwesterly, along the brook under Lexington road to the intersection of the brook and the Mill brook;

Westerly, in a straight line through a point on the center line of Cambridge turnpike ten hundred and sixty feet easterly of the intersection of Cambridge turnpike and Lexington road, to the Mill brook and along the thread of the Mill brook to the westerly boundary line of the First Parish Church property;

Northerly, along said boundary line to the center line of Main street and northeasterly along the center line of Main street to and across Lexington road to a point three hundred feet from the center line of Lexington road;

Easterly, parallel to and three hundred feet north of the center line of Lexington road to a point opposite the point of beginning;

Southerly, perpendicular to the center line of Lexington road to the point of beginning.

# MAIN STREET DISTRICT.

Beginning at the junction of the center lines of Main street and Sudbury road, thence running:

Northerly, perpendicular to Main street to a point two hundred feet from the center line of Main street;

Westerly, parallel to and two hundred feet from the center line of Main street to a point on a line parallel to and two hundred feet easterly from the center line of Wood street;

Northerly, parallel to and two hundred feet from the center line of Wood street to a point on a line parallel to and one hundred and sixty-five feet southerly from the center line of Elm street;

Westerly, perpendicular to the center line of Wood street and across Wood street to a point two hundred and eighty feet westerly of the center line of Wood street;

Southerly, perpendicular to Nashoba road to a point on the center line of Nashoba road;

Easterly, on the center line of Nashoba road one hundred and eighty feet;

Southerly, perpendicular to the Boston & Maine Railroad, and across the Boston & Maine Railroad to a point on the center line of Main street;

Northeasterly, along the center line of Main street to the center line of the Boston & Maine Railroad;

Easterly, along the Boston & Maine Railroad to a point one hundred and fifty feet easterly of the center line of Main street;

Easterly, one hundred and fifty feet and parallel to the center line of Main street to the center line of Sudbury road;

Northeasterly, along the center line of Sudbury road to the point of beginning.

Wherever only part of any building or structure is within an historic district according to the boundary lines as heretofore defined in this section, there shall be included within the historic district the entire land area occupied, or to be occupied, by all of said building or structure so that the whole building or structure shall be considered to be within the historic district for the purposes of this act.

SECTION 3. *Definitions.*—As used in this act, the following words and terms shall have the following meanings:—

“Building”, a combination of materials having a roof and forming a shelter for persons, animals or property.

“Building inspector”, the building inspector of the town of Concord.

“Commission”, the historic districts commission established by section four.

“Erected”, the word “erected” includes the words “built”, “constructed”, “reconstructed”, “restored”, “altered”, “enlarged”, and “moved”.

“Exterior architectural feature”, the architectural style and general arrangement of such portion of the exterior of a building or structure as is designed to be open to view from a public street, way or place including the kind, color and texture of the building materials of such portion and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such portion.

“Historic districts”, the districts established by section two.

“Person”, the word “person” includes an individual, a corporate or unincorporated organization or association and the town of Concord.

“Structure”, a combination of materials, other than a building, sign or billboard, but including a stone wall.

SECTION 4. *Creation and Organization of Historic Districts Commission.*—There is hereby created in the town of Concord an Historic Districts Commission consisting of five unpaid members who shall be residents of the town of Concord, to be appointed by the selectmen of the town. One member shall be appointed from one of two candidates nominated by the Concord Antiquarian Society; the term of such member will expire in the case of the first appointment one year from January first following the year of that appointment and every five years thereafter. One member shall be appointed from one of two candidates nominated by the trustees of the Concord Public Library; the term of such member will expire in the case of the first appointment two years from January first following the year of that appointment and every five years thereafter. One member shall be appointed from one of two candidates nominated by the Concord planning board; the term of such member will expire in the case of the first appointment three years from January first following the year of that appointment and every five years thereafter. One member shall be appointed from one of two candidates nominated by the Concord conservation commission; the term of such member will expire in the case of the first appointment four years from January first following the year of that appointment and every five years thereafter. One member shall be appointed at large by the selectmen; the term of such

member will expire five years from January first following the year of that appointment and every five years thereafter.

The selectmen also shall appoint for terms of five years from January first following the year of such appointments five associate members of the commission selected from candidates nominated by the aforesaid organization, trustees, planning board and commission, each such organization, trustees, board and commission to nominate two each when two or more associate members are to be appointed and to nominate one each when only one associate member is to be appointed. In case of the absence, inability to act, or interest on the part of a member of the commission his place may be taken by an associate member designated by the chairman of the commission. In case of a vacancy on said commission the chairman may designate an associate member to serve as a member of the commission until said vacancy is filled as provided in this section. As the term of any member or associate member expires, his successor shall be appointed in like manner for a term of five years. Vacancies in the commission shall be filled in the same manner for the unexpired term. Every member and associate member shall continue in office after the expiration of his term until his successor is duly appointed and qualified. Any member or associate member may be removed for cause by the appointing authority upon written charges and after a public hearing.

The commission shall elect a chairman and secretary from its membership. In the case of absence of the chairman from any meeting, the commission shall elect a chairman pro tempore for such meeting.

SECTION 5. *Limitations.*—(a) No building or structure, except as provided under section six, shall be erected within the historic districts unless and until an application for a certificate of appropriateness as to exterior architectural features which are subject to view from a public street, way or place shall have been filed with the commission and either a certificate of appropriateness or a certificate that no exterior architectural feature is involved, shall have been issued by the commission.

(b) No building or structure within the historic districts, except as provided in section six, shall be changed as to exterior color features which are subject to view from a public street, way or place unless and until an application for a certificate of appropriateness as to change in such color features shall have been filed with the commission and such certificate shall have been issued by the commission.

(c) No building or structure within the historic districts, except as provided under section six, shall be demolished or removed unless and until an application for a permit to demolish or remove the same shall have been filed with the commission, and such permit shall have been issued by the commission.

(d) No occupational, commercial or other sign, except as provided under section six, and no billboard which is subject to view from a public street, way or place shall be erected or displayed within the historic districts unless and until an application for a certificate of appropriateness shall have been filed with the commission, and such certificate shall have been issued by the commission. In the case of any such sign or billboard erected or displayed prior to the effective

date of this act, there shall be allowed a period of five years, subsequent to said effective date, in which to obtain such certificate.

(e) No landscaping feature which was considered in granting a certificate of appropriateness or permit for demolition or removal and referred to in such certificate or permit as a necessary condition to the granting of such approval shall be changed, except for ordinary maintenance.

(f) Except in cases excluded by section six:—

(1) No permit shall be issued by the building inspector for any building or structure to be erected within the historic districts, until a certificate of appropriateness or a certificate that no exterior architectural feature is involved has been issued under section nine.

(2) No permit shall be issued by the building inspector for the demolition or removal of any building or structure within the historic districts until a permit has been issued under said section nine.

SECTION 6. *Exclusions.*—(a) Nothing in this act shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of any building or structure within the historic districts; nor shall anything in this act be construed to prevent landscaping changes except landscaping changes, involving more than ordinary maintenance, which relate to landscaping features considered in granting a certificate of appropriateness or permit for demolition or removal and referred to in such certificate or permit as a necessary condition to the granting of such approval; nor shall anything in this act be construed to prevent the erection, construction, reconstruction, restoration, alteration or demolition of any such feature which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition; nor shall anything in this act be construed to prevent the erection, construction, reconstruction, alteration or demolition of any such feature under a permit issued by the building inspector prior to the effective date of this act.

(b) The following structures and signs may be erected or displayed within the historic districts without the filing of an application for, or the issuance of, a certificate of appropriateness:—

(1) Temporary structures or signs for use in connection with any official celebration or parade, or any charitable drive in the town; provided, that any such structure or sign shall be removed within three days following the termination of the celebration, parade or charitable drive for which said structure or sign shall have been erected or displayed. Any other temporary structures or signs which the commission shall determine from time to time may be excluded from the provisions of section five without substantial derogation from the intent and purposes of this act.

(2) Real estate signs of not more than three square feet in area advertising the sale or rental of the premises on which they are erected or displayed.

(3) Occupational or other signs of not more than one square foot in area and not more than one such sign, irrespective of size, bearing the name, occupation or address of the occupant of the premises on which such sign is erected or displayed where such premises are located within a single residence district as defined in the zoning by-law of the town of Concord.

(c) The exterior color of any building or structure within the historic districts may be changed to white without the filing of an application for, or the issuance of, a certificate of appropriateness or to any color or any combination of colors which the commission shall determine from time to time may be used without substantial derogation from the intent and purposes of this act.

SECTION 7. *Application to be filed with Commission.*—Excepting cases excluded by section six, any person who desires to erect, build, construct, reconstruct, restore, alter, move, demolish, remove or change the exterior color features of any building or structure now or hereafter within the historic districts, or to erect or display within the historic districts any sign or billboard for which a certificate of appropriateness is required under paragraph (d) of section five, shall file with the commission an application for a certificate of appropriateness or a permit for demolition or removal, as the case may be, together with such plans, elevations, specifications, material and other information drawn to scale, as shall be deemed necessary by the commission to enable it to make a determination on the application.

SECTION 8. *Meetings, Hearings, Time for making Determinations.*—Meetings of the commission shall be held at the call of the chairman and also when called in such other manner as the commission shall determine in its rules. Five members, including associate members, of the commission shall constitute a quorum.

The commission shall determine promptly, and in all events within fourteen days, after the filing of an application for a certificate of appropriateness as to exterior architectural features, whether the application involves any such features. If the commission determines that such application involves any exterior architectural features, the commission shall hold a public hearing on such application. The commission also shall hold a public hearing on all other applications required to be filed with it under this act, except that the commission may approve an application for a change in exterior color features without holding a hearing if it determines that the color change proposed is appropriate.

The commission shall fix a reasonable time for the hearing on any application and shall give public notice thereof by publishing notice of the time, place and purpose of the hearing in a local newspaper at least fourteen days before said hearing and also, within seven days of said hearing, mail a copy of said notice to the applicant, to the owners of all property deemed by the commission to be affected thereby as they appear on the most recent local tax list, to the planning board of the town, and to such other persons as the commission shall deem entitled to notice.

As soon as convenient after such public hearing but in any event within forty-five days after the filing of the application, or within such further time as the applicant shall allow in writing, the commission shall make a determination on the application. If the commission shall fail to make a determination within said forty-five days, or within such further time allowed by the applicant, the commission shall be deemed to have approved the application.



**SECTION 9. *Powers, Functions, and Duties of Commission.***—The commission shall have the following powers, functions and duties:

(a) It shall pass upon:

(1) The appropriateness of exterior architectural features of buildings and structures to be erected within the historic districts wherever such features are subject to view from a public street, way or place.

(2) The appropriateness of changes in exterior color features of buildings and structures within the historic districts wherever such features are subject to view from a public street, way or place.

(3) The demolition or removal of any building or structure within the historic districts. The commission may refuse a permit for the demolition or removal of any building or structure of architectural or historic interest, the removal of which in the opinion of the commission would be detrimental to the public interest.

(4) The appropriateness of the erection or display of occupational, commercial or other signs and billboards within the historic districts wherever a certificate of appropriateness for any such sign or billboard is required under paragraph (d) of section five.

In passing upon appropriateness, demolition or removal, the commission shall determine whether the features, demolition or removal, sign or billboard involved will be appropriate for the purposes of this act and, if it shall be determined to be inappropriate, shall determine whether, owing to conditions especially affecting the building, structure, sign or billboard involved, but not affecting the historic district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this act. If the commission determines that the features, demolition or removal, sign or billboard involved will be appropriate or, although inappropriate, owing to conditions as aforesaid, failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without substantial detriment or derogation as aforesaid, the commission shall approve the application; but if the commission does not so determine, the application shall be disapproved.

In passing upon appropriateness the commission shall consider, among other things, the historical and literary value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features, sign or billboard involved, and the relation of such factors to similar factors of sites, buildings and structures in the immediate surroundings. The commission shall consider the appropriateness of the size and shape of the building or structure in relation to (a) the land area upon which the building or structure is situated, (b) the landscaping and planting features proposed by the applicant and (c) the neighboring sites, buildings or structures within the district. The commission shall also consider the applicable zoning and other by-laws of the town. The commission shall not consider detailed designs, interior arrangement and other building features not subject to public view.

In approving an application the commission may impose conditions which, if the certificate of appropriateness is acted upon, shall be binding upon the applicant, the owner of the property and his successors in title. Prior to approving an application subject to conditions, the commission may notify the applicant of its proposed action and permit the applicant to express his opinion thereon.

The concurring vote of three members, including associate members, of the commission shall be necessary to make a determination in favor of the applicant on any matter upon which the commission is required to pass under this act.

(b) In the case of an approval by the commission of an application for a certificate of appropriateness or a permit for demolition or removal, or in the event an application is deemed approved through failure to make a determination within the time specified in section eight, the commission shall cause a certificate of appropriateness or a permit for demolition or removal, as the case may be, dated and signed by its chairman or chairman pro tempore, to be issued to the applicant.

(c) In the case of disapproval of an application for a certificate of appropriateness or a permit for demolition or removal, the commission shall cause a notice of its determination, dated and signed by its chairman or chairman pro tempore, to be issued to the applicant, setting forth therein the reasons for its determination, and, as to applications for a certificate of appropriateness, the commission may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material, color and similar factors. Prior to the issuance of any disapproval, the commission may notify the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the commission. If within ten days of the receipt of such a notice the applicant files a written modification of his application in conformity with the recommended changes of the commission, the commission shall cause a certificate of appropriateness or permit for demolition or removal, as the case may be, dated and signed by its chairman or chairman pro tempore, to be issued to the applicant.

(d) In the case of a determination by the commission that an application for a certificate of appropriateness does not involve any exterior architectural feature, the commission shall cause a certificate of such determination, dated and signed by its chairman or chairman pro tempore, to be issued forthwith to the applicant.

(e) The commission shall keep a permanent record of its resolutions, transactions, and determinations, and may make such rules and regulations consistent with this act and prescribe such forms as it shall deem desirable and necessary.

(f) The commission shall file with the town clerk a notice of all determinations made by it, and approvals of applications through failure of the commission to make a determination within the time allowed under section eight, except that no notice of a determination that an application for a certificate of appropriateness does not involve any exterior architectural feature shall be filed.

(g) The commission may incur expenses necessary to the carrying on of its work within the amount of its appropriation.

SECTION 10. *Appeals.*—Any person aggrieved by a determination of the commission or by an approval of an application through failure of the commission to make a determination within the time allowed under section eight, whether or not previously a party to the proceeding, or any officer or board of the town may, within twenty days after the filing of a notice of such determination or approval with the town clerk, appeal to the superior court sitting in equity for the county of Middlesex. The court shall hear all pertinent evidence and determine the facts and if, upon the facts so determined, such determination or approval is found to exceed the authority of the commission, the court shall annul such determination or approval and remand the case for further action by the commission. The remedies provided by this action shall be exclusive; but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted in bad faith or with malice in the matter from which the appeal was taken.

Costs shall not be allowed against the party appealing from such determination or approval of the commission unless it shall appear to the court that said party acted in bad faith or with malice in making the appeal to the court.

SECTION 11. *Enforcement.*—Any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than five hundred dollars.

The superior court sitting in equity for the county of Middlesex shall have jurisdiction to enforce the provisions of this act and the determinations, rulings and regulations issued thereunder and may restrain by injunction violations thereof and issue such other orders for relief of violations as may be required.

SECTION 12. *Changes in Historic Districts.*—The districts described in section two may be enlarged or reduced and new districts may be created by a two-thirds vote at any regular or special town meeting called for the purpose. Prior to any such action, the planning board shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town meeting.

SECTION 13. *Historic Zoning.*—The town of Concord by a two-thirds vote at any regular or special town meeting called for the purpose may enact additions, changes or amendments to its zoning by-laws to assist in carrying out the purpose of this act. Prior to any such enactment, the planning board shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town meeting.

SECTION 14. *Severability of Provisions.*—The provisions of this act shall be deemed to be severable; and in case any section, paragraph or part of this act shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the validity of any other sections, paragraphs or parts of this act.

SECTION 15. This act shall take effect upon its acceptance by the town of Concord at an annual town meeting or at any special town meeting called for the purpose.

*Approved May 2, 1960.*

**Chap. 346.** AN ACT AUTHORIZING THE TOWN OF BELMONT TO USE A PORTION OF CERTAIN PROPERTY ACQUIRED FOR SCHOOL AND PLAYGROUND PURPOSES FOR AN ELECTRIC SUBSTATION.

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

SECTION 1. The town of Belmont is hereby authorized to use for an electric substation a certain portion of the land now used for school and playground purposes, said portion containing thirty-eight hundred square feet of land, more or less, off Oakley Road, being triangular in shape, and shown on a plan entitled "Plan Showing Part of Belmont Junior High School Property, Oakley Road, Belmont, Mass.", dated September 16, 1953, and bounded and described according to said plan as follows:

SOUTHERLY by Lot C, two hundred (200) feet;

WESTERLY by land marked "Playground", thirty-eight (38) feet, more or less;

NORTHERLY by land marked "Path" two hundred two (202) feet, more or less.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of selectmen of the town of Belmont, subject to the approval of the school committee and the recreation commission of said town.

*Approved May 2, 1960.*

**Chap. 347.** AN ACT RELATIVE TO THE ELIGIBILITY FOR PAROLE OF CERTAIN SEXUALLY DANGEROUS PERSONS COMMITTED TO THE TREATMENT CENTER.

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

Section 9 of chapter 123A of the General Laws, as appearing in section 1 of chapter 646 of the acts of 1958, is hereby amended by inserting after the word "commitment", in line 7, the following:—, provided such person is otherwise eligible for parole.

*Approved May 2, 1960.*

**Chap. 348.** AN ACT PROVIDING THAT A CERTAIN BRIDGE IN THE HUNT'S FALLS SECTION OF THE CITY OF LOWELL SHALL BE KNOWN AND DESIGNATED AS THE QUINN-HOLMES BRIDGE.

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

The bridge spanning the Merrimack river in the city of Lowell, in the area referred to as the Hunt's Falls section, shall be known and designated as the Quinn-Holmes bridge and suitable markers bearing said designation shall be erected at appropriate places thereon by the department of public works.

*Approved May 2, 1960.*

**Chap. 349.** AN ACT PROVIDING FOR UNLIMITED TENURE OF OFFICE FOR THE INCUMBENT OF THE OFFICE OF DISTRICT DIRECTOR OF VETERANS SERVICES OF CENTRAL FRANKLIN COUNTY.

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

SECTION 1. The tenure of office of the incumbent of the office of district director of veterans services of central Franklin county shall,

upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by a majority vote at a special town meeting called for the purpose, or at the next annual town meeting, of at least five of the seven towns comprising said district.

*Approved May 2, 1960.*

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**Chap. 350.** AN ACT PROVIDING FOR THE REDUCTION OF SENTENCES OF PRISONERS IN CORRECTIONAL INSTITUTIONS OF THE COMMONWEALTH BY THE NUMBER OF DAYS SUCH PRISONERS WERE CONFINED WHILE AWAITING TRIAL.

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

Chapter 127 of the General Laws is hereby amended by inserting after section 129A the following section:—*Section 129B.* The sentence of any prisoner in any correctional institution in the commonwealth, who was held in custody awaiting trial shall be reduced by the number of days spent by him in confinement prior to such sentence and while awaiting trial, unless the court in imposing such sentence had already deducted therefrom the time during which such prisoner had been confined while awaiting trial.

*Approved May 2, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, MAY 10, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 350 of the Acts of 1960, entitled “An Act Providing for the Reduction of Sentences of Prisoners in Correctional Institutions of the Commonwealth by the Number of Days Such Prisoners were Confined While Awaiting Trial” and the enactment of which received my approval on May 2, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose because the provisions of this act are immediately applicable to many prisoners now confined in the institutions of the Commonwealth.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, MAY 10, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and fifty of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 351.** AN ACT PROVIDING TENURE FOR THE PRESENT INCUMBENTS OF THE OFFICES OF CHIEF OF POLICE, DEPUTY CHIEF OF POLICE, LIEUTENANT, SERGEANT AND ALL FIRST CLASS PATROLMEN IN THE POLICE DEPARTMENT OF THE TOWN OF SEEKONK.

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

SECTION 1. The tenure of office of the present incumbents of the offices of chief of police, deputy chief of police, lieutenant of police, sergeant of police, and all first class patrolmen, having three years active duty in the police department of the town of Seekonk, shall be unlimited. Said incumbents shall not be removed from office, lowered in rank or suspended, except for just cause and reasons specifically given them in writing by the board of selectmen.

SECTION 2. This act shall be submitted to the voters of the town of Seekonk at the annual town meeting to be held in the year nineteen hundred and sixty-one in the form of the following question which shall be placed upon the official ballot to be used for the election of officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty entitled 'An Act providing tenure for the present incumbents of the offices of chief of police, deputy chief of police, lieutenant, sergeant and all first class patrolmen in the police department of the town of Seekonk' be accepted?" If a majority of the votes cast in answer to said question is in the affirmative this act shall thereupon take effect, but not otherwise.

*Approved May 2, 1960.*

**Chap. 352.** AN ACT RESTRICTING TO CERTAIN ACTIONS OF CONTRACT THE PARTIAL REMOVAL OF SUCH ACTIONS FROM THE DISTRICT COURTS TO THE SUPERIOR COURT.

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

SECTION 1. Chapter 231 of the General Laws is hereby amended by striking out section 104, as most recently amended by section 1 of chapter 302 of the acts of 1956, and inserting in place thereof the following section:—*Section 104.* No other party to such action shall be entitled to an appeal. In lieu thereof any such other party may within two days after the time allowed for entering his appearance

file in said court a claim of trial by the superior court together with the sum of five dollars for the entry of the cause of each plaintiff in the superior court, and, except as provided in section one hundred and seven, a bond in the penal sum of one hundred dollars, with such surety or sureties as may be approved by the plaintiff or the clerk or an assistant clerk of said district court, payable to the other party or parties to the cause, conditioned to satisfy any judgment for costs which may be entered against him in the superior court in said cause within thirty days after the entry thereof. The clerk shall forthwith transmit the papers and entry fee in the cause to the clerk of the superior court and the same shall proceed as though then originally entered there.

Removal of a case under this section shall remove any default of a defendant entered for failure to appear and answer in the district court.

SECTION 2. Said chapter 231 is hereby further amended by inserting after section 104 the following section:—*Section 104A.* In any action brought by or against two or more persons in which separate judgments are authorized by section two or four, the party seeking removal may specify in his claim of trial by the superior court the parties as to whom such trial is claimed, in which case the cause shall be removed as to such parties only as are specified in such claim, and said district court shall retain jurisdiction as to the remainder. In such case the clerk shall transmit attested copies of the papers in the cause to the clerk of the superior court, in lieu of the originals.

SECTION 3. Section 141 of said chapter 231 is hereby amended by inserting after the word "four", in line 19, as appearing in section 4 of chapter 616 of the acts of 1954, the words:—, one hundred and four A.

*Approved May 2, 1960.*

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**Chap. 353.** AN ACT AMENDING THE DEFINITION OF "DELINQUENT CHILD" AND PROVIDING THAT ALL JUVENILE OFFENDERS BE FIRST BROUGHT INTO THE DISTRICT COURT.

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

SECTION 1. Section 52 of chapter 119 of the General Laws is hereby amended by striking out the definition "Delinquent child", as amended by section 3 of chapter 310 of the acts of 1948, and inserting in place thereof the following definition:—"Delinquent child", a child between seven and seventeen who violates any city ordinance or town by-law or who commits any offence against a law of the commonwealth.

SECTION 2. Section 66 of said chapter 119, as most recently amended by section 2 of chapter 244 of the acts of 1943, is hereby further amended by striking out, in lines 8 and 9, the words "except when charged with an offence punishable by death or life imprisonment".

SECTION 3. Section 74 of said chapter 119, as most recently amended by section 12 of chapter 310 of the acts of 1948, is hereby further amended by striking out, in line 3, the words " , except for offences punishable by death".

SECTION 4. Section 75 of said chapter 119, as most recently amended by section 13 of said chapter 310, is hereby further amended by striking out, in line 5, the words "not punishable by death".

*Approved May 2, 1960.*

**Chap. 354.** AN ACT PLACING THE OFFICES AND POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS OF THE TOWN OF STOUGHTON UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. The provisions of chapter thirty-one of the General Laws shall, upon the effective date of this act, apply to all offices and positions in the department of public works of the town of Stoughton. The tenure of the permanent incumbent of any such office or position shall be unlimited subject, however, to the provisions of the civil service laws and rules; provided, however, that the incumbent of such office or position on said effective date shall be subjected by the division of civil service to a qualifying examination, if so required by the civil service law, and if he passes said examination, shall be certified for such office or position and shall be deemed to be permanently appointed thereto, without being required to serve any probationary period.

SECTION 2. This act shall be submitted to the voters of said town at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said town at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the offices and positions in the department of public works of the town of Stoughton under the civil service laws', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved May 2, 1960.*

**Chap. 355.** AN ACT REQUIRING OWNERS OF CERTAIN LANDS IN THE CITY OF BOSTON TO KEEP CERTAIN INFORMATION ON FILE WITH THE BUILDING COMMISSIONER OF SAID CITY.

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

SECTION 1. On and after July first in the current year, whoever owns land in the city of Boston upon which there is a building used in whole or in part for dwelling purposes, unless he has an usual place of abode or of business on such land, shall keep on file with the building commissioner of said city, and open to public inspection, a certificate reciting (1) his name, residence and place of business, with the street and number, if any, or in the case of a corporation, the corporate name and place of business and the names and residences of the president, treasurer and clerk thereof, and (2) a description, by street and number or otherwise, of the location of the land owned. Within five days after any recital in such certificate changes, whoever then owns such land shall file a new certificate. A mortgagee shall not be deemed to own land within the meaning of this act until he



takes possession or forecloses. Whoever violates any provision of this act shall be punished by a fine not exceeding one hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, subject to the provisions of its charter.

*Approved May 2, 1960.*

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**Chap. 356.** AN ACT TO RE-ESTABLISH A PORTION OF THE BOUNDARY LINE BETWEEN THE TOWNS OF AGAWAM AND WEST SPRINGFIELD.

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

The following described line shall be a portion of the boundary between the towns of Agawam and West Springfield:—Beginning at a point on the center line of the Connecticut river, said point being a common point on the boundaries of the town of Agawam, the city of Springfield and the town of West Springfield; thence on a bearing of S 64° 21' 24" W for a distance of approximately 945 feet to a point, Agawam-West Springfield 1, having co-ordinates  $x = 303,548.00$ ,  $y = 399,791.00$ ; thence N 56° 06' 24" W for a distance of 235.18 feet to a point, Agawam-West Springfield 2, having co-ordinates  $x = 303,352.78$ ,  $y = 399,922.15$ ; thence N 43° 20' 26" W for a distance of 343.54 feet to a point, Agawam-West Springfield 3, having co-ordinates  $x = 303,117.00$ ,  $y = 400,172.00$ ; thence on a curve to the left, having a radius of 950.00 feet for a distance of 819.56 feet to a point, Agawam-West Springfield 4, having co-ordinates  $x = 302,380.18$ ,  $y = 400,468.88$ , said point being a point of compound curvature; thence on a curve to the left having a radius of 3,600.00 feet for a distance of 461.47 feet to a point, Agawam-West Springfield 5, having co-ordinates  $x = 301,921.94$ ,  $y = 400,417.14$ , said point being a point of compound curvature; thence on a curve to the left having a radius of 456.56 feet for a distance of 350.99 feet to a point, Agawam-West Springfield 6, having co-ordinates  $x = 301,632.00$ ,  $y = 400,235.00$ ; thence S 12° 16' 14" W (said bearing not tangent to preceding curve) for a distance of 2573.80 feet to a point, Agawam-West Springfield 7 (W.M.), on north side of Westfield river having co-ordinates  $x = 301,085.00$ ,  $y = 397,720.00$ ; thence S 12° 16' 14" W for a distance of approximately 145 feet to a point on the center line of the Westfield river, said point being on the present boundary line between the towns of Agawam and West Springfield.

Bearings and co-ordinates herein referred to are based on the Massachusetts co-ordinate system, mainland zone, as set forth in sections eight to thirteen, inclusive, of chapter ninety-seven of the General Laws.

*Approved May 2, 1960.*

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**Chap. 357.** AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO SELL AND THE ARMORY COMMISSION TO BUY CERTAIN LAND IN SAID CITY.

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

The city of Cambridge, acting by its treasurer and with the approval of its city council and manager, is hereby authorized to convey

to the commonwealth a tract of land located on Fresh Pond Parkway in said city. Said tract is shown as Lot B, outlined in yellow, on a plan entitled "Proposed Layout of Rev. P. H. Callanan Playground, Cambridge, Massachusetts", dated June 22, 1954, and prepared by Edward Smith, Acting City Engineer. Said tract contains approximately 16,725 square feet according to said plan. The armory commission is authorized to accept said conveyance on behalf of the commonwealth and to use the same for military purposes, and to pay for said land at the rate of one dollar per square foot, the exact amount to be determined by a survey of the area to be conveyed. Upon certification by the armory commission of the amount to be paid for such conveyance, the state treasurer shall disburse said amount to the city of Cambridge from the fund created under section two of chapter three hundred and sixty-four of the acts of nineteen hundred and fifty-seven.

*Approved May 2, 1960.*

**Chap. 358.** AN ACT EXTENDING THE TIME WITHIN WHICH THE TOWN OF WESTWOOD MAY BORROW MONEY FOR CERTAIN SEWER PURPOSES.

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

SECTION 1. Section 8 of chapter 380 of the acts of 1955 is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word:—ten,—so as to read as follows:—*Section 8.* For the purpose of paying the necessary expense and liabilities incurred under this act, the town may from time to time, within ten years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate three million seven hundred and ninety thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Westwood Sewerage and Drainage Loan, Act of 1955. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

*Approved May 3, 1960.*

**Chap. 359.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF FRANKLIN COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Franklin county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following

sums for the several purposes and subject to the conditions specified in this act are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

## FRANKLIN COUNTY.

Item	
1. For interest on county debt .....	\$2,250 00
3. For county commissioners, salaries and expenses ..	10,795 00
4. For transportation and expenses of county and acting commissioners .....	540 00
5. For clerk of courts, salaries and expenses .....	22,043 47
6. For county treasurer, salaries and expenses .....	11,370 17
7. For sheriff, salary and expenses .....	5,960 00
8. For registry of deeds, salaries and expenses .....	39,510 42
8a. For registry of probate, salaries and expenses ....	3,390 00
9. For law library, salaries and expenses .....	7,861 00
10. For highways, including state highways, bridges and land damages .....	165,150 00
11. For examination of dams .....	400 00
12. For criminal costs in superior court .....	20,714 90
13. For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	22,195 00
14. For district courts, salaries and expenses .....	53,386 30
15. For medical examiners and commitments of insane ..	5,520 00
16. For jail and house of correction, maintenance and operation .....	72,623 95
17. For training school .....	100 00
18. For court houses and registry buildings, maintenance and operation .....	22,199 75
20. For agricultural school or county aid to agriculture, maintenance and operation .....	38,921 43
21. For state reservation, maintenance and operation, Mount Sugarloaf .....	2,192 50
22. For hospital or sanatorium .....	25,409 86
23. For preventorium or health service .....	2,200 00
24. For non-contributory pensions .....	300 00
25. For contributory retirement system and supervisory expenses .....	10,745 85
26. For miscellaneous and contingent expenses .....	2,934 58
27. For unpaid bills of previous years .....	500 00
28. For reserve fund .....	5,000 00
28a. For reserve for salary adjustments .....	10,792 12
29. For advertising recreational, industrial and agricultural advantages of the county .....	7,000 00
31. For radio system for fire protection .....	1,595 00
39. For group insurance .....	4,100 00
Total Amount of Appropriations .....	\$577,701 30
Less Estimated amount available for Reduction of County Tax .....	93,151 56

And the county commissioners of Franklin County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ..... \$484,549 74

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Franklin county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their

compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with approved list filed with the county personnel board by the joint committee on counties:

SECTION 6. This act shall take effect upon its passage.

*Approved May 3, 1960.*

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**Chap. 360.** AN ACT RELATIVE TO THE CANCELLATION OF COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE.

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

Chapter 90 of the General Laws is hereby amended by inserting after section 34J the following section:—*Section 34K.* No power of attorney in connection with the cancellation of a motor vehicle liability policy as defined in section thirty-four A shall be exercised until ten days' notice has been given to the policyholder by registered or certified mail, return receipt requested, by the person or corporation exercising the power of attorney, and a statement signed under the penalties of perjury has been filed with the registry of motor vehicles certifying that said notice has been sent to the policyholder. Notice

to the insurance company of the cancellation of such a policy by a person or corporation exercising the power of attorney shall be accompanied by a statement of compliance with this section, and the insurance company may rely upon such statement.

*Approved May 3, 1960.*

**Chap. 361.** AN ACT FURTHER REGULATING GROUP LIFE INSURANCE POLICIES COVERING EMPLOYEES OF PERSONS ENGAGED IN THE BUSINESS OF CONDUCTING SUMMER CAMPS.

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

The fifth paragraph of section 134 of chapter 175 of the General Laws, as appearing in section 4 of chapter 404 of the acts of 1951, is hereby amended by inserting after the word "unit", in line 11, the following:— ; provided, however, that so much of this paragraph as provides that a policy issued under said subdivision (e) of said section one hundred and thirty-three insure not less than an average of five persons, exclusive of partners or individual proprietors, per employer unit shall not be applicable in the case of any policy so issued covering employees of persons engaged in the business of conducting recreational or instructional summer camps for children.

*Approved May 3, 1960.*

**Chap. 362.** AN ACT AUTHORIZING THE TRAPPING OF BEAVERS WHICH HAVE BEEN DECLARED A NUISANCE IN CERTAIN AREAS.

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

Section 68 of chapter 131 of the General Laws, as most recently amended by section 1 of chapter 482 of the acts of 1953, is hereby further amended by adding at the end the following paragraph:—

Notwithstanding the provisions of any law, or of any rule or regulation made by the director restricting the setting of traps in the vicinity of beaver houses or beaver dams, a city council or board of selectmen may permit the trapping of beavers upon beaver dams or within ten feet of the waterline of beaver houses in those parts of the city or town wherein such beavers constitute a nuisance and which areas have been so posted.

*Approved May 3, 1960.*

**Chap. 363.** AN ACT AUTHORIZING THE TOWN OF ATHOL TO SELL CERTAIN LAND ACQUIRED FOR PARK PURPOSES.

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

SECTION 1. The town of Athol may sell at public auction or private sale, whichever in the discretion of the selectmen would be for the best interest of said town, a certain parcel of land acquired for park purposes, and no longer needed for public use. Said parcel of land, situated on the southerly side of Twichell street in said town, is bounded and described as follows:—Beginning at the northwesterly corner thereof at a stone bound at the southwesterly corner of land of Louis G. and Olga S. Nylander; thence South 89°-53'-05" East by land of said Nylander and by land of John F. and Lydia I. Gravelin,

a distance of 282.33 feet to a corner; thence South 77°-00' West by land of the Town of Athol (Silver Lake Park), a distance of 288.93 feet to a corner; thence North 0°-02' East by Town Land (Silver Lake Park), a distance of 66.24 feet to the place of beginning containing 9,323 square feet.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members of the town of Athol at a regular or special town meeting called for the purpose.

*Approved May 3, 1960.*

**Chap. 364.** AN ACT TO PROVIDE TENURE OF OFFICE UNTIL HE ATTAINS AGE SIXTY-FIVE FOR JOSEPH C. WRIGHT, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE CITY OF BROCKTON.

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

SECTION 1. The tenure of office of Joseph C. Wright, incumbent of the office of chief of police of the city of Brockton shall, upon the effective date of this act, be unlimited until he attains age sixty-five, provided that he shall pass a qualifying examination, to which he shall be subjected by the division of civil service, but he may be removed from his office for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted to the voters of the city of Brockton at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act to provide tenure of office until he attains age sixty-five for Joseph C. Wright, incumbent of the office of chief of police of the city of Brockton', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved May 3, 1960.*

**Chap. 365.** AN ACT RELATIVE TO THE PROCEDURE IN APPEALS FROM THE DECISIONS OF BOARDS OF APPEAL UNDER ZONING ORDINANCES AND BY-LAWS.

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

Section 21 of chapter 40A of the General Laws, as most recently amended by chapter 175 of the acts of 1958, is hereby further amended by striking out the first paragraph and inserting in place thereof the following two paragraphs:—Any person aggrieved by a decision of the board of appeals, whether or not previously a party to the proceeding, or any municipal officer or board, may appeal to the superior court for the county in which the land concerned is situated, by filing a bill in equity within twenty days after the decision has been filed in the office of the city or town clerk. Notice of the filing with a copy of the bill in equity shall be given to such city or town clerk so as to be received within such twenty days. The bill shall allege that the decision exceeds the authority of the board, and any facts pertinent to that issue, and shall contain a prayer that the decision be annulled.

There shall be attached to the bill a copy of the decision appealed from, bearing the date of filing thereof, certified by the city or town clerk with whom the decision was filed.

Where the bill is filed by someone other than the original applicant, appellant or petitioner, such original applicant, appellant or petitioner and all the members of the board of appeals shall be named as parties respondent with their addresses. To avoid delay in the proceedings, instead of the usual service of process on a bill in equity, the plaintiff shall within fourteen days after the filing of the bill in equity give written notice thereof, with a copy of the bill by delivery or certified mail to all respondents, including the members of the board of appeals, and shall, within twenty-one days after the entry of the bill file with the clerk of the court an affidavit that such notice has been given. If no such affidavit is filed within such time the bill shall be dismissed. No answer shall be required but an answer may be filed and notice with a copy and an affidavit of such notice given to all parties as above provided within seven days after the filing of the answer. Other interested persons may be permitted to intervene, upon motion. The clerk of the court shall give notice of the hearing as in other cases without jury, to all parties, whether they have appeared or not. The court shall hear all evidence pertinent to the authority of the board and determine the facts, and, upon the facts as so determined, annul such decision if found to exceed the authority of such board, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

*Approved May 3, 1960.*

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**Chap. 366.** AN ACT VALIDATING THE ESTABLISHMENT OF THE NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT AND ALL PROCEEDINGS RELATING THERETO, AND AUTHORIZING THE TOWNS OF CHARLEMONT AND HEATH TO BE ADMITTED TO SAID DISTRICT.

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

SECTION 1. The proceedings heretofore taken under chapter five hundred and eighteen of the acts of nineteen hundred and fifty-eight, as amended by chapter four hundred and twenty-seven of the acts of nineteen hundred and fifty-nine, relating to the establishment of the Northern Berkshire Vocational Regional School District consisting of the city of North Adams and the towns of Adams, Clarksburg, Florida, Monroe, Savoy and Williamstown are hereby validated. Said district is hereby declared to be, and at all times since its establishment to have been, a valid district with all the rights, powers and duties prescribed by said chapter five hundred and eighteen.

SECTION 2. Without limiting the generality of the foregoing, the authorization of seventy-four thousand nine hundred dollars bonds or notes of the district on February ninth, nineteen hundred and sixty, and the notice thereof to the city council of the city of North Adams and to the boards of selectmen of the member towns are hereby validated.



SECTION 3. The towns of Charlemont and Heath may be admitted to the district pursuant to the provisions for the admission of additional towns in the agreement establishing the district and not otherwise.

SECTION 4. This act shall take effect upon its passage.

*Approved May 4, 1960.*

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**Chap. 367.** AN ACT PROVIDING THAT CERTAIN GRADUATES OF FOREIGN MEDICAL SCHOOLS MAY BE EXAMINED FOR REGISTRATION AS PHYSICIANS WITHOUT TAKING THE SCREENING EXAMINATION CONDUCTED BY THE NATIONAL BOARD OF MEDICAL EXAMINERS.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain graduates of certain foreign medical schools may be admitted to examination for licensure as a physician in the commonwealth without being required to take a screening examination by the National Board of Medical Examiners of the United States for the purpose of determining their eligibility to take such examination, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and welfare.

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

Section 2 of chapter 112 of the General Laws is hereby amended by striking out the third, fourth and fifth sentences, as appearing in chapter 177 of the acts of 1960, and inserting in place thereof the following four sentences:—An applicant who has received from a medical school legally chartered in a sovereign state other than the United States or Canada a degree of doctor of medicine or bachelor of medicine or its equivalent, shall be required to furnish to the board such documentary evidence as the board may require that his education is substantially the equivalent of that of graduates of medical schools in the United States and such other evidence as the board may require as to his qualifications to practice medicine, and shall, except as hereinafter provided, be required to take a screening examination conducted periodically for such applicants by the National Board of Medical Examiners of the United States at the request of the board; provided, however, that if he is a diplomate of a specialty board recognized by the American Medical Association he shall be admitted to examination for licensure without being required to take such screening examination. If any applicant required to take such screening examination fails to pass the same, the board shall permit him to take it twice thereafter if necessary. If the National Board of Medical Examiners of the United States will not certify after the third examination that the applicant has successfully passed such examination, the applicant shall not be permitted to take such examination again until he has finished an internship or residency for a period of one year in a hospital in the commonwealth approved for such internship or residency by the American Medical Association. If the National Board of Medical Examiners of the United States certifies to the board

that the applicant has successfully passed such examination, and if the board shall be satisfied as to his education and his qualifications, then the board shall, upon payment of fifty dollars by the applicant, admit him to the examination for licensure. *Approved May 4, 1960.*

**Chap. 368.** AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO APPROPRIATE FUNDS FROM THE STABILIZATION FUND FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL AND VOCATIONAL SCHOOL.

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

SECTION 1. Notwithstanding any contrary provision of section five B of chapter forty of the General Laws, the town of Weymouth may, by a two-thirds vote, appropriate from its stabilization fund the sum of five hundred thousand dollars at a special town meeting called for the purpose and to be held during the current year, said sum to be applied to the construction of a new high school and vocational school.

SECTION 2. Any action taken before or after the passage of this act by a town meeting of said town within the authority contained in section one of this act shall be valid and effective as though this act were in effect at the time of the posting of the warrant of said meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved May 9, 1960.*

**Chap. 369.** AN ACT ENABLING THE GENERAL ALLIANCE OF UNITARIAN AND OTHER LIBERAL CHRISTIAN WOMEN TO HOLD MEETINGS OF ITS MEMBERS ANYWHERE IN THE UNITED STATES OF AMERICA AND CANADA.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is, in part, to permit the members of The General Alliance of Unitarian and Other Liberal Christian Women to vote at its meeting in the current year relative to the acceptance of the provisions of this act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The General Alliance of Unitarian and Other Liberal Christian Women, incorporated under chapter one hundred and eighty of the General Laws, is hereby authorized to hold meetings of its members anywhere in the United States of America or Canada and to transact any and all business at such meetings which it might transact if such meetings were held in the commonwealth.

SECTION 2. Section one of this act shall take effect upon acceptance by the members of the General Alliance of Unitarian and Other Liberal Christian Women at an annual meeting held in the commonwealth, and upon the filing of a certified copy of said vote of acceptance with the secretary of the commonwealth.

*Approved May 9, 1960.*

**Chap. 370.** AN ACT RELATIVE TO ANNUAL ALLOWANCES TO ORGANIZATIONS AND UNITS OF THE ARMED FORCES OF THE COMMONWEALTH.

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

Section 97 of chapter 33 of the General Laws is hereby amended by striking out paragraph (a), as amended by chapter 468 of the acts of 1955, and inserting in place thereof the following paragraph:—

(a) For administration and maintenance including telephone, postage, printing, office and other necessary supplies not available through issue, for athletic or recreational equipment for the common use of enlisted personnel, for clerical assistance, for the repair and alteration of uniforms, and such other military purposes as may be approved by the commander-in-chief, the following sums:

(1) ARMY

Headquarters, Army National Guard .....	\$2,400
Division headquarters .....	3,900
Division artillery headquarters .....	1,500
Artillery brigade headquarters .....	1,500
Artillery group headquarters .....	810
Infantry group and infantry division trains headquarters ...	600
Plus \$120 per company	
Battalion or squadron headquarters .....	330
Plus \$120 per company, battery, troop or detachment, except detachments when attached for administration and supply	
Company, battery, troop, band and detachment, except detachments when attached for administration and supply ..	330
Plus \$6.00 per man actually enlisted, up to authorized strength	
Massachusetts Military Academy .....	480

(2) AIR

Headquarters Air National Guard .....	\$480
Wing headquarters .....	1,500
Group headquarters .....	600
Plus \$120 per squadron, flight, and medical unit, except those attached for administration and supply	
Squadron, flight, medical unit and band, except those attached for administration and supply .....	330
Plus \$6.00 per man actually enlisted, up to authorized strength	

*Approved May 9, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, MAY 10, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the

Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 370 of the Acts of 1960, entitled "An Act Relative to Annual Allowances to Organizations and Units of the Armed Forces of the Commonwealth" and the enactment of which received my approval on May 9, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay its application for the current fiscal year.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, MAY 10, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and seventy of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 371.** AN ACT RELATIVE TO THE TRANSPORTATION OF CERTAIN BOVINE ANIMALS WITHIN THE COMMONWEALTH.

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

Section 36D of chapter 129 of the General Laws, as most recently amended by section 3 of chapter 527 of the acts of 1956, is hereby further amended by inserting after the word "age", in line 10, the following:—, provided, however, that any person owning cattle which have been tested, certified or vaccinated in compliance with the provisions of this chapter, may transport such cattle from any parcel of land owned or leased by such person within the commonwealth to any other parcel of land so owned or leased within the commonwealth.

*Approved May 9, 1960.*

**Chap. 372.** AN ACT TO AUTHORIZE THE ESTABLISHMENT OF HISTORIC DISTRICTS IN THE COMMONWEALTH.

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

The General Laws are hereby amended by inserting after chapter 40B the following chapter:—

## CHAPTER 40C.

## HISTORIC DISTRICTS.

*Section 1.* This chapter shall be known and may be cited as the Historic Districts Act.

*Section 2.* The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of buildings, sites and districts of historic interest, through the maintenance of such as landmarks in the history of architecture, of the commonwealth and of the nation, and through the development of appropriate settings for such buildings, places and districts.

*Section 3.* A city or town may, by ordinance or by-law adopted by a two-thirds vote of the city council in a city or by a two-thirds vote of a town meeting in a town, establish historic districts subject to the following provisions:—Prior to such establishment, an historic district study committee, established as provided in section four, shall make an investigation and report on the historic significance of the buildings, structures, features, sites or surroundings included in any such proposed historic district and shall transmit copies of its report to the planning board, if any, to the art commission for the commonwealth, to the commissioner of commerce and to the commissioner of natural resources for their consideration and recommendations. Sixty days after such transmittal the committee shall hold a public hearing thereon after due notice, which shall include a written notice, postage prepaid, to the owners of all properties to be included in such districts. The committee shall submit a final report with its recommendations and a draft of a proposed ordinance or by-law, to the city council or town meeting.

Any such ordinance or by-law may, from time to time, be amended in the same manner except that the historic district commission established as provided in section four shall study such proposed amendments and report thereon as required hereunder.

*Section 4.* An historic districts study committee may be established in any city or town by vote of the city council or board of selectmen for the purpose of making an investigation of a proposed historic district. Whenever an historic district is established as provided in section three, an historic district commission shall be established. Said committee and commission shall consist of not less than three nor more than seven members appointed by the mayor, subject to confirmation by the city council, or by the selectmen and including one member where possible from two nominees submitted by the local historical society or in the absence thereof by the Society for the Preservation of New England Antiquities, one member where possible from two candidates, one of whom shall be nominated by the Massachusetts State Chapter of the American Institute of Architects and one of whom shall be nominated by the Boston Society of Landscape Architects, one member, where possible, from two nominees of the board of realtors covering the area, and one or more of the foregoing shall be, where possible, a resident of the area included or under consideration for inclusion in an historic district within said city or

town. The appointments to membership in the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in like manner for terms of three years. Vacancies shall be filled in like manner for the unexpired term. Ordinances or by-laws adopted hereunder may provide for the appointment in like manner of alternate members not exceeding in number the principal members. In case of the absence, inability to act, or unwillingness to act because of self-interest on the part of a member of the commission, his place shall be taken by an alternate member designated by the chairman. All members shall serve without compensation. The commission shall elect annually a chairman and vice-chairman from its own number. The commission may adopt rules and regulations not inconsistent with the provisions of this chapter, and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept money gifts and expend the same for such purposes.

*Section 5.* No building or structure including stone walls, fences, steps and paving, shall be erected, reconstructed, altered, restored, moved or demolished within an historic district, and no sign, light, fence, wall or other appurtenant fixture, hereafter called appurtenant fixtures, shall be erected or displayed on any lot, building or structure located within said district unless an application for a certificate of appropriateness shall have been approved by the historic district commission; and no building or other permit shall be granted for any such purpose in an historic district until such certificate of appropriateness has been issued.

*Section 6.* The historic district commission in considering applications for certificates of appropriateness for any of the purposes specified in section five shall consider the appropriateness of proposed exterior features of buildings, structures, and appurtenant fixtures, location on the lot, and the removal or demolition of any building or structure in said district, wherever such exterior features, buildings, structures and appurtenant fixtures are subject to public view from a public street or way. All plans, elevations and other information deemed necessary by the commission to determine the appropriateness of the exterior features or buildings in question shall be made available to it by the applicant.

The historic district commission, in considering the appropriateness of exterior features, shall keep in mind the purposes of this chapter as set forth in section two, and shall consider among other things the historical and architectural value and significance, architectural style, the general design, arrangement, texture, material and color of the building or structure and appurtenant fixtures in question, the relation of such features to similar features of buildings in the immediate surroundings, and the position of such building or structure in relation to the street or public way and to other buildings and structures. The commission shall not make any recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the surroundings and the historic district.

*Section 7.* Within seven days after the filing with the historic district commission of an application for a certificate of appropriateness,

said commission shall determine the estates to be materially affected by such application and forthwith send by mail, postage prepaid, to the applicant, to the owners of all such estates as they appear on the most recent real estate tax list, and to any person filing written request for notice of hearings, such request to be renewed yearly in December, reasonable notice of the public hearing to be held by the commission on said application.

As soon as conveniently may be after such public hearing but in all events within a period of thirty to sixty days, as the ordinance or by-law may provide, after the filing of the application for the certificate of appropriateness, or within such further time as the applicant may in writing allow, the commission shall determine whether the proposed construction, reconstruction, alteration, restoration, moving or demolition of the buildings, structures or appurtenant fixtures involved will be appropriate to the preservation of the historic district for the purposes of this chapter, or whether, notwithstanding that it may be inappropriate, owing to conditions especially affecting the structure involved, but not affecting the historic district generally, failure to issue a certificate of appropriateness will involve a substantial hardship, financial or otherwise, to the applicant, and such certificate may be issued without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this chapter.

If the commission determines that the proposed construction, reconstruction, alteration, moving or demolition is appropriate, or is not appropriate, owing to conditions as aforesaid but that failure to issue a certificate of appropriateness would involve substantial hardship to the applicant and that issuance thereof may be made without substantial detriment or derogation as aforesaid, or if said commission fails to make a determination within the time hereinbefore prescribed, the commission shall forthwith approve such application and shall issue to the applicant a certificate of appropriateness. If the commission determines that a certificate of appropriateness should not issue, it shall place upon its records the reasons for such determination, and may include recommendations respecting the proposed construction, reconstruction, alteration, moving or demolition. The commission shall forthwith notify the applicant of such determination and shall furnish him an attested copy of its reasons therefor and its recommendations, if any, as appearing in the records of said commission.

*Section 8.* Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in design, material, color or the outward appearance thereof; nor to prevent the construction, reconstruction, alteration or demolition of any such feature which the building inspector or similar agent shall certify is required by the public safety because of an unsafe or dangerous condition; nor to prevent the construction, reconstruction, alteration or demolition of any such feature under a permit issued by a building inspector or similar agent prior to the effective date of establishment of said district.

*Section 9.* Any applicant aggrieved by a determination of the commission may, within twenty days after the making of such deci-

sion, appeal to a superior court sitting in equity for the county in which the land concerned is situated. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the reasons given for such determination to be unsupported by the evidence or to be insufficient in law and may make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive; but the parties shall have all rights of appeal and exception as in other equity cases.

Costs shall not be allowed against the historic district commission unless it appears to the court that the commission acted with gross negligence, in bad faith or with malice.

Costs shall not be allowed against the party appealing from the decision of the historic district commission unless it appears to the court that said appellant acted in bad faith or with malice in making the appeal to the court.

*Section 10.* The superior court shall have jurisdiction in equity to enforce the provisions of this chapter and the rulings issued thereunder and may restrain by injunction violations thereof.

*Section 11.* Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than five hundred dollars. Each day that a violation continues to exist shall constitute a separate offence.

*Section 12.* In case any section, paragraph or part of this chapter be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

*Section 13.* The provisions of this chapter shall in no way impair the validity of an historic district, established under any special act.

*Approved May 9, 1960.*

**Chap. 373.** AN ACT PLACING THE OFFICE OF SUPERINTENDENT OF MAINTENANCE OF THE CHELSEA HOUSING AUTHORITY UNDER THE CIVIL SERVICE LAWS.

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

**SECTION 1.** The office of superintendent of maintenance of the Chelsea Housing Authority shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of any incumbent thereof shall be unlimited, subject, however, to said laws and rules. The incumbent of said office on said effective date shall be subjected by the division of civil service to a qualifying examination for said office. If said incumbent passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto, without being required to serve any probationary period, and his tenure of office shall be unlimited, subject however to the provisions of said laws.

**SECTION 2.** This act shall take effect upon its acceptance by vote of the board of aldermen of the city of Chelsea, subject to the provisions of its charter, but not otherwise.

*Approved May 9, 1960.*



**Chap. 374.** AN ACT PROVIDING FOR THE ARBITRATION OF COMMERCIAL DISPUTES.

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

SECTION 1. The General Laws are hereby amended by striking out chapter 251 and inserting in place thereof the following chapter:—

## CHAPTER 251.

## UNIFORM ARBITRATION ACT FOR COMMERCIAL DISPUTES.

*Section 1.* A written agreement to submit any existing controversy to arbitration or a provision in a written contract to submit to arbitration any controversy thereafter arising between the parties shall be valid, enforceable and irrevocable, save upon such grounds as exist at law or in equity for the revocation of any contract. The provisions of this chapter shall not apply to collective bargaining agreements to arbitrate, which are subject to the provisions of chapter one hundred and fifty C.

*Section 2.* (a) A party aggrieved by the failure or refusal of another to proceed to arbitration under an agreement described in section one may apply to the superior court for an order directing the parties to proceed to arbitration. If the opposing party denies the existence of the agreement to arbitrate, the court shall proceed summarily to the determination of the issue so raised and shall, if it finds for the applicant, order arbitration; otherwise, the application shall be denied.

(b) Upon application, the superior court may stay an arbitration proceeding commenced or threatened if it finds that there is no agreement to arbitrate. Such an issue, when in substantial and bona fide dispute, shall be forthwith and summarily determined, and if the court finds for the applicant it shall order a stay of arbitration; otherwise the court shall order the parties to proceed to arbitration.

(c) If an issue referable to arbitration under the alleged agreement is involved in an action or proceeding pending in a court having jurisdiction to hear applications under paragraph (a), the application shall be made therein, otherwise and subject to section seventeen, the application may be made in any court of competent jurisdiction.

(d) Any action or proceeding involving an issue subject to arbitration shall be stayed if an order for arbitration or an application therefor has been made under this section or, if the issue is severable, the stay may be with respect to such issue only. When the application is made in such action or proceeding, the order for arbitration shall include such stay.

(e) An order for arbitration shall not be refused on the ground that the claim in issue lacks merit or bona fides or because any fault or grounds for the claim sought to be arbitrated have not been shown.

*Section 3.* If the arbitration agreement provides a method of appointment of arbitrators, such method shall be followed. In the absence thereof, or if the agreed method fails or for any reason cannot be followed, or if an arbitrator appointed fails or is unable to act and

his successor has not been duly appointed, the court on application of a party shall appoint an arbitrator. An arbitrator so appointed shall have all the powers of an arbitrator specifically named in the agreement.

*Section 4.* The powers of the arbitrators may be exercised by a majority thereof unless otherwise provided by the agreement or by this chapter.

*Section 5.* Unless otherwise provided by the agreement:—

(a) The arbitrators shall appoint a time and place for the hearing and cause written notice to the parties to be served personally or by registered mail not less than five days before the hearing. Appearance at the hearing shall constitute a waiver of such notice. The arbitrators may adjourn the hearing from time to time and, on request of a party and for good cause, or upon their own motion may postpone the hearing to a time not later than the date fixed by the agreement for making the award unless the parties consent to a later date. The arbitrators may hear and determine the controversy upon the evidence produced notwithstanding the failure of a party duly notified to appear. The court on application may direct the arbitrators to proceed promptly with the hearing and determination of the controversy.

(b) The parties shall have the right to be heard, to present evidence material to the controversy and to cross-examine witnesses appearing at the hearing.

(c) The hearing shall be conducted by all the arbitrators but a majority may determine any question and render a final award. If, during the course of the hearing, an arbitrator for any reason ceases to act, the remaining arbitrator or arbitrators appointed to act as neutrals may continue with the hearing and determination of the controversy.

*Section 6.* A party shall have the right to be represented by an attorney at any proceeding or hearing under this chapter, notwithstanding any waiver of such right prior to the proceeding or hearing.

*Section 7.* (a) The arbitrators may cause to be issued subpoenas for the attendance of witnesses and for the production of books, records, documents and other evidence, and shall have the power to administer oaths. Subpoenas so issued shall be served, and upon application to the court by a party or the arbitrators, enforced, in the manner provided by law for the service and enforcement of subpoenas in a civil action.

(b) On application of a party and for use as evidence, the arbitrators may permit a deposition to be taken, in the manner and upon the terms designated by the arbitrators, of a witness who cannot be subpoenaed or is unable to attend the hearing.

(c) All provisions of law compelling a person under subpoena to testify are applicable.

(d) Fees for attendance as a witness shall be the same as for a witness in the superior court.

*Section 8.* (a) The award shall be in writing and signed by the arbitrators concurring in the award. The arbitrators shall deliver a copy of the award to each party personally or by registered mail, or as provided in the agreement.

(b) An award shall be made within the time fixed therefor by the agreement or, if said time is not so fixed, within such time as the court orders upon application of a party. The parties may by an agreement in writing extend the time either before or after the expiration thereof. A party shall be deemed to have waived the objection that an award was not made within the time required unless he notifies the arbitrators of his objection prior to the delivery of the award to him.

*Section 9.* Upon application of a party or, if an application to the court is pending under sections eleven, twelve or thirteen, on submission to the arbitrators by the court under such conditions as the court may order, the arbitrators may modify or correct the award upon the grounds stated in (1) and (3) of subdivision (a) of section thirteen, or for the purpose of clarifying the award. The application shall be made within twenty days after delivery of the award to the applicant. Written notice thereof shall be given forthwith to the opposing party, stating he must serve his objections thereto, if any, within ten days from the notice. The award so modified or corrected shall be subject to the provisions of sections eleven, twelve and thirteen.

*Section 10.* Unless otherwise provided in the agreement to arbitrate, the arbitrators' expenses and fees, together with other expenses, not including counsel fees, incurred in the conduct of the arbitration, shall be paid as provided in the award.

*Section 11.* Upon application of a party, the court shall confirm an award, unless within the time limits hereinafter imposed grounds are urged for vacating or modifying or correcting the award, in which case the court shall proceed as provided in sections twelve and thirteen.

*Section 12.* (a) Upon application of a party, the court shall vacate an award if:—

(1) the award was procured by corruption, fraud or other undue means;

(2) there was evident partiality by an arbitrator appointed as a neutral, or corruption in any of the arbitrators, or misconduct prejudicing the rights of any party;

(3) the arbitrators exceeded their powers;

(4) the arbitrators refused to postpone the hearing upon sufficient cause being shown therefor or refused to hear evidence material to the controversy or otherwise so conducted the hearing, contrary to the provisions of section five, as to prejudice substantially the rights of a party; or

(5) there was no arbitration agreement and the issue was not adversely determined in proceedings under section two and the party did not participate in the arbitration hearing without raising the objection; but the fact that the relief was such that it could not or would not be granted by a court of law or equity is not ground for vacating or refusing to confirm the award.

(b) An application under this section shall be made within ninety days after delivery of a copy of the award to the applicant, but, if such application is predicated upon corruption, fraud or other undue means, it shall be made within ninety days after such grounds are known or should have been known.

(c) In vacating the award on grounds other than stated in clause (5) of paragraph (a) the court may order a rehearing before new arbitrators chosen as provided in the agreement, or in the absence thereof, by the court in accordance with section three, or if the award is vacated on grounds set forth in clauses (3) and (4) of paragraph (a) the court may order a rehearing before the arbitrators who made the award or their successors appointed in accordance with section three. The time within which the agreement requires the award to be made shall be applicable to the rehearing and shall commence from the date of the order.

(d) If the application to vacate an award is denied and no motion to modify or correct the award is pending, the court shall confirm the award.

*Section 13.* (a) Upon application made within ninety days after delivery of a copy of the award to the applicant, the court shall modify or correct the award if:—

(1) there was an evident miscalculation of figures or an evident mistake in the description of any person, thing or property referred to in the award;

(2) the arbitrators have awarded upon a matter not submitted to them and the award may be corrected without affecting the merits of the decision upon the issues submitted; or

(3) the award is imperfect in a matter of form, not affecting the merits of the controversy.

(b) If the application is granted, the court shall modify and correct the award so as to effect its intent and shall confirm the award as so modified and corrected; otherwise, the court shall confirm the award as made.

(c) An application to modify or correct an award may be joined in the alternative with an application to vacate the award.

*Section 14.* Upon the granting of an order confirming, modifying or correcting an award, judgment or decree shall be entered in conformity therewith and be enforced as any other judgment or decree. Costs of the application and of the proceedings subsequent thereto, and disbursements in connection therewith may be awarded by the court.

*Section 15.* Except as otherwise provided, an application to the court under this chapter shall be by motion and shall be heard in the manner and upon the notice provided by law or rule of court for the making and hearing of motions. Unless the parties have agreed otherwise, notice of an initial application for an order shall be served in the manner provided by law for the service of an original writ of summons.

*Section 16.* The term "court" means any court of competent jurisdiction of this state. The making of an agreement described in section one providing for arbitration in this state confers jurisdiction on the court to enforce the agreement under this chapter and to enter judgment on an award thereunder.

*Section 17.* An initial application shall be made to the superior court for the county in which the agreement provides the arbitration hearing shall be held or, if the hearing has been held, in the county in

which it was held. Otherwise the application shall be made in the county where the adverse party resides or has a place of business or, if he has no residence or place of business in this state, to the superior court for any county. All subsequent applications shall be made to the court hearing the initial application unless the court otherwise directs.

*Section 18.* (a) An appeal may be taken from:—

(1) an order denying an application to compel arbitration made under paragraph (a) of section two;

(2) an order granting an application to stay arbitration made under paragraph (b) of section two;

(3) an order confirming or denying confirmation of an award;

(4) an order modifying or correcting an award;

(5) an order vacating an award without directing a rehearing; or

(6) a judgment or decree entered pursuant to the provisions of this chapter. Such appeal shall be taken in the manner and to the same extent as from orders or judgments in an action.

*Section 19.* This chapter shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**SECTION 2.** If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

**SECTION 3.** This act shall take effect on December thirty-first, nineteen hundred and sixty; provided, that the provisions of chapter two hundred and fifty-one of the General Laws as in effect prior to said effective date shall apply to agreements and proceedings thereunder entered into prior to said effective date. *Approved May 9, 1960.*

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**Chap. 375.** AN ACT CHANGING THE TIME FOR THE FILING OF RETURNS AND THE PAYMENT OF THE EXCISE ON FUEL AND SPECIAL FUELS BY CERTAIN MOTOR CARRIERS.

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

**SECTION 1.** Chapter 64F of the General Laws is hereby amended by striking out section 6, as amended by section 12C of chapter 718 of the acts of 1956, and inserting in place thereof the following section:—

*Section 6.* Every licensee shall on or before the last day of April, July, October and January of each year file with the commissioner a return under oath, on a form to be furnished by the commissioner, stating the number of gallons of fuel or special fuels used by him in the commonwealth during the preceding calendar quarter of the year ending on the last days of March, June, September and December, and such return shall contain or be accompanied by such further information as the commissioner shall require. At the time of filing such return every licensee shall pay to the commissioner the excise due at the rate of five and one-half cents on each gallon of fuel and special fuels used by him in the commonwealth during the calendar quarter covered by the return.

SECTION 2. Section 8 of said chapter 64F, as amended by section 3 of chapter 377 of the acts of 1957, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—If a licensee, having failed to file a return, or having filed an incorrect or insufficient return, without reasonable excuse fails to file an original or corrected return, as the case may require, within twenty days after the mailing, postage prepaid, of notice to him by the commissioner of his delinquency, the commissioner shall determine the amount due, at any time within three years after the due date of the quarterly return included in such determination, and shall notify the licensee of such determination by mail, postage prepaid.

SECTION 3. At the time of filing the first return required under section six of chapter sixty-four F of the General Laws, as amended by section one of this act, every licensee shall pay the commissioner of corporations and taxation the excise due at the rate of five and one-half cents on each gallon of fuel used by him in the commonwealth during the calendar quarter covered by the return less the excise paid by him for such month during said calendar quarter as was covered by a return made by him under the provisions of said section six of said chapter sixty-four F, as in effect immediately prior to the effective date of this act.

*Approved May 9, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, MAY 10, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 375 of the Acts of 1960, entitled "An Act Changing the Time For the Filing of Returns and the Payment of the Excise on Fuel and Special Fuels by Certain Motor Carriers" and the enactment of which received my approval on May 9, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to allow filing of returns on a quarterly rather than a monthly basis, thereby relieving too frequent returns by the taxpayer and saving considerable time in processing by the Commonwealth.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, MAY 10, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and seventy-five of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 376.** AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO PAY TO THE WIDOW OF ROBERT L. MELVIN THE BALANCE OF THE SALARY TO WHICH HE WOULD HAVE BEEN ENTITLED HAD HE SERVED THE REMAINDER OF HIS TERM AS SELECTMAN AND ASSESSOR.

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

SECTION 1. For the purpose of promoting the public good, the town of Marshfield is hereby authorized to pay to Mabel E. Melvin, the widow of Robert L. Melvin, the balance of his salary as selectman and assessor to which he would have been entitled had he served the remainder of his term in such offices.

SECTION 2. This act shall take effect upon its acceptance by the affirmative vote of two thirds of the voters of the town of Marshfield present and voting thereon at its next annual town meeting.

*Approved May 9, 1960.*

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**Chap. 377.** AN ACT INCREASING THE PERIOD OF TIME FOR WHICH THE TOWN OF METHUEN MAY CONTRACT WITH THE CITY OF LAWRENCE FOR A SUPPLY OF WATER.

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

SECTION 1. Section 2 of chapter 323 of the Special Acts of 1916 is hereby amended by striking out, in lines 3 and 4, the words “ , or the selectmen and water board of the town of Methuen”.

SECTION 2. Said chapter 323 is hereby further amended by inserting after section 2 the following section:—*Section 2A.* The selectmen and water board of the town of Methuen are hereby authorized to contract with the city of Lawrence for a supply of water upon such terms and for such period of time, not exceeding twenty years, as may be agreed upon by the city council of said city and the selectmen and water board of said town.

SECTION 3. This act shall take effect upon its passage.

*Approved May 9, 1960.*

**Chap. 378.** AN ACT FURTHER DEFINING INDEPENDENT FOSTER HOMES AND RELATIVE TO THE PROTECTION OF CHILDREN PLACED THEREIN.

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

SECTION 1. Section 4 of chapter 119 of the General Laws, as appearing in section 1 of chapter 646 of the acts of 1954, is hereby amended by striking out, in line 2, the words “ , for hire, gain or reward,”—so that the first sentence will read as follows:—Any person, other than a relative by blood or marriage, who receives or has under his care or control any child under sixteen years of age, of whom he is not the legal guardian, for purposes of giving such child a home, or for board or for adoption, shall be deemed to maintain an independent foster home for children, unless such child was placed in his care by the department, or a public or private social agency which has been authorized by the department to place children under sections fourteen to twenty-two, inclusive.

SECTION 2. Said chapter 119 is hereby further amended by striking out section 6, as so appearing, and inserting in place thereof the following section:—*Section 6.* No person other than a parent, as defined in section one of chapter one hundred and eighteen, shall place any child under sixteen years of age of whom he is not the legal guardian in the care or control of any other person not related to such child by blood or marriage for purposes of giving such child a home, or for board, or for adoption. Whenever a parent or legal guardian of such a child places the child under the care or control of another person not related by blood or marriage to the child for the purpose of giving such child a home, or for board or for adoption, written notice to the department shall be given within two days thereafter of the date and terms upon which such child was placed, with the name, age and birthplace of the child, name and address of its parents, and the name and address of the person with whom the child was placed; and, upon request of the department, shall give further information and render such further reports as may be required concerning such child. This section shall not apply to the placement of children by the department or any public or private agency authorized by the department to place children under sections fourteen to twenty-two, inclusive.

*Approved May 9, 1960.*

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**Chap. 379.** AN ACT RELATIVE TO THE FILING OF CERTAIN STATEMENTS AND PAPERS CREATING OR RELATING TO SECURITY INTERESTS UNDER THE UNIFORM COMMERCIAL CODE.

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

SECTION 1. Section 9-403 of chapter 106 of the General Laws, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by striking out subsection (1) and inserting in place thereof the following subsection:—

(1) Presentation for filing of a financing statement and tender of the filing fee or acceptance of the statement by the filing officer or register of deeds constitutes filing under this Article. As used in this



Part, "filing officer" means a filing officer other than a register of deeds.

SECTION 2. Subsection (4) of said section 9-403 of said chapter 106, as amended by section 11 of chapter 580 of the acts of 1959, is hereby further amended by striking out the last sentence,—so as to read as follows:—

(4) A filing officer shall mark each statement with a consecutive file number and with the date and hour of filing and shall hold the statement for public inspection. In addition, the filing officer shall index the statements according to the name of the debtor and shall note in the index the file number and the address of the debtor given in the statement. The index may be made up of the statements themselves, copies thereof, separate cards or otherwise.

SECTION 3. Said section 9-403 of said chapter 106 is hereby further amended by striking out subsection (5), as amended by section 16 of chapter 542 of the acts of 1958, and inserting in place thereof the following subsection:—

(5) The fee for filing, indexing and furnishing filing data for an original or a continuation statement or any amendment of either shall be three dollars, but if an original financing statement or any amendment thereof which is filed in a registry of deeds consists of more than one page the fee for filing and indexing the same and furnishing filing data with respect thereto shall be as set forth in sections thirty-eight and thirty-nine of chapter two hundred and sixty-two.

SECTION 4. Said chapter 106 is hereby further amended by inserting after section 9-408, inserted by section 19 of said chapter 542, the following section:—

**Section 9-409. Special Provisions for Filings as to Fixtures in Registries of Deeds; Duties of Registers of Deeds; Combined Real Estate and Fixture Mortgage.**

(1) Financing statements, security agreements, continuation statements, amendments, termination statements, statements of assignment and statements of release which are filed in registries of deeds and which comply with the requirements of this Part shall be recorded and indexed in the manner provided in chapter thirty-six if they relate to unregistered land, and shall be registered in the manner provided in chapter one hundred and eighty-five if they relate to registered land. Each statement and amendment shall be indexed according to the name of the debtor and, if the statement shows the name of a record owner of the real estate which is other than that of the debtor, the statement shall also be indexed according to the name of such record owner. Except as provided in subsection (3), the fees for recording, indexing and registering shall be as provided in this Part.

(2) In addition to other requirements of this Part, a continuation statement, amendment, termination statement, statement of assignment or statement of release which is filed in a registry of deeds must refer to the record of the original financing statement by book and page if it relates to unregistered land and by document number if it relates to registered land. The register of deeds shall enter upon the

margin of the record of the original financing statement a notation of the record of the subsequent statement or amendment.

(3) Provision for a security interest in goods which are or are to become fixtures may be included in a mortgage or other like instrument transferring an interest in the real estate concerned. If such instrument complies with the requirements for a financing statement (section 9-402), is recorded or registered as an instrument affecting real estate, and has the appropriate recording or registration fee paid therefor, such recording or registering and payment of fee shall be an effective filing under this Part in the registry of deeds without the necessity of any separate filing in or payment of any separate fee to the registry of deeds under this Part.

(4) If a person filing any financing statement, continuation statement, amendment, termination statement, statement of assignment or statement of release, furnishes the register of deeds a copy thereof, the register of deeds shall upon request note upon the copy the file number and date and hour of the filing of the original and deliver or send the copy to such person.

*Approved May 9, 1960.*

**Chap. 380.** AN ACT DESIGNATING THE STATE LIBRARY AS THE GEORGE FINGOLD LIBRARY.

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

SECTION 1. The state library shall hereafter be known and designated as the George Fingold Library.

SECTION 2. The art commission of the commonwealth is hereby authorized to accept on behalf of the commonwealth the gift of a tablet bearing said designation, said tablet to be placed at such location in or adjacent to the state library as the art commission may approve.

*Approved May 11, 1960.*

**Chap. 381.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPSHIRE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Hampshire county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in this act are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

## HAMPSHIRE COUNTY.

Item	
1.	For interest on county debt ..... \$6,500 00
3.	For county commissioners, salaries and expenses 17,200 00
4.	For transportation and expenses of county and acting commissioners ..... 700 00
5.	For clerk of courts, salaries and expenses ..... 22,996 94
6.	For county treasurer, salaries and expenses ..... 17,380 50
7.	For sheriff, salary and expenses ..... 6,345 00
8.	For registry of deeds, salaries and expenses ..... 50,183 41
8a.	For registry of probate, salaries and expenses ..... 4,320 00
9.	For law library, salaries and expenses ..... 7,110 00
10.	For highways, including state highways, bridges and land damages ..... 146,785 00
11.	For examination of dams ..... 1,500 00
12.	For criminal costs in superior court ..... 19,178 85
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees ..... 38,531 00
14.	For district courts, salaries and expenses ..... 91,185 44
15.	For medical examiners and commitments of insane 11,915 00
16.	For jail and house of correction, maintenance and operation ..... 100,320 87
17.	For training school ..... 400 00
18.	For court houses and registry buildings, maintenance and operation ..... 33,282 58
20.	For agricultural school or county aid to agriculture, maintenance and operation ..... 47,194 91
21.	For state reservation, maintenance and operation, Mt. Tom ..... 6,824 37
21a.	For state reservation, maintenance and operation, Deer Hill ..... 350 00
22.	For hospital or sanatorium ..... 163,481 25
23.	For preventorium or health service ..... 300 00
24.	For non-contributory pensions ..... 8,220 63
25.	For contributory retirement system and supervisory expenses ..... 19,910 74
26.	For miscellaneous and contingent expenses ..... 2,790 84
27.	For unpaid bills of previous years ..... 800 00
28.	For reserve fund ..... 7,500 00
28a.	For reserve salary adjustments ..... 13,857 32
29.	For advertising recreational, industrial and agricultural advantages of the county ..... 7,500 00
30.	For forest development ..... 2,044 00
34.	For soil conservation ..... 1,120 00
39.	For group insurance ..... 13,200 00
<hr/>	
Total Amount of Appropriations ..... \$870,928 65	
Less Estimated amount available for Reduction of County Tax ..... 172,387 35	
<hr/>	

And the county commissioners of Hampshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of . . . \$698,541 30

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Hampshire county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their

compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by the county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved May 14, 1960.*

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**Chap. 382.** AN ACT AUTHORIZING THE TOWN OF ARLINGTON TO CONVEY CERTAIN PARK LAND TO THE ARLINGTON HOUSING AUTHORITY FOR THE ERECTION OF HOUSING FOR THE ELDERLY.

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

SECTION 1. The town of Arlington is hereby authorized to convey for a nominal consideration to the Arlington Housing Authority the following described parcel of park land to be used by said Authority for the erection of housing for the elderly:—Beginning at a point on northerly boundary of land belonging to the Boston & Maine Railroad at the intersection of land belonging to the Boston & Maine Railroad and the Arlington Housing Authority; thence easterly on said north-

erly side line of land belonging to the Boston & Maine Railroad a distance of 120 feet more or less to an angle point; thence northerly a distance of 165 feet more or less to a point; thence northeasterly a distance of 105 feet more or less to an angle point; thence northwesterly 90 feet more or less to a point on land of the Arlington Housing Authority; then southwesterly along land of said Arlington Housing Authority 156.72 feet more or less to an angle point; thence southwesterly again along said Arlington Housing Authority land 159.77 feet more or less to the point of beginning and containing about 34,000 square feet more or less as shown on plan of land on file with the office of the Town Engineer, Arlington, Massachusetts, and entitled, "Study Plan—Reservoir, Playground & Vicinity—Scale 1" = 80'—January 1955—James M. Keane, Town Engineer."

SECTION 2. This act shall take effect upon its passage.

*Approved May 14, 1960.*

**Chap. 383.** AN ACT RELATIVE TO SUSPENSION OF PERMITS ISSUED TO OUT OF STATE DISTRIBUTORS OF GASOLINE.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to facilitate the enforcement of the gasoline tax, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare.

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

Chapter 64A of the General Laws is hereby amended by striking out section 10, as most recently amended by section 11 of chapter 617 of the acts of 1957, and inserting in place thereof the following section:—*Section 10.* Sums due to the commonwealth under this chapter as excise or as penalties or forfeitures may be recovered by the attorney general in an action brought in the name of the commissioner. Upon the application of the commissioner the state tax commission may, after a hearing or otherwise, suspend the license or permit of any person for violation of any provision of this chapter, but the licensee or permittee may appeal from its decision within ten days thereafter to the appellate tax board, whose decision shall be final. The commissioner shall have the same powers and remedies with respect to the collection of said sums as he has with respect to the collection of income taxes under chapter sixty-two.

*Approved May 14, 1960.*

**Chap. 384.** AN ACT RELATIVE TO SICK LEAVE AND RETIREMENT FOR CERTAIN EMPLOYEES OF THE CITY OF LOWELL WHO ARE EXCLUDED OR REMOVED FROM EMPLOYMENT BECAUSE OF TUBERCULOSIS.

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

SECTION 1. Any employee of the city of Lowell who is employed at Meadowrest Hospital and any employee of the building department

of said city whose duties may require him to work at said hospital, and who is excluded or removed from such employment because he has contracted tuberculosis in a communicable form shall be carried on sick leave with full pay for the period during which he is excluded or removed from such employment but in no event for a period of more than two years unless he may be entitled to an additional period by vote of the city council of said city.

If at the end of such period or periods any such employee is pronounced incurable by said Meadowcrest Hospital or by the county sanatorium and the state department of public health, he shall be retired from his said employment in accordance with the provisions of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved May 14, 1960.*

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**Chap. 385.** AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO CONVEY CERTAIN LAND IN THE TOWN OF SANDWICH.

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

The director of the division of fisheries and game, with the approval of the fish and game board and upon such terms and conditions as they may establish, and with the approval of the commission on administration and finance, may convey a parcel of land in Sandwich containing approximately 6540.7 square feet as shown on a plan on file with the division, being a portion of a tract given to the commonwealth by Ray Nye, dated July 15, 1924 and recorded in the Barnstable County Registry of Deeds, Book 409, page 242.

*Approved May 14, 1960.*

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**Chap. 386.** AN ACT EXTENDING GROUP GENERAL OR BLANKET INSURANCE TO THE SURVIVING SPOUSE AND DEPENDENTS OF INSURED PERSONS RETIRED FROM THE SERVICE OF THE COMMONWEALTH, OR ANY POLITICAL SUBDIVISION THEREOF WITHOUT PREMIUM CONTRIBUTIONS BY THE COMMONWEALTH OR ANY SUCH POLITICAL SUBDIVISION.

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

SECTION 1. Chapter 32A of the General Laws is hereby amended by adding after section 10 the following section:—*Section 11.* Upon the death of a retired employee, the surviving spouse may continue the group general or blanket insurance coverage for himself or his dependents providing hospital, surgical and medical benefits, until the remarriage or death of said surviving spouse; provided, that application for such insurance coverage shall be filed with the commission and a method for the payment of premiums shall be determined in accordance with its rules and regulations; and provided, further,

that said surviving spouse shall pay the entire cost of such premiums without any contribution by the commonwealth.

Said commission shall determine the amount of said premium which may be the entire average group premium for hospital, surgical and medical benefits applicable to an employee, an employee and his dependents, or a premium computed on a basis considered by said commission to be equitable in relation to all insured employees and all former employees who have retired and who have continued such coverage under the provisions of section ten.

SECTION 2. Chapter 32B of the General Laws is hereby amended by inserting after section 9A the following section:—*Section 9B.* Upon the death of a retired employee, his surviving spouse may continue the group general or blanket insurance coverage for himself or his dependents providing hospital, surgical and medical benefits, until the remarriage or death of said surviving spouse; provided, that application for such insurance coverage shall be filed with the appropriate public authority and a method for the payment of premiums shall be determined in accordance with its rules and regulations; and provided, further, that said surviving spouse shall pay the entire cost of such premiums without any contribution by the governmental unit.

Said appropriate public authority shall determine the amount of said premium which may be the entire average group premium for hospital, surgical and medical benefits applicable to an employee, an employee and his dependents, or a premium computed on a basis considered by said authority to be equitable in relation to all insured employees and all former employees who have retired and who have continued such coverage.

*Approved May 14, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, MAY 17, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 386 of the Acts of 1960, entitled “An Act Extending Group General or Blanket Insurance to the Surviving Spouse and Dependents of Insured Persons Retired from the Service of the Commonwealth, or any Political Subdivision Thereof Without Premium Contributions by the Commonwealth or any Such Political Subdivision” and the enactment of which received my approval on May 14, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay obtaining hospi-



tal-surgical-medical insurance by the surviving spouse of a retired governmental employee at lower group rates.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, MAY 17, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and eighty-six of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 387.** AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN UNCLAIMED FUNDS OF FORMER PATIENTS OF SOLDIERS' HOMES OR STATE HOSPITALS.

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

SECTION 1. Chapter 115A of the General Laws is hereby amended by adding after section 6, inserted by section 1 of chapter 236 of the acts of 1959, the following section:—*Section 7.* If a patient at either of such Homes is discharged therefrom or dies therein while obligated to the commonwealth for support furnished him at such Home and there is in the custody of the superintendent of such Home a bank book representing a deposit account in a bank, as defined in section one of chapter one hundred and sixty-seven, in his name, which is unclaimed during the two-year period following the date of the discharge or death of such patient, the chairman of the board of trustees of such Home may present said bank book to such bank accompanied by an affidavit stating (1) the name of said former patient, (2) the date of admission of said patient to the Home and the date of his discharge therefrom, or his death therein, (3) the amount of money for which the said patient or his estate is obligated to the commonwealth, (4) that said bank book belongs to said patient or his estate, (5) that it has been in the custody of the superintendent and has been unclaimed for more than two years, and demanding payment of all or such portion of the amount represented by said bank book as is not in excess of the amount due to the commonwealth for the support furnished such patient.

Thereupon, such bank shall pay the trustees of such Home the amount so requested in said affidavit and shall endorse such payment upon such bank book, with specific reference to this section and shall return such bank book to such chairman.

Upon receipt of such payment the trustees of such Home shall cause the same to be deposited in its legacy fund or legacy account.

Payment to the board of trustees of such Home, under the provisions of this section, shall discharge the bank of liability to the owner of said property, or any person claiming under him, to the extent of such payments.

Any person claiming an interest in property surrendered to the chairman of the board of trustees of such Home, pursuant to the provisions of this section, and who claims (1) that said property is or was not beneficially owned by said patient, or (2) that said patient is or was not obligated to the commonwealth for support, as set forth in said affidavit, may within seven years following the date upon which such property is surrendered to the trustees, establish such claim by a petition to the probate court which, after determining the merits of the claim, may direct the trustees to pay the whole or any part of the sum claimed to the claimant.

SECTION 2. Chapter 123 of the General Laws is hereby amended by striking out section 39C, as amended by section 4 of chapter 291 of the acts of 1936, and inserting in place thereof the following section:—*Section 39C.* If a patient at a state hospital is discharged or escapes therefrom, or from the supervision of the department while obligated to the commonwealth for support in accordance with the provisions of section ninety-six, and there is in the custody of the superintendent of such hospital or in the custody of the commissioner, a bank book representing a deposit account in a bank, as defined in section one of chapter one hundred and sixty-seven, in his name which is unclaimed during the two-year period following the date of the discharge or escape of such patient, said commissioner may present said bank book to such bank accompanied by an affidavit stating (1) the name of said former patient, (2) the date of admission of said patient to the hospital and the date of his discharge or escape from said hospital or supervision of the department, (3) the amount of money for which the said patient is obligated to the commonwealth, (4) that said bank book belongs to said patient, (5) that it has been in the custody of the superintendent of said hospital or the commissioner and has been unclaimed for more than two years, and demanding payment of all or such portion of the amount represented by said bank book as is not in excess of the amount due to the commonwealth for the support furnished such patient.

Thereupon, such bank shall pay the commissioner the amount so requested in said affidavit and shall endorse such payment upon such bank book, with specific reference to this section and shall return such bank book to the commissioner.

Payment to the commissioner, under the provisions of this section, shall discharge the bank of liability to the owner of said property, or any person claiming under him, to the extent of such payments.

Any person claiming an interest in property surrendered to the commissioner, pursuant to the provisions of this section, and who claims (1) that said property is not beneficially owned by said patient, or (2) that said patient is not obligated to the commonwealth for support, as set forth in said affidavit, may within seven years following

the date upon which such property is surrendered to the commissioner, establish such claim by a petition to the probate court which, after determining the merits of the claim, may direct that the commissioner pay the whole or any part of the sum claimed to the claimant.

*Approved May 14, 1960.*

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**Chap. 388.** AN ACT FURTHER REGULATING THE HOLDING OF THE SESSIONS OF THE PROBATE COURT FOR THE COUNTY OF FRANKLIN.

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

Section 62 of chapter 215 of the General Laws is hereby amended by striking out the paragraph amended by chapter 514 of the acts of 1951 and inserting in place thereof the following paragraph:—

Franklin, at Greenfield, on the first, second, third and fourth Tuesday of each month, except August, and on the first Tuesday of August.

*Approved May 14, 1960.*

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**Chap. 389.** AN ACT TO PROVIDE FOR INCREASED AMOUNTS OF GROUP LIFE INSURANCE FOR STATE EMPLOYEES ON AN OPTIONAL BASIS WITHOUT PREMIUM CONTRIBUTIONS BY THE COMMONWEALTH.

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

SECTION 1. The second sentence of section 4 of chapter 32A of the General Laws, as appearing in section 1 of chapter 628 of the acts of 1955, is hereby amended by striking out, in line 2, the word “three” and inserting in place thereof the word:—five,—so as to read as follows:—Said commission may negotiate a contract for such term not exceeding five years as it may, in its discretion, deem to be the most advantageous to the commonwealth; provided, however, that the portion of the cost of the premium per month to be borne by the commonwealth shall not exceed the estimated monthly cost for which funds have been appropriated by the general court for the then current fiscal year.

SECTION 2. Said chapter 32A is hereby further amended by striking out section 5, as amended by section 3 of chapter 582 of the acts of 1956, and inserting in place thereof the following section:—*Section 5.* Each employee shall be automatically insured for two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance and group general or blanket insurance providing hospital, surgical and medical benefits provided under said policy or policies, commencing on the date he first becomes eligible or on the effective date of such coverage or coverages, including dependent benefits, whichever last occurs; provided, that any employee desiring not to be so insured shall, on an appropriate form prescribed by the commission, give written notice to the commission that he is not to be insured for such coverages, including dependent benefits, provided under such policy or policies. Such notice shall be mailed to the office of the commission at least thirty

days prior to the effective date of the policy or policies insuring said employee. If the employee fails to give notice as herein provided, or, in the event an employee desires to terminate his insurance, he may withdraw, and such insurance benefits shall cease to be effective on the date to which the premium has been paid. In determining said date, payroll deductions or direct payments on behalf of the employee shall continue to be made until the expiration of fifteen days from the receipt of notice of withdrawal by the commission. Every policy, whether original or renewal, shall provide, in the case of employees now covered by group insurance benefits, protection by continuing uninterrupted coverage without regard to waiting periods for benefits.

SECTION 3. Section 6 of said chapter 32A, as appearing in section 1 of chapter 628 of the acts of 1955, is hereby amended by inserting after the word "dollars", in line 4, the words:—, except that those employees desiring to elect optional coverage in excess of two thousand dollars group life insurance and two thousand dollars group accidental death and dismemberment insurance may do so as provided in section ten A,—so as to read as follows:—*Section 6.* The amount of group life insurance on each employee shall be two thousand dollars, and the amount of group accidental death and dismemberment insurance on each employee shall be two thousand dollars, except that those employees desiring to elect optional coverage in excess of two thousand dollars group life insurance and two thousand dollars group accidental death and dismemberment insurance may do so as provided in section ten A. The amount of the hospital, surgical and medical benefits to be provided each employee and his dependents shall be determined by the commission subject to the provisions of section four.

SECTION 4. The first sentence of section 10 of said chapter 32A, as so appearing, is hereby amended by inserting after the word "employee", in line 3, the words:—as set forth in section six, except the optional coverage referred to therein,—so as to read as follows:—The commission shall require that, on retirement of an employee, the policy or policies of insurance shall provide that the group life coverage of such employee as set forth in section six, except the optional coverage referred to therein, shall be reduced fifty per cent and the group general or blanket insurance providing hospital, surgical and medical benefits shall be continued, except that the employee shall pay the entire average premium per one thousand dollars for group life coverage, and for the hospital, surgical and medical benefits the entire group premium applicable for said employee or for said employee and his dependents.

SECTION 5. Said chapter 32A is hereby amended by inserting after section 10 the following section:—*Section 10A.* Each employee insured for the minimum amounts of group life and group accidental death and dismemberment insurance provided in section six may, subject to such conditions as the commission shall approve, be insured for amounts of group life insurance and group accidental death and dismemberment insurance in addition to the minimum amounts provided for in section six, based on his gross annual salary, wages or compensation in accordance with the following limits:—

If Annual Compensation Is		OPTIONAL	
At Least	But Less Than	Additional Amount of Group Life Insurance Shall Not Exceed	Additional Amount of Group Accidental Death and Dismemberment Shall Not Exceed
2,000	3,000	1,000	1,000
3,000	4,000	2,000	2,000
4,000	5,000	3,000	3,000
5,000	6,000	4,000	4,000
6,000	7,000	5,000	5,000
7,000	8,000	6,000	6,000
8,000	9,000	7,000	7,000
9,000	10,000	8,000	8,000
10,000	11,000	9,000	9,000
11,000	12,000	10,000	10,000
12,000	13,000	11,000	11,000
13,000	14,000	12,000	12,000
14,000	15,000	13,000	13,000
15,000	16,000	14,000	14,000
16,000	17,000	15,000	15,000
17,000	18,000	16,000	16,000
18,000	19,000	17,000	17,000
19,000	20,000	18,000	18,000
20,000	21,000	19,000	19,000
21,000	22,000	20,000	20,000
22,000	23,000	21,000	21,000
23,000	—	21,000	21,000

Such additional insurance shall be issued by the carrier or carriers as determined by the commission without regard to a minimum number of eligible employees or to the provisions of chapter one hundred and seventy-five.

Each employee entitled to additional insurance under this section shall file an application therefor with the commission on an appropriate form prescribed by the commission, except that an employee having such additional insurance who becomes entitled to further additional insurance hereunder by reason of an increase in annual salary shall automatically be insured for the amount of such further additional insurance, to become effective on the first day of the second month following the month in which the increase was authorized, unless the employee notifies the commission in writing on a form prescribed by it that he is not to be so insured; and provided that such increase in salary has been authorized for a period of time in excess of one year. No reduction in the amount of insurance shall be required on account of a reduction in compensation. For purposes of this additional insurance, yearly gross salary or compensation shall not include any overtime pay and in the case of hourly workers shall be computed on the basis of scheduled required work hours.

With respect to any additional insurance which is in effect for an employee there shall be withheld from each payment of salary or wages of such employee the premium for such insurance and the commonwealth shall make no contribution to said premium. If an employee is not entitled to receive salary, wages or other compensation for a calendar month, he shall make payment directly to the commission and there shall be no contribution by the commonwealth for such payment.

An employee insured under this section may by written notice on a form prescribed by the commission cancel such insurance, and such insurance shall require no further premium payment the first day of the month following the expiration of fifteen days from the receipt of notice of cancellation. Insurance coverage will therefore terminate at the end of the month for which premium has been paid. If an employee withdraws as provided in section five, such withdrawal shall automatically effect a cessation of the additional insurance under this section as of the date of cessation of his minimum insurance.

Upon retirement of an employee eligible for pension allowances under any general or special law, his additional insurance under this section shall terminate and he shall be afforded the privilege of converting such additional insurance in accordance with the rules and regulations of the commission.

The commission is hereby authorized to negotiate for and purchase the additional insurance outlined in the above schedule on the basis of group renewable term or group permanent insurance, whichever it deems to be in the best interests of the commonwealth and its employees.

SECTION 6. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved May 14, 1960.*

**Chap. 390.** AN ACT REPEALING THE MERIT RATING SYSTEM.

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

Sections five to ten, inclusive, and section sixteen of chapter 90A of the General Laws are hereby repealed, and the caption preceding said section five is hereby stricken out.

*Approved May 14, 1960.*

**Chap. 391.** AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE CITY OF NEWTON THE QUESTION OF INCREASING THE SALARIES OF AND ESTABLISHING A MINIMUM ANNUAL SALARY FOR FIRE FIGHTERS, UNIFORMED AND NON-UNIFORMED MEMBERS OF THE FIRE ALARM DIVISION AND MOTOR MAINTENANCE PERSONNEL OF SAID CITY.

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

SECTION 1. The officers and members of the fire department of the city of Newton shall receive such annual salary as shall from time to time be fixed by the mayor with the approval of the board of aldermen; provided, however, that the chief of the department shall not receive an annual salary of less than ninety-six hundred dollars, nor

an assistant chief of department less than seventy-two hundred dollars, nor a captain less than sixty-six hundred dollars, nor a lieutenant less than six thousand dollars, nor a fire fighter after the second year of service less than fifty-five hundred dollars or in the second year of service less than five thousand two hundred and fifty dollars or in the first year less than five thousand dollars.

SECTION 2. The members of the fire alarm division and the motor maintenance personnel of the fire department of said city shall receive such annual salary as shall from time to time be fixed by the mayor with the approval of the board of aldermen; provided, however, that the signal maintenance foreman shall not receive as an annual salary less than sixty-four hundred dollars, nor a motor maintenance man, senior grade, less than six thousand dollars, nor a signal maintenance man, motor maintenance man or fire alarm operator after the second year of service, less than fifty-five hundred dollars or in the second year of service less than five thousand two hundred and fifty dollars or in the first year of service less than five thousand dollars.

SECTION 3. (a) If a petition is obtained, signed and filed and signatures of petitioners thereon certified, and a certificate transmitted to the state secretary as provided in this section, there shall be printed on the official ballot to be used in the city of Newton at the biennial state election in the current year the following question:—"Shall fire fighters, uniformed and non-uniformed members of the fire alarm division, and motor maintenance personnel employed by the city of Newton who now receive an annual salary of \$4,550 to start and \$4,700 after one year's service, \$4,850 after two years' service and \$5,000 after three years' service, receive an increase to a minimum yearly salary of \$5,000 to start, \$5,250 after one year's service, and \$5,500 after two years' service, with salary increases of at least \$500 for the uniformed and non-uniformed superiors?"

YES.	<input type="checkbox"/>
NO.	<input type="checkbox"/>

(b) A petition for the printing of such question as aforesaid shall be issued only if, after the effective date of this section, ten or more registered voters of the city appear together at the office of the board of election commissioners of the city, elsewhere in this act called the election commission, and in the presence of a justice of the peace subscribe, in a book kept for the purpose by the election commission, a request for the issuance of such petition in substantially the following form:—

#### THE COMMONWEALTH OF MASSACHUSETTS

#### CITY OF NEWTON

#### REQUEST FOR ISSUANCE OF PETITION FOR PRINTING OF QUESTION ON BALLOT.

Each of the undersigned hereby declares under the pains and penalties of perjury on this ..... day of ..... 1960:

1. That he is a registered voter of the City of Newton residing at the street and number, and in the ward, set against his name.

2. That he desires to have printed on the official ballot to be used in the City of Newton at the municipal election to be held in the current year the following question:

*(Here insert the question set forth in paragraph (a) of this section.)*

3. And that he hereby requests the issuance of a petition for such printing of such question.

The undersigned do hereby appoint each of the following persons:—*(here insert name and address of one or more persons)* as their duly authorized agents to receive the petition hereby requested.

Signature of Petitioner	Residence on January 1, 1960	Ward	Precinct	Present Residence
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Signed by the subscribers appearing together at the office of the Board of Election Commissioners of the City of Newton on this ..... day of ..... 1960, in the presence of

.....  
*Justice of the Peace.*

(c) If a request is subscribed as provided for by paragraph (b), the election commission shall check each name on such request and shall certify thereon the number of signatures so checked which are the names of registered voters of the city, and, if such request contains at least ten names certified pursuant to this paragraph, shall issue, not later than five o'clock in the afternoon of the tenth day after the subscription of such request, to any one of the persons specified in such request as the duly authorized agents of the persons subscribing such request, petition sheets containing spaces for signature equal in number to one half of the number of persons registered to vote in the city at the municipal election next preceding the filing of such request. Each petition sheet shall be in substantially the following form:—

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF NEWTON

PETITION FOR PRINTING OF CERTAIN QUESTION ON BALLOT  
IN THE CITY OF NEWTON.

TO THE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF NEWTON:

We, the undersigned, registered voters of the City of Newton, hereby petition that there be printed on the official ballot to be used in the City of Newton at the state election to be held Tuesday, November 8, 1960, the following question:—

*(Here insert the question set forth in paragraph (a) of this section.)*

Signatures of Petitioners (To be signed in person with name as registered)	Residence January 1, 1960 (If registered after above date, residence when registered)	Ward	Precinct	Present Residence
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## THE COMMONWEALTH OF MASSACHUSETTS

NEWTON,

1960.

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

NAMES AND ADDRESSES OF PERSONS  
CIRCULATING THIS SHEET

NUMBERS OF LINES UPON WHICH  
APPEAR SIGNATURES AS TO WHICH  
CERTIFICATION IS MADE HEREBY

NAME

ADDRESS

*(Add here or at some other convenient place on petition sheet the following)—*

This petition sheet filed by

.....  
*Name of Filer*

.....  
*Number, Street, City*

Each petition sheet shall, before issuance, be prepared by the election commission by making the insertion required by the foregoing form. No petition sheet shall be valid unless prepared and issued by the election commission.

(d) A petition for the printing of said question as aforesaid shall be signed by registered voters of the city to a number equal to at least five per cent of the persons registered to vote in the city at the state election next preceding the filing of the petition. Every voter signing such a petition shall sign in person, with his name as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in paragraph (c) shall not be counted in determining the number of petitioners. If the name of any voter appears as petitioner on the same petition more than once, it shall be deemed to appear but once.

(e) The separate sheets of a petition for the printing of said question as aforesaid shall be filed all together with the election commission at or before five o'clock in the afternoon of July twenty-sixth in the current year. Every sheet of such petition shall be signed by the person filing such petition who, if he is other than the person appointed to receive the petition upon the issuance thereof, shall add to

his signature his place of residence, giving street and number, if any; and the election commission shall require satisfactory identification of such person. Such petition shall, when filed, be a matter of public record; but such petition shall not be open to public inspection until the signatures thereon have been certified.

(f) Upon the filing of a petition for the printing of said question as aforesaid the election commission shall check each name to be certified by it on such petition and shall certify thereon the number of signatures so checked which are the names of registered voters of the city; provided, however, that said commission shall not certify a greater number of names than required by paragraph (d) with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same petition. A petition not containing names certified pursuant to this paragraph, to the number required by said paragraph (d), shall be invalid. The election commission shall complete the certification required by this paragraph at or before five o'clock in the afternoon of August twenty-third in the current year.

(g) A petition for the printing of said question as aforesaid which has been filed and is in apparent conformity with law shall be deemed to be valid unless written objection thereto is made by a registered voter of the city. Such objection shall be filed with the election commission at or before five o'clock in the afternoon of August thirtieth in the current year. Any general or special law to the contrary notwithstanding, objections filed with the election commission shall forthwith be transmitted by it to the ballot law commission, which shall forthwith consider such objections and not later than September thirteenth in the current year render its decision on such objections stating its finding as to the validity of the petition. In all matters relating to such objections, said commission shall have the powers and perform the duties prescribed by law for the state ballot law commission in matters under its jurisdiction; and the decision of said commission shall in like manner be final except that it shall be subject to judicial review under section fourteen of chapter thirty A of the General Laws. Certification pursuant to paragraph (f) shall not preclude a voter from filing objections to the validity of such petition.

(h) If such petition is either deemed or found to be valid under paragraph (g), the election commission shall transmit to the state secretary not later than five o'clock in the afternoon of September twentieth in the current year a certificate of the filing of a petition in conformity with this section, of the certification of signatures of petitioners thereon to the number required by paragraph (d) and of the deeming or finding of such petition to be valid under paragraph (g).

SECTION 4. Section three of this act shall take effect upon its passage. Sections one and two of this act shall take effect on the first Wednesday of January, nineteen hundred and sixty-one, if the aforesaid question is printed on the official ballot to be used in the city of Newton at the biennial state election in the current year and a majority of votes cast in answer to such question at such election are in the affirmative.

*Approved May 14, 1960.*

**Chap. 392.** AN ACT AUTHORIZING THE SOUTHBRIDGE WATER SUPPLY COMPANY TO TAKE AN ADDITIONAL SOURCE OF WATER SUPPLY IN THE TOWN OF STURBRIDGE.

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

SECTION 1. Chapter 73 of the acts of 1880 is hereby amended by striking out section 2 and inserting in place thereof the following section:—*Section 2.* Said corporation may take, hold and convey into and through the town of Southbridge or any part thereof the water in what is known as the Glover brook passing through the center village and the waters of what is known as Hatchet brook or any tributary thereto. Said corporation may also take, hold and convey into and through said town of Southbridge and the town of Sturbridge or any part of said towns the water in what is known as Breakneck brook or any tributary thereto. Said corporation may take and hold by purchase or otherwise any real estate necessary for the preservation and purity of the same, or for forming any dams or reservoirs to hold the same, and for laying and maintaining aqueducts and pipes for distributing the waters so taken and held; and may lay its water pipes through any private lands, with the right to enter upon the same and dig therein for the purpose of making all necessary repairs; and for the purposes aforesaid may carry its pipes under or over any water-course, street, railroad, highway or other way, in such manner as not to obstruct the same; and may, under the direction of the board of selectmen, enter upon and dig up any road or other way for the purpose of laying or repairing its aqueducts, pipes or other works; and in general may do any other acts and things convenient or proper for carrying out the purposes of this act.

SECTION 2. All purchases of real estate and personal property by said corporation heretofore made are hereby ratified, confirmed and made valid.

SECTION 3. This act shall take effect upon its acceptance by majority vote of the voters of the town of Sturbridge present and voting at the next annual town meeting of said town.

*Approved May 14, 1960.*

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**Chap. 393.** AN ACT TO PROVIDE FOR THE CREATION OF A BOARD OF LICENSE COMMISSIONERS IN THE TOWN OF WESTMINSTER.

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

SECTION 1. The selectmen of the town of Westminster shall, upon acceptance of this act as provided in section five, appoint a board of license commissioners consisting of three members, each of whom shall have been a resident of said town for at least two years immediately preceding his appointment, to serve for the following terms:—one member for two years, one member for four years and one member for six years. They shall hold office until their respective successors are appointed and qualified, and thereafter at the expiration of the term of each member, his successor shall be appointed for a term of six years. Any vacancy in said board shall be filled by joint vote of the selectmen and the remaining members of the board, and the person or persons so appointed to fill such vacancy shall serve for the remainder of the unexpired term.

SECTION 2. No member of the board shall be engaged directly or indirectly in the manufacture or sale of alcoholic beverages, or hold any other town office. If any member of the board shall engage directly or indirectly in the manufacture or sale of alcoholic beverages, his office shall thereupon become vacant. Two members of the board shall constitute a quorum for the transaction of business.

SECTION 3. All licenses issued in the said town for the sale of alcoholic beverages shall be issued and signed only by the said board of license commissioners, and shall be recorded in their office. However, all licenses issued in said town prior to the acceptance of this act as provided in section five, shall remain in full force and effect for their respective terms. All the powers and duties relating to alcoholic beverage licenses, or to the sale or consumption of alcoholic beverages, now or hereafter vested in the selectmen of towns shall be exercised and performed by the said board.

SECTION 4. The town may appropriate a reasonable sum of money for the compensation of its license commissioners, and shall pay all reasonable expenses incurred by the board for blank books, printing and other necessary expenses approved by the board.

SECTION 5. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the year nineteen hundred and sixty-one in the form of the following question, which shall be placed on the official ballot to be used at said meeting for the election of town officers:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act to provide for the creation of a board of license commissioners in the town of Westminster', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

*Approved May 14, 1960.*

**Chap. 394.** AN ACT RELATIVE TO THE METHOD OF VOTING AT REPRESENTATIVE TOWN MEETINGS IN THE TOWN OF STOUGHTON.

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

Chapter 213 of the acts of 1949 is hereby amended by inserting after section 13 the following section:—*Section 13A.* All votes taken at representative town meetings shall be by voice or standing vote.

*Approved May 14, 1960.*

**Chap. 395.** AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL OR LEASE TO THE NEW ENGLAND DEACONESS HOSPITAL CERTAIN PARK LAND IN SAID CITY.

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

SECTION 1. Notwithstanding any contrary provision of general or special law, the city of Boston, by its mayor, may convey or lease to the New England Deaconess Hospital any interest in the whole or part of the land one foot and more below the surface of Joslin Park, formerly Longwood Park, in said city, and of Joslin Road and Deaconess Road adjacent thereto with such rights of access as the mayor may determine above and below ground for the purpose of the construction

and operation of any building that may be built underground on the area leased or conveyed to the New England Deaconess Hospital.

SECTION 2. Such conveyance or lease shall be made only with the assent of the parks and recreation commission and of the public improvement commission, expressed in each case by vote at a regular or special meeting.

SECTION 3. This act shall take full effect upon its acceptance by a majority vote of the city council of the city of Boston.

*Approved May 14, 1960.*

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**Chap. 396.** AN ACT VALIDATING THE APPOINTMENT OF THOMAS J. FOSTER AS A FIRE FIGHTER IN THE CITY OF SOMERVILLE.

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

SECTION 1. Thomas J. Foster of Somerville who was certified by the division of civil service for appointment as a permanent fire fighter in the fire department of said city and who was sworn in as such in December, nineteen hundred and fifty-nine, but who did not receive a valid appointment because, due to physical disability he did not assume the duties of such position within thirty days from the date of the receipt of notice of his appointment, as required by civil service rule fifteen, shall be deemed to have been validly appointed as of the effective date of this act, as a permanent fire fighter in said fire department.

SECTION 2. This act shall take effect upon its acceptance by vote of the board of aldermen of said city with the approval of the mayor, but not otherwise.

*Approved May 14, 1960.*

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**Chap. 397.** AN ACT AUTHORIZING THE TOWN OF WEST SPRINGFIELD TO SELL AND CONVEY CERTAIN PARK LAND TO JAMES D. ALLAN AND KATHERINE T. ALLAN.

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

SECTION 1. The town of West Springfield is hereby authorized to sell and convey to James D. Allan and Katherine T. Allan, husband and wife, as tenants by the entirety, certain land on the westerly side of Churchill road in said town, under the jurisdiction of the park and recreation commission, and known as Mittineague Park, and bounded and described as follows:—Beginning at the intersection of the westerly line of said Churchill Road with the northerly line of land of the grantors herein; thence southerly along said westerly line of Churchill Road on a curve to the east of radius 279.87 feet an arc distance of 36.00 feet to a point; thence S 26° 21' 15" W along other land of the grantors herein a distance of 125.05 feet to a point; thence N 71° 00' 00" W along other land of the grantors herein a distance of 37.50 feet to an iron pipe at the southwesterly corner of said land of the grantees herein, said iron pipe being also at the southeasterly corner of land of Sylvester and Rena S. Page; thence northeasterly along said other land of the grantees herein on a curve to the north of radius 307.00 feet an arc distance of 146.68 feet to the point of beginning, and containing 3870 square feet, more or less.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town present and voting at an annual or special town meeting.

*Approved May 14, 1960.*

**Chap. 398.** AN ACT AUTHORIZING THE PLACING OF THE ORGANIZATIONAL COLORS OF CERTAIN NATIONAL GUARD ORGANIZATIONS IN THE STATE HOUSE.

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

The superintendent of buildings is hereby authorized to remove the organizational colors of Massachusetts National Guard organizations carried into the federal service in nineteen hundred and forty and nineteen hundred and forty-one and during the Korean emergency, from storage at the military depot at Natick and other places and to place the same in suitable glass cases or enclosures in or near the Hall of Flags in the state house. For such purposes said superintendent may expend such sums as may be appropriated therefor.

*Approved May 14, 1960.*

**Chap. 399.** AN ACT PROVIDING THAT DORMITORY FACILITIES FOR DAY WORKERS SHALL BE UNDER THE JURISDICTION OF THE COMMISSIONER OF CORRECTION.

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

Section 86B of chapter 127 of the General Laws, inserted by section 18 of chapter 715 of the acts of 1956, is hereby amended by striking out, in lines 7 to 10, inclusive, the words “ , and any inmate living in such dormitory shall be held to be under the control and custody of the Massachusetts Correctional Institution, Bridgewater”,—so as to read as follows:—*Section 86B.* The commissioner may establish and maintain dormitory facilities for inmates engaged in day-work under section eighty-six A at such place or places as may be authorized by the governor and council. With the approval of the doctor in charge of the alcoholic clinic, the commissioner may authorize the transfer of any inmate approved for such day-work to such dormitory. The commissioner may fix rates for board and housing of inmates in such dormitory, and may require payment therefor by such inmates.

*Approved May 14, 1960.*

**Chap. 400.** AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE POLISH LEGION OF AMERICAN VETERANS, DEPARTMENT OF MASSACHUSETTS, INC.

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

Chapter 8 of the General Laws is hereby amended by striking out section 17, as most recently amended by chapter 664 of the acts of 1953, and inserting in place thereof the following section:—*Section 17.* Whenever in the opinion of the superintendent of buildings there is space available, there shall be set apart and suitably furnished a room or rooms in the state house for the use of the Massachusetts de-

partment of The American Legion, of the United Spanish War Veterans, of the Disabled American Veterans of the World War, of the Veterans of Foreign Wars of the United States, of the American Veterans of World War II, AMVETS, of the Veterans of Indian Wars, of Italian American World War Veterans of the United States, Inc., Department of Massachusetts, of the Jewish War Veterans of the United States, Department of Massachusetts, Inc., of the Polish-American Veterans of Massachusetts, Inc., of the Marine Corps League, Department of Massachusetts, Inc., and of the Polish Legion of American Veterans, Department of Massachusetts, Inc., respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for each of the aforesaid departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World Wars and the Spanish War.

*Approved May 14, 1960.*

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**Chap. 401.** AN ACT PROVIDING THAT CERTAIN PAYMENTS TO PENSION PLANS SHALL BE INCLUDED FOR THE PURPOSE OF ESTABLISHING CERTAIN MINIMUM WAGE RATES AND PROVIDING A PENALTY FOR RECEIVING AS REBATE, REFUND OR GRATUITY ANY PART OF THE PAYMENT MADE UNDER SUCH PLANS.

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

SECTION 1. The last sentence of the first paragraph of section 26 of chapter 149 of the General Laws, added by section 1 of chapter 606 of the acts of 1956, is hereby amended by inserting after the word "plans", in line 2, the words:—and pension plans.

SECTION 2. Section 27 of said chapter 149 is hereby amended by striking out the last three sentences, as appearing in section 2 of said chapter 606, and inserting in place thereof the following three sentences:—The aforesaid rates of wages in the schedule of wage rates shall include payments by employers to health and welfare plans and pension plans as provided in the previous section, and such payments shall be considered as payments to persons under this section performing work as herein provided. Any employer engaged in the construction of such works who does not make payments to a health and welfare plan and a pension plan, where such payments are included in said rates of wages, shall pay the amount of said payments directly to each employee engaged in said construction. Whoever shall pay less than said rate or rates of wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, on said works to any person performing work within classifications as determined by the commissioner, and whoever, for himself, or as representative, agent or officer of another, shall take or receive for his own use or the use of any other person, as a rebate, refund or gratuity, or in any other guise, any part or portion of the wages, including payments to health and welfare funds and pension funds, or the equivalent payment in wages, paid to any such person for work done or service rendered on said public works, shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

*Approved May 14, 1960.*

**Chap. 402.** AN ACT INCREASING THE NUMBER OF ASSISTANT ADJUTANTS GENERAL AND ESTABLISHING THE OFFICE OF ASSISTANT ADJUTANT GENERAL FOR AIR.

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

SECTION 1. Section 15 of chapter 33 of the General Laws, as appearing in section 1 of chapter 590 of the acts of 1954, is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:—(c) There shall be five full-time assistant adjutants general, one of whom shall be designated executive officer and one of whom shall be designated assistant adjutant general for air, who shall perform such duties as may be delegated to them by the adjutant general, or as prescribed in orders and regulations from time to time.

SECTION 2. Section 18 of said chapter 33, as so appearing, is hereby amended by striking out subsection (b). *Approved May 18, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, MAY 19, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 402 of the Acts of 1960, entitled "An Act Increasing the Number of Assistant Adjutants General and Establishing the Office of Assistant Adjutant General for Air" and the enactment of which received my approval on May 18, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will delay the reorganization and regrouping of the Air National Guard in Massachusetts.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, MAY 19, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock and ten minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and two of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*



**Chap. 403.** AN ACT CHANGING THE DESIGNATION OF STATE TEACHERS COLLEGES TO STATE COLLEGES.

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

SECTION 1. Section 6 of chapter 69 of the General Laws, as amended by section 3 of chapter 127 of the acts of 1932, is hereby further amended by striking out, in line 4, the word "teachers" and inserting in place thereof the word:—state,—so as to read as follows:—*Section 6.* The department shall receive applications for the position of teacher from graduates of good moral character of any high school or state college in this commonwealth, or of any other school deemed by the department to be of equal grade, or of any reputable college. Such an application shall contain the applicant's name and address, and, briefly, his experience and qualifications. The department, without charge, shall communicate with the various school committees and with the applicants themselves with a view to securing such positions.

SECTION 2. Section 7C of said chapter 69, added by chapter 692 of the acts of 1957, is hereby amended by striking out, in lines 5, 7 and 15, the word "teachers",—so as to read as follows:—*Section 7C.* There are hereby established certain scholarships to be known as special education scholarships to be given to graduates of high schools within the commonwealth who qualify for entrance to the state college at Fitchburg and who are in need of financial assistance. Said scholarships shall be recommended by the president of the state college at Fitchburg and shall be approved by the board of education.

The number of scholarships to be so awarded shall not exceed twenty-five in each of the four undergraduate years. No individual scholarship shall exceed three hundred dollars in any year. Said scholarships shall continue for such time as the recipient thereof remains a student in good standing at the state college at Fitchburg and pursues the courses prescribed for certification as a special class teacher of the mentally retarded, but in no event shall any student receive such scholarship aid for more than four years.

SECTION 3. Section 8 of said chapter 69, as amended by section 4 of said chapter 127, is hereby further amended by striking out, in line 7, the word "teachers" and inserting in place thereof the word:—state,—so as to read as follows:—*Section 8.* For the purposes of such courses, the department may, with the consent of the school committee or other proper officials and subject to rules and regulations by them prescribed, use the school or other public buildings and grounds of a town, but without interference or inconsistency with their customary uses; also the state college buildings and grounds, and, with the consent of the officers in charge, other school buildings owned or controlled by the commonwealth. It may also arrange for the use of such other buildings, grounds and facilities, paying such rent therefor, as the conduct of such courses may require.

SECTION 4. Section 11 of chapter 70 of the General Laws, as appearing in section 1 of chapter 643 of the acts of 1948, is hereby amended by striking out, in line 3, the word "teachers'" and inserting in place thereof the word:—state, so as to read as follows:—*Section 11.* The income of the Todd Fund shall be paid to the depart-

ment of education, and applied by it to specific objects, in connection with the state colleges, not provided by appropriation.

SECTION 5. Chapter 73 of the General Laws is hereby amended by striking out the title, as most recently amended by section 1 of chapter 620 of the acts of 1948, and inserting in place thereof the following title:—STATE COLLEGES AND COMMUNITY COLLEGES.

SECTION 6. Said chapter 73 is hereby further amended by striking out section 1, as most recently amended by chapter 284 of the acts of 1960, and inserting in place thereof the following section:—*Section 1.* The department of education, in this chapter called the department, shall, through its division of state colleges, have general management of the state colleges at Boston, Bridgewater, Fitchburg, Framingham, Lowell, North Adams, Salem, Westfield and Worcester, and the Massachusetts college of art at Boston, wherever said colleges may be hereafter located, and of boarding houses connected therewith, and may direct the expenditure of money appropriated for their maintenance.

SECTION 7. Said chapter 73 is hereby further amended by striking out section 1A, as amended by section 3 of chapter 246 of the acts of 1959, and inserting in place thereof the following section:—*Section 1A.* The board of education shall fix the amount of tuition fee to be paid by each student at any of the state colleges and the Massachusetts college of art; provided, however, that said board shall in no case fix the tuition fee for full tuition during the school year at less than one hundred dollars; provided, further, that tuition fees charged to veterans, and fixed by the veterans administration pursuant to law, shall not be included within such authority and limitation. Said board shall, furthermore, charge any pupil at any of the aforesaid state colleges maintaining a dormitory and boarding hall a reasonable charge for room and board at a rate not less than four hundred and twenty dollars per year.

SECTION 8. Section 2 of said chapter 73, as amended by section 11 of chapter 127 of the acts of 1932, is hereby further amended by striking out, in line 2, the word "teachers",—so as to read as follows:—*Section 2.* The department may provide for agricultural education in the state college at North Adams.

SECTION 9. Section 2A of said chapter 73, as amended by section 2 of chapter 246 of the acts of 1938, is hereby further amended by striking out, in lines 1 and 2, the word "teachers",—so as to read as follows:—*Section 2A.* In all state colleges the constitutions of the United States and of the commonwealth shall be taught as required subjects for the purpose of fitting the students, morally and intellectually, for the duties of citizenship and of school teaching.

SECTION 10. Said chapter 73 is hereby further amended by striking out section 3, as most recently amended by section 2 of chapter 618 of the acts of 1952, and inserting in place thereof the following section:—*Section 3.* The city of Boston may, and the cities of North Adams, Fitchburg and Lowell and the town of Barnstable shall, acting by their respective school committees, each make written agreements with the department to provide suitable and sufficient school buildings and model and practice schools in connection with the training departments of state colleges therein. The department may, if requested

by towns near state colleges, make written agreements with such towns for the maintenance of practice schools therein in connection with such state colleges, and may provide for the payment of part of the compensation of supervising teachers employed in such practice schools. This section shall not prevent the establishment and maintenance of model, practice, or training schools in connection with state colleges, with or without the co-operation of local school authorities. All money payable by towns under such agreements shall be paid to the commonwealth.

SECTION 11. Section 4 of said chapter 73, as amended by section 13 of chapter 127 of the acts of 1932, is hereby further amended by striking out, in line 2, the word "teachers",—so as to read as follows:—*Section 4.* Presidents of state colleges shall give bonds in such penal sums as the comptroller may prescribe, conditioned on the faithful performance of their duties.

SECTION 12. Said chapter 73 is hereby further amended by striking out section 4A, as most recently amended by section 3 of chapter 618 of the acts of 1952, and inserting in place thereof the following section:—*Section 4A.* A teacher in a state college who has served as such in the state colleges for at least seven years after entering such service or, if a leave of absence has previously been granted to him hereunder, after the termination of the last such leave may, upon written recommendation of the president of the college wherein he is employed, be granted by the commissioner of education a leave of absence, for study and research, for a period of one year at half pay or for a period of a half year at full pay for such period; provided, that prior to the granting of such leave said teacher shall enter into a written agreement with the department that upon the termination of such leave he will return to the state college service and serve as a teacher in the same or another state college for a period equal to twice the length of such leave and that, in default of completing such service, he will refund to the commonwealth, unless excused therefrom by the department for reasons satisfactory to it, an amount equal to such proportion of the salary received by him while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered. For the purposes of this section, service in The Teachers College of the City of Boston shall be deemed to have been service in a state college.

SECTION 13. Section 4B of said chapter 73, as amended by chapter 480 of the acts of 1956, is hereby further amended by striking out, in line 2, the word "teachers", and by striking out, in said line 2, the word "school" and inserting in place thereof the word:—college,—so as to read as follows:—*Section 4B.* The board of education, in electing a teacher in a state college or the Massachusetts college of art who has served as such for the three previous consecutive school years, shall employ him to serve at its discretion, and, notwithstanding any contrary provision of general or special laws, he shall not be dismissed from such employment except for just cause and for reasons specifically given him in writing by the said board. Before any such removal is effected, the said teacher, upon his request, shall be given a full hearing before said board, of which hearing he shall have at least thirty days written notice from said board, and he shall be allowed to

answer charges preferred against him, either personally or by counsel.

SECTION 14. Section 5 of said chapter 73, as amended by section 15 of chapter 127 of the acts of 1932, is hereby further amended by striking out, in line 3, the word "teachers",—so as to read as follows:—*Section 5.* The department may annually expend, in semi-annual payments, not more than four thousand dollars in aiding students in state colleges.

SECTION 15. Section 6 of said chapter 73, as amended by section 16 of said chapter 127, is hereby further amended by striking out, in line 3, the word "teachers",—so as to read as follows:—*Section 6.* Upon payment of tuition fees the department may receive students not residents of the commonwealth in state colleges.

SECTION 16. Said chapter 73 is hereby further amended by striking out section 7, as most recently amended by chapter 592 of the acts of 1959, and inserting in place thereof the following section:—*Section 7.* The department may grant the degree of Bachelor of Education or of Bachelor of Science in Education to any person completing a four-year course in a state college, and the degree of Master of Education to graduates of colleges or universities who have satisfactorily completed a graduate course of instruction in any such college. The department may grant the degree of Bachelor of Fine Arts to any student at the Massachusetts college of art upon the successful completion of certain four-year prescribed courses in the field of fine arts. The department may also grant such other appropriate baccalaureate degrees at such state colleges and at said college of art as it may determine and prescribe.

SECTION 17. Said chapter 73 is hereby further amended by striking out section 8, as amended by section 5 of chapter 246 of the acts of 1959, and inserting in place thereof the following section:—*Section 8.* The department may provide for residents of the commonwealth an educational program at each of the state colleges, and the Massachusetts college of art, such program to include, in addition to the subjects mentioned in sections two and two A, instruction in such subjects as it deems expedient in the training of such residents.

SECTION 18. The third sentence of section 4 of chapter 15 of the General Laws, as most recently amended by chapter 534 of the acts of 1957, is hereby further amended by striking out, in line 4, the word "teachers" and inserting in place thereof the word:—state,—so as to read as follows:—In the department there shall be a division of library extension, a division of immigration and Americanization, a division of the blind, a division of elementary and secondary education, a division of state colleges, a division of university extension, a division of research and statistics, a division of vocational education, a division of special education, a division of teacher certification and placement, and a division of civic education.

SECTION 19. Section 25 of said chapter 15, added by section 1 of chapter 690 of the acts of 1957, is hereby amended by striking out, in line 7, the word "teachers",—and by striking out, in line 8, the word "school" and inserting in place thereof the word:—college,—so as to read as follows:—*Section 25.* There shall be in the department, but not under its control, a board of educational assistance. Said board shall consist of the commissioner of education, the president of the

University of Massachusetts, the president of the Massachusetts Higher Education Assistance Corporation, a member to be elected annually by the presidents of the state colleges and the Massachusetts college of art, and seven members, at least two of whom shall be presidents of private colleges in the commonwealth, to be appointed by the governor, with the advice and consent of the council. Each member appointed by the governor shall serve for a term of five years.

SECTION 20. Section 27 of said chapter 15, added by section 1 of chapter 605 of the acts of 1958, is hereby amended by striking out, in line 6 and in line 7, the word "teachers",—and by striking out, in said line 7, the word "school" and inserting in place thereof the word:—college,—so that the first sentence will read as follows:—There is hereby established in the department, but not subject to its control, a Massachusetts board of regional community colleges, hereinafter called the board, which shall consist of fifteen members, including the commissioner of education, the president of the university of Massachusetts, a president of a state college elected annually by the presidents of the state colleges including the Massachusetts college of art, a president of a Massachusetts technical institute elected by the presidents of such technical institutes, and eleven members appointed by the governor with the advice and consent of the council, at least one of whom shall be the president of a private college, university, or junior college in the commonwealth.

SECTION 21. The words "state teachers college", or any words connoting the same shall, when used in any statute, rule or regulation or judicial order or decree, mean state college.

*Approved May 18, 1960.*

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**Chap. 404.** AN ACT PROVIDING FOR THE PRESERVATION, PRINTING AND DISTRIBUTION OF COPIES OF CERTAIN PROCEEDINGS OF THE MASSACHUSETTS DEPARTMENT OF THE VETERANS OF WORLD WAR I OF THE U. S. A.

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

Chapter 5 of the General Laws is hereby amended by striking out section 9, as most recently amended by chapter 22 of the acts of 1953, and inserting in place thereof the following section:—*Section 9.* The state secretary shall annually procure copies of the proceedings of the annual encampments of the departments of Massachusetts, Grand Army of the Republic, United Spanish War Veterans, The American Legion, Disabled American Veterans of the World War, Marine Corps League, American Veterans of World War II, AMVETS, Italian-American World War Veterans of the United States, Inc., Jewish War Veterans of the United States, Veterans of Foreign Wars of the United States, and Veterans of World War I of the U. S. A., held in that year, with the general and special orders, circulars and other papers forming parts thereof, and shall cause the same to be kept as parts of the records of the commonwealth. He shall annually cause copies thereof, including in the case of those relating to the Grand Army of the Republic the portraits of the department officers and staff and of the executive committee of the national encampment, to be printed and

bound; and shall cause one printed and bound copy of each to be sent to each town library in the commonwealth. He shall also send one copy of each volume relating to the Grand Army of the Republic to each Grand Army post, one copy of the volume relating to the United Spanish War Veterans to each camp of Spanish War Veterans, one copy of the volume relating to The American Legion to each post of The American Legion, one copy of the volume relating to the Disabled American Veterans of the World War to each chapter of the Disabled American Veterans of the World War, one copy of the volume relating to the Marine Corps League to each detachment of the Marine Corps League, one copy of the volume relating to the American Veterans of World War II, AMVETS to each post of the American Veterans of World War II, AMVETS, one copy of the volume relating to the Italian-American World War Veterans of the United States, Inc. to each post of the Italian-American World War Veterans of the United States, Inc., one copy of the volume relating to the Jewish War Veterans of the United States to each post of the Jewish War Veterans of the United States, one copy of the volume relating to the Veterans of Foreign Wars to each post of the Veterans of Foreign Wars of the United States and one copy of the volume relating to the Veterans of World War I of the U. S. A. to each barracks of the Veterans of World War I of the U. S. A., in the commonwealth. He shall cause the other copies of each to be distributed in the same manner as the annual report of the state secretary.

*Approved May 18, 1960.*

**Chap. 405.** AN ACT REQUIRING PERIODIC INSPECTIONS OF CERTAIN EDUCATIONAL INSTITUTIONS BY THE BOARD OF COLLEGIATE AUTHORITY.

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

Section 30 of chapter 69 of the General Laws is hereby amended by adding at the end the following sentence:—For the purpose of determining evidence of improvement and growth, the board of collegiate authority, through its agents, shall make periodic inspections of every such educational institution within the twelve years next following its approval of the certificate of organization of such institution or its approval of the articles of amendment referred to it under this section.

*Approved May 18, 1960.*

**Chap. 406.** AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF ASHLAND MAY BORROW FOR SEWER PURPOSES AND PROVIDING THAT SAID TOWN MAY ENTER INTO AN AGREEMENT WITH THE TOWN OF FRAMINGHAM FOR THE JOINT USE OF CERTAIN SEWERS FOR THE TRANSPORTATION OF SEWAGE TO THE SEWERS OF THE METROPOLITAN DISTRICT COMMISSION.

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

SECTION 1. Section 1 of chapter 86 of the acts of 1946 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:—The town of Ashland may enter into

an agreement with the town of Framingham for the joint use of the sewerage facilities of the town of Framingham to receive and transport the sewage of the town of Ashland to the sewers of the metropolitan district commission.

SECTION 2. Section 8 of said chapter 86 is hereby amended by striking out, in line 4, the words "four hundred and forty-five" and inserting in place thereof the words:—one million two hundred.

SECTION 3. Any action taken under said chapter eighty-six, as amended by sections one and two of this act, by the town of Ashland at the annual or any special town meeting in the current year shall be valid and effective for all purposes as though this act were in effect at the time of the posting of the warrant for said annual or special town meeting.

SECTION 4. This act shall take effect upon its passage.

*Approved May 19, 1960.*

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**Chap. 407.** AN ACT PROVIDING TENURE FOR THE PATROLMAN IN THE POLICE DEPARTMENT OF THE CITY OF SALEM ASSIGNED AS SPECIAL INVESTIGATOR FOR THE LICENSING AUTHORITIES OF SAID CITY.

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

SECTION 1. The patrolman in the police department of the city of Salem presently assigned as special investigator for the licensing authorities of said city shall continue to be so assigned without loss of civil service or other rights as a permanent patrolman and shall not be removed from such assignment except in accordance with sections forty-three and forty-five of chapter thirty-one of the General Laws. Upon the termination of his assignment as such special investigator the position shall be filled as patrolman-special investigator by competitive promotional examination open to the permanent patrolmen in the police department of said city.

SECTION 2. This act shall take effect upon its acceptance by the city council and the mayor of the city of Salem.

*Approved May 19, 1960.*

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**Chap. 408.** AN ACT AUTHORIZING THE TOWN OF FRAMINGHAM TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY A CERTAIN UNPAID BILL.

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

SECTION 1. The town of Framingham is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay, an unpaid bill in the sum of sixteen thousand and forty-eight dollars to the Ashland Sand and Gravel Co., Inc. of Ashland, for services and materials furnished to the park department of said town for use at the Mary Denison Playground, said bill being legally unenforceable against said town by reason of its having been incurred in violation of the provi-

sions of the General Laws and the by-laws of said town, including having been incurred in excess of existing appropriations.

SECTION 2. No bill shall be approved by the town accountant of said town or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said town accountant stating under the penalties of perjury that the materials, and services for which such bills have been submitted were ordered by an official or an employee of said town and that such materials were delivered and actually received by said town or that such services were rendered to said town, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for materials or services which were not received by or rendered to said town shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance by a majority of town meeting members of said town present and voting thereon at a special town meeting held in the year nineteen hundred and sixty.

*Approved May 19, 1960.*

**Chap. 409.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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

SECTION 1. To provide for supplementing certain appropriations previously made, and for certain new activities and projects, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine.

SECTION 2.

#### STATE PURPOSES APPROPRIATIONS.

##### APPROPRIATION MADE FROM THE GENERAL FUND.

###### Service of the Department of Education.

###### *School Lunch and Commodity Distribution Program.*

Item	
1305-05	Item 1305-05 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by inserting, in line nine, after the word "act" the following:— ; and, provided further, that the foregoing restriction shall not apply to lunches served during the months of May and June, nineteen hundred and sixty; \$46,586 00

##### APPROPRIATIONS MADE FROM THE HIGHWAY FUND.

###### Service of the Department of Public Works.

###### *Highway Activities.*

*The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be*



*charged for the nineteen hundred and sixty fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:*

- |                        |  |
|------------------------|--|
| Item                   |  |
| 2900-04 }<br>2900-08 } | From the unexpended balance remaining in item 2900-04 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, the sum of five hundred and fifty thousand dollars is hereby transferred and made available for the purposes of item 2900-08 of section two of said chapter four hundred and thirty-three. |
| 2900-04 }<br>2900-32 } | From the unexpended balance remaining in item 2900-04 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, the sum of three hundred thousand dollars is hereby transferred and made available for the purposes of the following item:   |
|                        | 2900-32 For certain renovations and improvements to the "D" street garage, including the cost of equipment; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item, appropriation expires June thirtieth, nineteen hundred and sixty-one                             |

#### **Services of the Metropolitan District Commission.**

*The following items are to be paid with the approval of the Metropolitan District Commission:*

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|---------|---|
| 2931-04 | For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, appropriation expires June thirtieth, nineteen hundred and sixty-one . . . \$300,000 00  |
| 2931-06 | For the maintenance of boulevards and parkways, including the installation of traffic lights and including Bunker Hill and the property adjacent, and for the maintenance of parks reservations and the Charles River basin, and for the payment of damages caused by defects in boulevards and parkways under the control of the commission with the approval of the attorney general, including the retirement of metropolitan police and veterans under the provisions of the General Laws, and including not more than one thousand and fifty-nine permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws; provided further, that notwithstanding any other provision of law to the contrary, there shall be included a payment of four hundred and twenty-three dollars for a prior-year salary earned but not paid . . . 250,000 00 |

#### **LOCAL AID APPROPRIATIONS.**

##### **APPROPRIATION MADE FROM THE GENERAL FUND.**

##### **Service of the Department of Education.**

##### *School Lunch and Commodity Distribution Program.*

- |         |   |
|---------|---|
| 2613-09 | Item 2613-09 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine is hereby amended by inserting, in line nine, after the word "act" the following:— ; and, provided further, that the foregoing restriction shall not apply to lunches served during the months of May and June, nineteen hundred and sixty \$350,967 00 |
|---------|---|

**SECTION 3.** This act shall take effect upon its passage.

*Approved May 23, 1960.*

**Chap. 410.** AN ACT TO FACILITATE THE REIMBURSEMENT TO FARMERS OF THE EXCISE PAID BY THEM ON GASOLINE USED IN THE BUSINESS OF FARMING.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the enforcement and administration of certain excise tax laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 64A of the General Laws is hereby amended by striking out section 7A, inserted by section 2 of chapter 552 of the acts of 1956, and inserting in place thereof the following section:—*Section 7A.* Any person engaged in the business of farming who shall buy any fuel on which an excise has been paid or is chargeable under this chapter and who, having consumed the same on a farm for farming purposes is entitled to a refund of the federal gasoline tax paid on account of such fuel pursuant to section 6420 of subchapter B of chapter 65 of the Internal Revenue Code of 1954, shall be reimbursed the amount of said excise in the manner and subject to the conditions hereinafter provided. Claim for reimbursement of said excise with respect to fuel used during the one-year period ending on June thirtieth of any year shall be filed on or before September thirtieth of the same year. Such claim shall be on a form prescribed by the state tax commission. The state tax commission shall transmit all claims approved by it to the comptroller for certification, and the amount approved by the commission and certified as aforesaid shall be paid forthwith from the proceeds of the excise tax levied under this chapter without specific appropriation.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty and shall apply to fuel consumed on a farm for farming purposes on and after said date. *Approved May 23, 1960.*

**Chap. 411.** AN ACT RELATIVE TO THE COMPENSATION TO BE PAID DISTRIBUTORS AND SUPPLIERS OF CERTAIN FUELS FOR COLLECTING THE EXCISES THEREON.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the administration of the excise law relative to certain fuels, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 4 of chapter 64A of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 12 of chapter 718 of the acts of 1956, and inserting in place thereof the following paragraph:—Every distributor shall, on or before the last day of each month, file with the commissioner a return under oath, on a form to be approved by the state tax commission and

furnished by the commissioner, stating the number of gallons of fuel sold by him in the commonwealth during the preceding calendar month, and such return shall contain or be accompanied by such further information as the commissioner shall require. At the time of filing such return, every distributor shall pay for the account of the purchaser an excise of five and one half cents on each gallon of fuel sold by him in the commonwealth during the calendar month covered by the return. Every distributor, provided he has complied with all the requirements of this chapter and all pertinent rules and regulations of the state tax commission promulgated hereunder, may withhold and retain from each payment required to be made by him under the foregoing provisions of this section, an amount equal to one per cent thereof, excluding, however, that portion of payment based on the number of gallons of fuel consumed or used by him, as compensation for services rendered in compliance with this chapter.

SECTION 2. Section 4 of chapter 64E of the General Laws is hereby amended by striking out the last paragraph, as appearing in section 1 of chapter 619 of the acts of 1956, and inserting in place thereof the following paragraph:—

Every supplier, provided he has complied with all the requirements of this chapter and all pertinent rules and regulations of the state tax commission promulgated hereunder, may withhold and retain from each payment required to be made by him under the foregoing provisions of this section, an amount equal to one per cent thereof, excluding, however, that portion of payment based on the number of gallons of special fuels consumed or used by him, as compensation for services rendered in compliance with this chapter.

SECTION 3. This act shall take effect on August first, nineteen hundred and sixty, and shall apply to all returns required to be filed after said date.

*Approved May 23, 1960.*

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**Chap. 412.** AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO BORROW AN ADDITIONAL AMOUNT OF MONEY FOR SEWERAGE PURPOSES.

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

SECTION 1. For the purposes specified in chapter ninety-four of the acts of nineteen hundred and forty-five, the town of Weymouth may from time to time borrow such sums as may be necessary, not exceeding, in the aggregate, six hundred thousand dollars, in addition to any sums heretofore authorized for sewerage purposes, and may issue bonds or notes therefor, which shall bear on their face the words, Weymouth Sewerage Loan, Act of 1960. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

*Approved May 23, 1960.*

**Chap. 413.** AN ACT PROVIDING FOR THE EXTENSION OF OFF-STREET PARKING FACILITY LEASES OF THE CITY OF BOSTON IN CERTAIN CASES.

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

The last paragraph of section 1 of chapter 474 of the acts of 1946, added by chapter 273 of the acts of 1958, is hereby amended by adding at the end the following sentence:—In such event, the term of the lease shall be extended so as to continue in effect from the date of such modification for the period provided in the original lease.

*Approved May 23, 1960.*

**Chap. 414.** AN ACT TO GRANT CERTAIN EXEMPTION FROM REAL ESTATE TAXES TO VETERANS WHO HAVE BEEN AWARDED THE CONGRESSIONAL MEDAL OF HONOR, THE DISTINGUISHED SERVICE CROSS OR THE NAVY CROSS.

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

SECTION 1. Clause Twenty-second of section 5 of chapter 59 of the General Laws is hereby amended by striking out paragraph (a), as most recently amended by section 2 of Chapter 282 of the acts of 1958, and inserting in place thereof the following paragraph:—

(a) Persons who served in the armed forces of the United States between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen or were awarded the World War I Victory Medal, between September sixteenth, nineteen hundred and forty and December thirty-first, nineteen hundred and forty-six, or between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five and whose last discharge or release from the armed forces was under other than dishonorable conditions; and who were domiciled in Massachusetts for at least six months prior to entry into such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this section, hereinafter referred to in clause Twenty-second as soldiers and sailors, who, by reason of injury received or disease contracted while in such service and in the line of duty, lost or have suffered permanent loss of use of one foot at or above the ankle or lost or have suffered permanent loss of use of one hand at or above the wrist or is receiving a statutory award from the Veterans Administration for such loss or loss of sight of one eye, or who have been awarded the congressional medal of honor, the distinguished service cross or the navy cross. After the assessors have allowed an exemption under this paragraph or paragraph (f), (g) if it relates to widows, and (h), no further evidence of the existence of the facts required by this paragraph or by any of said paragraphs shall be required in any subsequent year in the city or town in which the exemption has been so allowed. Two thousand dollars of an exemption of real estate of persons described in this paragraph shall be borne by the city or town. The balance, up to two thousand dollars, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city

or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 2. This act shall be applicable to taxes levied in the year nineteen hundred and sixty and applications for abatement or exemption thereof, as provided by paragraph (a) of clause Twenty-second of section five of chapter fifty-nine of the General Laws, may be made not later than October first, nineteen hundred and sixty.

*Approved May 23, 1960.*

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**Chap. 415.** AN ACT AUTHORIZING THE CITY OF MALDEN TO USE THE BALANCE OF A CERTAIN LOAN AND TO APPROPRIATE A CERTAIN SUM OF MONEY FROM THE SALE OF PROPERTY ACCOUNT FOR THE PURPOSE OF ASSISTING THE MALDEN REDEVELOPMENT AUTHORITY.

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

SECTION 1. Notwithstanding the provisions of sections twenty and sixty-three of chapter forty-four of the General Laws, the city of Malden is hereby authorized to expend the sum of sixty-five thousand dollars for the purpose of enabling the Malden Redevelopment Authority to prepare plans and estimates in connection with the submission by said authority of an application to the federal government for a federal grant for the ward seven project, so called, in said city, and of paying the administrative expenses of said authority.

For the aforesaid purposes, the sum of forty-five thousand dollars may be appropriated from the balance remaining from the proceeds of a loan made by said city for the construction of the Daniels School under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended, and the sum of twenty thousand dollars may be appropriated from the Sale of Property account.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved May 23, 1960.*

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**Chap. 416.** AN ACT PROVIDING THAT CERTAIN EMPLOYERS MAY PAY WAGES WEEKLY, BI-WEEKLY OR SEMI-MONTHLY TO CERTAIN SALARIED EMPLOYEES.

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

Section 148 of chapter 149 of the General Laws, as most recently amended by chapter 259 of the acts of 1956, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—Every person having employees in his service shall pay weekly each such employee the wages earned by him to within six days of the date of said payment if employed for five or six days in the week, or to within seven days of the date of said payment if employed seven days in the week, or, in the case of an employee who has worked for a period of less than five days, hereinafter called a casual employee, shall, within seven days after the termination of such period, pay the wages earned by such casual employee during such period; but any employee leaving his employment shall be paid

in full on the following regular pay day, and, in the absence of a regular pay day, on the following Saturday; and any employee discharged from such employment shall be paid in full on the day of his discharge, or in Boston as soon as the laws requiring pay rolls, bills and accounts to be certified shall have been complied with; and the commonwealth, its departments, officers, boards and commissions shall so pay every mechanic, workman and laborer employed by it or them, and every person employed in any other capacity by it or them in any penal or charitable institution, and every county and city shall so pay every employee engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee engaged in its business if so required by him; but an employee absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand; provided, however, that the department of public utilities, after hearing, may authorize a railroad corporation or a parlor or sleeping car corporation to pay the wages of any of its employees less frequently than weekly, if such employees prefer less frequent payments, and if their interests and the interests of the public will not suffer thereby; and provided, further, that employees engaged in a bona fide executive, administrative or professional capacity as determined by the commissioner may be paid bi-weekly or semi-monthly unless such employee elects at his own option to be paid monthly; and provided, further, that employees engaged in agricultural work or in domestic service may be paid their wages monthly; in either case, however, failure by a railroad corporation or a parlor or sleeping car corporation to pay its employees their wages as authorized by the said department, or by an employer of employees engaged in agricultural work or in domestic service to pay monthly the wages of his or her employees, shall be deemed a violation of this section; and provided, further, that an employer may make payment of wages prior to the time that they are required to be paid under the provisions of this section, and such wages together with any wages already earned and due under this section, if any, may be paid weekly, bi-weekly, or semi-monthly to a salaried employee, but in no event shall wages remain unpaid by an employer for more than six days from the termination of the work week in which such wages were earned by the employee. For the purposes of this section the words salaried employee shall mean any employee whose remuneration is on a weekly, bi-weekly, semi-monthly, monthly or annual basis, even though deductions or increases may be made in a particular pay period.

*Approved May 23, 1960.*

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**Chap. 417.** AN ACT PROVIDING THAT A PLANNING BOARD SHALL NOT ADOPT ANY RULE OR REGULATION REQUIRING A SUBDIVISION PLAN TO BE REFERRED TO ANY OTHER BOARD OR PERSON PRIOR TO ITS SUBMISSION TO THE PLANNING BOARD.

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

Section 81Q of chapter 41 of the General Laws is hereby amended by inserting after the second sentence, as appearing in section 7 of

chapter 674 of the acts of 1953, the following sentence:—Such rules and regulations shall not require referral of a subdivision plan to any other board or person prior to its submission to the planning board.

*Approved May 23, 1960.*

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**Chap. 418.** AN ACT AUTHORIZING THE WILMINGTON HOUSING AUTHORITY TO TAKE BY EMINENT DOMAIN CERTAIN LAND LOCATED IN THE TOWN OF WILMINGTON.

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

SECTION 1. The Wilmington Housing Authority, for the purpose of acquiring land for the Wilmington Center urban renewal project, is hereby authorized to take by eminent domain, under the provisions of chapter seventy-nine of the General Laws, certain land located in the town of Wilmington and bounded and described as follows:—Commencing at a point formed by the projected curb lines of Main Street (State Route 38 and numbered Route 129) and Church Street (numbered Route 62) at the southeasterly corner of the intersection and proceeding clockwise around the Project Area, the boundary extends in a northerly direction for a distance of seventy-five feet at which point the boundary then changes to a southwesterly direction for a distance of fifty feet to a point formed by the intersection of the projected curb lines of Main Street and Burlington Avenue (numbered Route 62) at the northwestern corner of this intersection. The boundary then is extended in the same southwesterly direction for a distance of one hundred feet along the abutting property line of the Boston & Maine Railroad. From this point the boundary then follows an arching curved line in a northeasterly direction to a point across Main Street which is formed by the intersecting curb lines of Main Street and Middlesex Avenue at the northeasterly corner of this intersection. From this point the boundary follows in an easterly direction for a distance of thirty-one feet, then in a northeasterly direction along the Boston and Maine property line coincident with the abutting lots numbered 30, 31 and 33. At this point the boundary then follows the northerly and easterly boundary line of lots numbered 33 and 34 to a point at the northern curb line of Middlesex Avenue. From this point the boundary crosses Middlesex Avenue in a curving line which is coincident to the projection of the eastern curb line of Adelaide Street, thence, along the curb line of Adelaide Street crossing Church Street to a point formed by the eastern curb line of Beacon Street joining the southern curb line of Church Street. The boundary then extends in a southwesterly direction along the southern curb line of Church Street closing upon the point of origin which is at the southeasterly corner of Church Street.

SECTION 2. This act shall take effect upon its acceptance by vote of a majority of the voters of the town of Wilmington present and voting at an annual or special town meeting called for the purpose, but not otherwise.

*Approved May 23, 1960.*

**Chap. 419.** AN ACT FURTHER REGULATING THE ISSUANCE BY THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO ALIENS OF HUNTING PERMITS AND PERMITS TO OWN OR POSSESS CERTAIN FIREARMS.

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

Section 51 of chapter 131 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 2 of chapter 688 of the acts of 1957, and inserting in place thereof the following paragraph:—No alien shall hunt any bird or mammal of any description, nor shall he have in his possession any such bird or mammal or own or have in his possession or under his control a firearm, except as provided in this section. The director may, after an investigation by the division of law enforcement of the department and with its approval, issue a permit to an alien, to hunt, to have in possession any such bird or mammal and to own or have in his possession or under his control a rifle or shotgun; subject to such terms and conditions as said director may deem proper. The fee for issuing such permit shall be fifteen dollars and twenty-five cents. The said director may also, after like investigation and approval, issue a permit to an alien, to own or have in his possession or under his control a rifle or shotgun, subject to such terms and conditions as said director may deem proper; provided, however, that such permit shall not allow such alien to hunt or have in his possession any such bird or mammal. The fee for such permit shall be two dollars and twenty-five cents. Any firearm owned by an alien or in his possession or under his control in violation of this section shall be forfeited to the commonwealth. Violation of any provision of this section shall be punished by a fine of fifty dollars or by imprisonment for not more than one month, or both. All such permits shall be revocable at the will of the director. The fee for any such permit shall not be prorated or refunded in case of revocation. If, in any prosecution for violation of any provision of this section, the defendant alleges that he has been naturalized, or alleges that he is a citizen of the United States, the burden of proving the same shall be upon him.

*Approved May 23, 1960.*

**Chap. 420.** AN ACT DESIGNATING A CERTAIN BRIDGE IN THE CITY OF QUINCY AS THE SERGEANT PHILIP GREENBERG BRIDGE.

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

The bridge over Black's Creek on the William T. Morrissey Boulevard in the city of Quincy is hereby designated as the Sergeant Philip Greenberg bridge, and a suitable marker bearing said designation shall be erected on said bridge by the metropolitan district commission.

*Approved May 23, 1960.*

**Chap. 421.** AN ACT REGULATING FEES TO BE CHARGED BY THE LAND COURT AND REGISTRY OF DEEDS.

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

SECTION 1. The last sentence of section 23 of chapter 60 of the General Laws, as appearing in chapter 537 of the acts of 1958, is



hereby amended by striking out, in line 3, the words "one dollar" and inserting in place thereof the words:—four dollars,—so as to read as follows:—The register of deeds as such or as assistant recorder of the land court shall receive and record or register such certificate upon the payment of a fee of four dollars.

SECTION 2. The third sentence of section 37A of said chapter 60, as appearing in section 2 of chapter 478 of the acts of 1943, is hereby amended by striking out, in line 4, the words "one dollar" and inserting in place thereof the words:—four dollars,—so as to read as follows:—The register of deeds as such or as assistant recorder of the land court shall receive and record or register such statement upon the payment of a fee of four dollars which shall be paid by the town, but which shall not be added to or become part of the unpaid tax.

SECTION 3. Chapter 262 of the General Laws is hereby amended by striking out section 38, as most recently amended by section 1 of chapter 332 of the acts of 1957, and inserting in place thereof the following section:—*Section 38.* The fees of registers of deeds, except as otherwise provided, to be paid when the instrument is left for recording, filing or deposit shall be as follows:—For entering and recording any paper, certifying the same on the original, and indexing it, and for all other duties pertaining thereto, four dollars. If the paper contains more than one page, at the rate of eighty cents for each page after the first; provided, that if the paper contains the names of more than two parties thereto, other than the husband and wife of the grantor or grantee, an additional fee of fifty cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto. The minimum fee for recording a deed or conveyance or a mortgage shall be seven dollars.

For all copies except photostat copies, at the rate of eighty cents a legal page of two hundred and twenty-four words. For photostat copies of all instruments, except copies of plans, at the rate of sixty cents a page.

For each abstract card referred to in section twenty-four B of chapter thirty-six, forty cents.

For recording and filing a plan, of a size not over fourteen inches by nine and a half inches, three dollars. For larger sizes, not less than six dollars.

For entering any additional marginal reference or references when required, one dollar for each reference.

SECTION 4. Said chapter 262 is hereby further amended by striking out section 39, as most recently amended by section 2 of said chapter 332, and inserting in place thereof the following section:—*Section 39.* The fees payable under chapter one hundred and eighty-five shall be as follows:—

For the entry of every original petition or writ and transmitting it to the recorder, when filed with an assistant recorder, five dollars.

For every plan filed in an original proceeding, one dollar, and for every new plan filed after original registration, or for making a new plan filed under original registration, or for making a new plan on request of a registered owner, ten dollars plus one dollar for each lot

shown on said plan. The filing fee in a registry of deeds upon receipt from the recorder of the land court of a plan or copy of a plan shall be two dollars.

For indexing an instrument recorded while a petition for registration is pending, twenty-five cents.

For examining title, on a petition to register land, or on a petition to register easements or rights in land, the actual amount charged or allowed therefor to the examiner by the court.

For each notice by mail, seventy-five cents and the actual cost of printing.

For all services by a sheriff or deputy sheriff under provisions of chapter one hundred and eighty-five, the same fees as are provided by law for like services.

For each notice by publication, seventy-five cents and the actual cost of publication.

For entry of an order dismissing a petition for registration of title, or for foreclosure of a tax title, or a decree of foreclosure of a tax title or of redemption, and sending a memorandum to the assistant recorder, two dollars.

For entry of a decree of registration and sending a memorandum to the assistant recorder, one quarter of one per cent of the assessed value of the property registered, on the basis of the last assessment for municipal taxation, in addition to any sum payable under section ninety-nine of chapter one hundred and eighty-five, but in no one proceeding shall the amount payable under this paragraph be less than ten nor more than one thousand dollars.

For a copy of a decree of registration, foreclosure or redemption, two dollars.

For the entry of an original certificate of title issuing one duplicate, seven dollars.

For making and entering a new certificate of title, including issue of one duplicate, five dollars.

For filing and registering an adverse claim, four dollars.

For filing and registering a mortgage, seven dollars.

For entering statement of change of residence or post-office address, including endorsing and attesting it on a duplicate certificate, two dollars.

For entering any note in the entry book or in the registration book, two dollars.

For every petition after the original registration, two dollars.

For a certified copy of any decree or registered instrument, the same fees as are provided for registers of deeds.

For the registration of all other instruments, whether single or in duplicate or triplicate, including entering, indexing and filing it and attesting the registration thereof, and also making and attesting a copy of memorandum on one instrument or a duplicate certificate when required, except as otherwise provided, four dollars.

*Approved May 23, 1960.*

**Chap. 422.** AN ACT AUTHORIZING BANKING INSTITUTIONS TO MAKE CERTAIN LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATION.

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

Section 51 of chapter 167 of the General Laws is hereby amended by striking out clause (b), as appearing in chapter 598 of the acts of 1950, and inserting in place thereof the following clause:—(b) To make and acquire such loans secured by mortgages on real property in the commonwealth held in fee simple as the federal housing administrator or commissioner or the secretary of agriculture under Title I of the Bankhead-Jones Farm Tenant Act, as amended, insures or gives commitments to insure, and to obtain such insurance; and in addition thereto a trust company, savings bank or co-operative bank having assets in excess of fifty million dollars, may make, acquire, service, or participate in with one or more trust companies, savings banks or co-operative banks described herein, loans secured by mortgages of leasehold interests in real property located in the commonwealth, provided that (1) such leasehold is held from the federal government or the commonwealth or a political subdivision of the commonwealth, or any agency of said governments; (2) the term of such lease is for not less than fifty years from the date of the execution of the mortgage and note; (3) such loan will by its terms be paid in full before the termination of the lease; (4) the federal housing administrator insures or gives commitments to insure such loan under the provisions of the National Housing Act, as amended, and such insurance is obtained; (5) the aggregate balance of amounts invested in all such loans outstanding at any one time from any such corporation shall not exceed three per cent of its deposits, provided in the case of a savings bank said three per cent of deposits shall not be in addition to the amount authorized for investment by paragraph 12 of section thirty-five of chapter one hundred and sixty-eight and in the case of a co-operative bank shall not be in addition to the aggregate investment authorized by the provisions of section twenty-four A of chapter one hundred and seventy; and (6) the balance of amounts invested in any such loan outstanding at any one time from any such corporation secured by a mortgage of a single leasehold interest shall not exceed one half of one per cent of the deposits of such corporation.

*Approved May 23, 1960.*

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**Chap. 423.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO ELIMINATE SUBMERGED WEEDS IN LAKE QUINSIGAMOND AND ITS TRIBUTARIES.

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

The department of public health is hereby authorized and directed to eliminate and control submerged weeds in Lake Quinsigamond and its tributaries. Said department may employ such experts in the use of herbicides as it deems necessary. For the purposes of carrying out the provisions of this act said department may expend such sums not exceeding thirty-five thousand dollars, as may be appropriated therefor.

*Approved May 23, 1960.*

**Chap. 424.** AN ACT RELATIVE TO THE EMPLOYEES OF THE EXECUTIVE SECRETARY OF THE SUPREME JUDICIAL COURT.

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

Chapter 211 of the General Laws is hereby amended by striking out section 3B, added by section 2 of chapter 707 of the acts of 1956, and inserting in place thereof the following section:—*Section 3B.* The executive secretary, with the approval of the justices of the supreme judicial court, may appoint two employees to assist him in performing the duties vested in him, and there may be annually expended for their salaries such sums as may be appropriated therefor. Said salaries shall be paid by the commonwealth. The executive secretary and said employees shall not engage directly or indirectly in the practice of law.

*Approved May 23, 1960.*

**Chap. 425.** AN ACT REQUIRING A PERSON WHO HUNTS DEER BY MEANS OF A BOW AND ARROW DURING THE EXCLUSIVE ARCHERY SEASON TO OBTAIN A CERTAIN STAMP AND TO PAY A FEE THEREFOR.

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

Chapter 131 of the General Laws is hereby amended by inserting after section 81 the following section:—*Section 81A.* No person shall hunt deer during the exclusive archery season on deer as established by the director unless he has obtained from the director or from a city or town clerk and has attached to the back of his hunting or sporting license, in the manner provided by the director, a stamp authorizing him so to hunt. The director is hereby authorized to issue such stamp, in such form as he may determine.

The fee for such stamp shall be one dollar and ten cents. Any city or town clerk issuing such stamp may retain ten cents from said fee.

*Approved May 25, 1960.*

**Chap. 426.** AN ACT INCREASING THE PENALTY FOR UNLAWFUL TAKING OF FISH FROM CERTAIN WATERS OF NANTUCKET SOUND.

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

Section 2 of chapter 66 of the acts of 1931 is hereby amended by striking out, in line 2, the words "twenty-five nor more than fifty" and inserting in place thereof the words:—five hundred nor more than one thousand,—so as to read as follows:—*Section 2.* Violation of this act shall be punished by a fine of not less than five hundred nor more than one thousand dollars.

*Approved May 25, 1960.*

**Chap. 427.** AN ACT INCREASING THE PENALTY FOR UNLAWFUL TAKING OF FISH FROM CERTAIN TERRITORIAL WATERS OF THE COMMONWEALTH.

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

Section 2 of chapter 238 of the acts of 1936 is hereby amended by striking out, in line 2, the words "twenty-five nor more than fifty" and inserting in place thereof the words:—five hundred nor more than

one thousand,—so as to read as follows:—*Section 2.* Violation of this act shall be punished by a fine of not less than five hundred nor more than one thousand dollars.

*Approved May 25, 1960.*

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**Chap. 428.** AN ACT MAKING IT LAWFUL FOR ANY INHABITANT OF THE COMMONWEALTH TO TAKE FISH BY DRAGGING OR BY OTTER TRAWLING IN CERTAIN WATERS ADJACENT TO PROVINCETOWN.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith inhabitants of the commonwealth to take fish by dragging or trawling in certain territorial waters of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Any provision of general or special law to the contrary notwithstanding, it shall be lawful for any inhabitant of the commonwealth to take fish by dragging or by otter trawling in such waters adjacent to Provincetown as lie within the area bounded as follows:—Beginning at a point on an imaginary line drawn from Race Point Light to Gurnet Light, one and fifteen one-hundredths miles from Race Point Light, thence running one hundred thirty-two degrees true to the seventy degree ten minute west longitude meridian, thence running one hundred eighty degrees true to the marine boundary of the commonwealth, thence following the marine boundary of the commonwealth in a northerly direction to the imaginary line drawn from Race Point Light to Gurnet Light, thence running easterly along said imaginary line to the point of beginning.

SECTION 2. Section 1 of chapter 323 of the acts of 1931, as amended by section 1 of chapter 412 of the acts of 1936, is hereby further amended by striking out the last three sentences and inserting in place thereof the following three sentences:—Whoever violates this act shall be punished by a fine of one thousand dollars or by imprisonment for not more than thirty days, or both. Any boat or vessel together with all equipment used, and any fish taken or held, in violation of this act may be seized in accordance with section nine of chapter one hundred and thirty of the General Laws and may be forfeited. The possession, control, tending or setting of a drag, otter trawl or similar contrivance within said waters, shall be deemed to be a violation of this act.

SECTION 3. Chapter four hundred and thirty-nine of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 4. This act shall take effect on May first, nineteen hundred and sixty.

*Approved May 25, 1960.*

**Chap. 429.** AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE BOARD OF LIBRARY COMMISSIONERS.

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

SECTION 1. Section eight of chapter fifteen of the General Laws is hereby repealed.

SECTION 2. Said chapter 15 is hereby further amended by striking out section 9, as amended by section 6 of chapter 585 of the acts of 1952, and inserting in place thereof the following section:—*Section 9.* The division of library extension shall operate under the direction of the board of library commissioners and subject to the supervision and control of the board of education. The board of library commissioners shall consist of five persons, residents of the commonwealth, one of whom shall be annually appointed by the governor, with the advice and consent of the council, for five years.

SECTION 3. Said chapter 15 is hereby further amended by striking out section 10, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 10.* No member of the board of library commissioners shall receive any compensation, but said board may annually expend not more than the amount appropriated for clerical assistance and for other necessary expenses.

SECTION 4. Said chapter 15 is hereby further amended by striking out section 11, as amended by section 7 of chapter 585 of the acts of 1952, and inserting in place thereof the following section:—*Section 11.* The board of library commissioners, with the approval of the board of education, may appoint a director and such other assistants as may be required, and with like approval may remove them. They shall be paid from the appropriation authorized in section ten.

SECTION 5. Sections sixteen, seventeen and eighteen of chapter seventy-eight of the General Laws are hereby repealed.

SECTION 6. Said chapter 78 is hereby further amended by striking out section 19, as amended by section 17 of chapter 585 of the acts of 1952, and inserting in place thereof the following section:—*Section 19.* The board of library commissioners may expend such sums as may be appropriated for the extension and encouragement of library services within the commonwealth. The said board is hereby designated as the state agency to deal with the federal government with respect to federal grants which may be made available to the commonwealth for promoting library services, and to administer such state plans as may be approved as a condition of such grants. The board may contract with any other state agency, city or town, public or private library to provide improved library services in an area, or to secure such library services as may be agreed upon, which services may include, but need not be limited to, the lending of books and related library materials, the establishment of branch libraries, depositories or bookmobile service, and to co-operative purchasing and processing of books, recordings, films and related library materials. The board shall also represent the commonwealth in the receipt and disbursement of funds made available to the commonwealth from any private source for the promotion of library services. The state treasurer shall be the custodian of funds for this purpose received from the federal government or private services.

*Approved May 25, 1960.*

**Chap. 430.** AN ACT RELATIVE TO THE WORKING HOURS OF ASSISTANT  
ADJUTANTS OF SOLDIERS' HOMES.

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

SECTION 1. Section 30A of chapter 149 of the General Laws, as most recently amended by section 6 of chapter 643 of the acts of 1955, is hereby further amended by inserting after the word "adjutant", in lines 29 and 30, the words:—or assistant adjutants,—so as to read as follows:—*Section 30A.* Notwithstanding any other provision of this chapter or other general or special law, the service of all persons employed by the commonwealth is hereby restricted to five tours of duty in any one work week, and to such hours in any one work week, not less than thirty-seven and one half hours, except in the case of part-time employment, nor more than forty hours, and with like hours for like tour of duty classes, as determined by the director of personnel and standardization, in accordance with section forty-five of chapter thirty, and the tour of duty is hereby restricted to eight hours, and such tour of duty shall be arranged to fall within a period not exceeding ten consecutive hours; provided, that this section shall not apply to the state police uniformed force and detectives, metropolitan district police, conservation officers, coastal wardens, employees engaged in forest fire observation, investigators and examiners and other employees of the registry of motor vehicles having police powers under section twenty-nine of chapter ninety, teachers, armorers, elected officers, appointees of the governor, heads of departments and divisions and their deputies and assistants, scrub women, cleaners or incumbents of the positions of superintendents, assistant superintendents, wardens, deputy wardens, stewards, physicians, dentists, head farmers, business managers, chief power plant engineers at mental health, public health, public welfare and correction institutions, soldiers' homes in Massachusetts and agencies under the jurisdiction of the youth service division; the manager of the boarding hall at the University of Massachusetts; the adjutant or assistant adjutants of the soldiers' homes in Massachusetts; the construction and maintenance supervisor at the reformatory for women; the state farm master at the state farm; and such other employees as may be exempted therefrom or any part thereof by a rule or rules of the director of personnel. All service in excess of eight hours in any one tour of duty or forty hours in any one work week rendered by an employee subject to this section at the request of an officer of the commonwealth or other person whose duty it is to employ, direct or control such employees, shall be compensated for as overtime work in accordance with the pertinent rule or rules of the director of personnel and standardization. The director of personnel and standardization is empowered to make rules and regulations, subject to the approval of the commission on administration and finance, to carry out the provisions of this section.

SECTION 2. This act shall not apply to any person who, on its effective date, is employed in the position of assistant adjutant of the Soldiers' Home in Massachusetts or the Soldiers' Home in Holyoke.

*Approved May 25, 1960.*

**Chap. 431.** AN ACT REGULATING THE DUTIES OF ELECTION OFFICERS IN TOWNS AND MAKING UNIFORM THE PROCEDURES FOR THE APPOINTMENT OF SAID OFFICERS.

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

SECTION 1. Section 12 of chapter 54 of the General Laws, as most recently amended by chapter 363 of the acts of 1945, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for each voting place or precinct, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters of the town. They may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such number of tellers as may be necessary to count the ballots cast. Said tellers shall be appointed for the counting of said ballots at the close of the polls.

SECTION 2. Section 16A of said chapter 54, added by section 6 of chapter 411 of the acts of 1943, is hereby amended by striking out, in line 2, the words “divided into voting precincts”.

SECTION 3. Section 17 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 1 and 2, the words “divided into voting precincts”.

SECTION 4. Sections 18, 19 and 21 of said chapter 54 are hereby repealed.

*Approved May 27, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, MAY 27, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 431 of the Acts of 1960, entitled “An Act Regulating the Duties of Election Officers in Towns and Making Uniform the Procedures for the Appointment of Said Officers” and the enactment of which received my approval on May 27, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose by preventing the operation of this act for the 1960 state elections in single precinct towns.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*



OFFICE OF THE SECRETARY, BOSTON, MAY 27, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and thirty-one of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 432.** AN ACT TO ESTABLISH COUNCELLOR AND SENATORIAL DISTRICTS.

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

SECTION 1. Chapter 57 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 250 of the acts of 1948, and inserting in place thereof the following section:—*Section 2.* For the purpose of choosing councillors until the next decennial apportionment, the commonwealth is divided, conformably with the constitution, into the following eight councillor districts:—

*First.*—Consisting of Cape and Plymouth, the first, second and third Bristol, and the Norfolk and Plymouth senatorial districts.

*Second.*—Consisting of the second Norfolk, the Norfolk and Middlesex, the Norfolk and Suffolk, the Plymouth, and the sixth Suffolk senatorial districts.

*Third.*—Consisting of the second and fifth Middlesex, the Middlesex and Worcester, and the third and fifth Suffolk senatorial districts.

*Fourth.*—Consisting of the first Norfolk, and the first, second, fourth and seventh Suffolk senatorial districts.

*Fifth.*—Consisting of the first, second, third, fourth and fifth Essex senatorial districts.

*Sixth.*—Consisting of the first, third, fourth, sixth and seventh Middlesex senatorial districts.

*Seventh.*—Consisting of the first, second, third and fourth Worcester, and the Worcester and Hampden senatorial districts.

*Eighth.*—Consisting of the Berkshire, the Franklin and Hampshire, the first and second Hampden, and the Hampden and Berkshire senatorial districts.

SECTION 2. Said chapter 57 is hereby further amended by striking out section 3, as most recently amended by section 2 of said chapter 250, and inserting in place thereof the following section:—*Section 3.* For the purpose of choosing senators until the next decennial apportionment, the commonwealth is divided, conformably with the constitution, into the following senatorial districts:—

*Berkshire.*—Consisting of the cities of North Adams and Pittsfield, and the towns of Adams, Cheshire, Clarksburg, Dalton, Florida, Hancock, Hinsdale, Lanesborough, Lee, Lenox, New Ashford, Peru, Savoy, Washington, Williamstown and Windsor, all in the county of Berkshire.

*First Bristol.*—Consisting of the cities of Attleboro and Taunton, and the towns of Berkley, Dighton, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, Somerset and Swansea, all in the county of Bristol.

*Second Bristol.*—Consisting of the city of Fall River and the towns of Acushnet and Freetown, all in the county of Bristol.

*Third Bristol.*—Consisting of the city of New Bedford and the town of Dartmouth, both in the county of Bristol.

*Cape and Plymouth.*—Consisting of the towns in Barnstable, Dukes and Nantucket counties, and the towns of Fairhaven and Westport, both in the county of Bristol, and the towns of Mattapoisett, Marion, Plymouth, Rochester and Wareham, all in the county of Plymouth.

*First Essex.*—Consisting of the city of Lynn, and the towns of Nahant and Swampscott, all in the county of Essex.

*Second Essex.*—Consisting of the cities of Beverly, Peabody and Salem, and the town of Marblehead, all in the county of Essex.

*Third Essex.*—Consisting of the city of Gloucester, and the towns of Boxford, Danvers, Essex, Georgetown, Groveland, Hamilton, Ipswich, Lynnfield, Manchester, Middleton, Newbury, Rockport, Rowley, Topsfield, Wenham and West Newbury, all in the county of Essex; and the towns of North Reading, and Reading, both in the county of Middlesex.

*Fourth Essex.*—Consisting of the cities of Haverhill and Newburyport, and the towns of Amesbury, Andover, Merrimac, North Andover and Salisbury, all in the county of Essex.

*Fifth Essex.*—Consisting of the city of Lawrence and the town of Methuen, both in the county of Essex.

*Franklin and Hampshire.*—Consisting of the towns in the county of Franklin; and the city of Northampton, and the towns of Amherst, Chesterfield, Cummington, Easthampton, Goshen, Granby, Hadley, Hatfield, Huntington, Pelham, Plainfield, South Hadley, Southampton, Williamsburg and Westhampton, all in the county of Hampshire.

*First Hampden.*—Consisting of wards numbered two, four, five, six, seven and eight of the city of Springfield, and the town of Ludlow, all in the county of Hampden.

*Second Hampden.*—Consisting of the cities of Chicopee and Holyoke, and ward numbered one of the city of Springfield, all in the county of Hampden.

*Hampden and Berkshire.*—Consisting of the towns of Alford, Becket, Egremont, Great Barrington, Monterey, Mount Washington, New Marlborough, Otis, Richmond, Sandisfield, Sheffield, Stockbridge, Tyringham and West Stockbridge, all in the county of Berkshire; ward numbered three of the city of Springfield, the city of Westfield, and the towns of Agawam, Blandford, Chester, East Longmeadow, Granville, Longmeadow, Montgomery, Russell, Southwick, Tolland and West Springfield, all in the county of Hampden; and the towns of Middlefield and Worthington, both in the county of Hampshire.

*First Middlesex.*—Consisting of the city of Lowell, and the towns of Ashby, Dracut, Dunstable, Groton, Pepperell, Townsend and Tyngsborough, all in the county of Middlesex.

*Second Middlesex.*—Consisting of wards numbered four, five, six,

seven, eight, nine, ten and eleven of the city of Cambridge; ward numbered seven of the city of Somerville; and the town of Belmont, all in the county of Middlesex.

*Third Middlesex.*—Consisting of ward numbered three of the city of Cambridge; ward numbered two of the city of Malden; wards numbered one and seven of the city of Medford; and wards numbered one, two, three, four, five and six of the city of Somerville, all in the county of Middlesex.

*Fourth Middlesex.*—Consisting of wards numbered two, three, four and six of the city of Everett; wards numbered one, three, four, five, six, seven and eight of the city of Malden; and the city of Melrose, all in the county of Middlesex.

*Fifth Middlesex.*—Consisting of the city of Waltham, and the towns of Ayer, Bedford, Carlisle, Chelmsford, Concord, Lincoln, Littleton, Shirley, Watertown and Westford, all in the county of Middlesex.

*Sixth Middlesex.*—Consisting of wards numbered two, three, four, five and six of the city of Medford, and the towns of Arlington and Winchester, all in the county of Middlesex.

*Seventh Middlesex.*—Consisting of the city of Woburn, and the towns of Billerica, Burlington, Lexington, Stoneham, Tewksbury, Wakefield and Wilmington, all in the county of Middlesex.

*Middlesex and Worcester.*—Consisting of the city of Marlborough, and the towns of Acton, Ashland, Boxborough, Framingham, Holliston, Hopkinton, Hudson, Maynard, Natick, Sherborn, Stow, Sudbury and Wayland, all in the county of Middlesex; and the towns of Berlin, Bolton, Harvard, Lancaster and Northborough, all in the county of Worcester.

*First Norfolk.*—Consisting of the city of Quincy, and the towns of Braintree and Randolph, all in the county of Norfolk.

*Second Norfolk.*—Consisting of the towns of Easton and Mansfield, both in the county of Bristol; and the towns of Bellingham, Canton, Dover, Foxborough, Franklin, Medfield, Medway, Millis, Norfolk, Norwood, Plainville, Sharon, Walpole, Westwood and Wrentham, all in the county of Norfolk.

*Norfolk and Middlesex.*—Consisting of the towns of Dedham, Needham and Wellesley, all in the county of Norfolk; and wards numbered two, three, four, five and eight of the city of Newton, and the town of Weston, all in the county of Middlesex.

*Norfolk and Plymouth.*—Consisting of the towns of Cohasset, Holbrook and Weymouth, all in the county of Norfolk; and the towns of Carver, Duxbury, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Lakeville, Marshfield, Middleborough, Norwell, Pembroke, Plympton, Scituate and Whitman, all in the county of Plymouth.

*Norfolk and Suffolk.*—Consisting of wards numbered one, six and seven, of the city of Newton, in the county of Middlesex; and the town of Brookline, in the county of Norfolk; and ward numbered twenty-two of the city of Boston, in the county of Suffolk.

*Plymouth.*—Consisting of the towns of Avon and Stoughton, both in the county of Norfolk; the city of Brockton, and the towns of Abington, Bridgewater, East Bridgewater, Rockland and West Bridgewater, all in the county of Plymouth.

*First Suffolk.*—Consisting of the town of Saugus, in the county of Essex; wards numbered one and five of the city of Everett in the county of Middlesex; and the cities of Chelsea and Revere, and the town of Winthrop, all in the county of Suffolk.

*Second Suffolk.*—Consisting of ward numbered one of the city of Cambridge, in the county of Middlesex; and wards numbered one, two and three of the city of Boston, in the county of Suffolk.

*Third Suffolk.*—Consisting of ward numbered two of the city of Cambridge, in the county of Middlesex; wards numbered four, five and twenty-one of the city of Boston, in the county of Suffolk.

*Fourth Suffolk.*—Consisting of wards numbered six, seven, eight, nine and thirteen of the city of Boston, in the county of Suffolk.

*Fifth Suffolk.*—Consisting of wards numbered ten, eleven, nineteen and twenty of the city of Boston, in the county of Suffolk.

*Sixth Suffolk.*—Consisting of wards numbered twelve, fourteen and eighteen of the city of Boston, in the county of Suffolk.

*Seventh Suffolk.*—Consisting of wards numbered fifteen, sixteen and seventeen of the city of Boston, in the county of Suffolk; and the town of Milton, in the county of Norfolk.

*First Worcester.*—Consisting of wards numbered four, five, six, seven and eight of the city of Worcester, and the towns of Leicester and Millbury, all in the county of Worcester.

*Second Worcester.*—Consisting of wards numbered one, two, three, nine and ten of the city of Worcester, and the towns of Holden and West Boylston, all in the county of Worcester.

*Third Worcester.*—Consisting of the cities of Fitchburg, Gardner and Leominster, and the towns of Ashburnham, Boylston, Clinton, Lunenburg, Sterling and Westminster, all in the county of Worcester.

*Fourth Worcester.*—Consisting of the towns of Auburn, Blackstone, Douglas, Dudley, Grafton, Hopedale, Mendon, Milford, Millville, Northbridge, Oxford, Shrewsbury, Southborough, Sutton, Upton, Uxbridge, Webster and Westborough, all in the county of Worcester.

*Worcester and Hampden.*—Consisting of the towns of Brimfield, Hampden, Holland, Monson, Palmer, Wales and Wilbraham, all in the county of Hampden; and the towns of Belchertown and Ware, both in the county of Hampshire; and the towns of Athol, Barre, Brookfield, Charlton, East Brookfield, Hardwick, Hubbardston, New Braintree, North Brookfield, Oakham, Paxton, Petersham, Phillipston, Princeton, Royalston, Rutland, Southbridge, Spencer, Sturbridge, Templeton, Warren, West Brookfield and Winchendon, all in the county of Worcester.

SECTION 3. The supreme judicial court shall have jurisdiction of any petition for a writ of mandamus relative to the establishment of senatorial districts under section two of this act. Every such petition shall be filed in court within ten days after the effective date of this act.

SECTION 4. This act shall take effect upon its passage.

*Approved May 27, 1960.*

**Chap. 433.** AN ACT RELATIVE TO THE RIGHTS OF CERTAIN COUNTY EMPLOYEES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for tenure for certain county employees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

The third paragraph of section 51 of chapter 35 of the General Laws, added by chapter 645 of the acts of 1955, is hereby amended by inserting after the word "group", in line 2, the words:— ; maintenance group, civil engineering group and draftsmen group,—so as to read as follows:—Any employee subject to sections forty-eight to fifty-six, inclusive, and classified in the clerical group, maintenance group, civil engineering group and draftsmen group who has completed at least ten years of service may not be discharged from such employment except for just cause, and for reasons specifically given him in writing by the appointing authority. Before any such discharge is effected, the employee shall be given a full hearing before the appointing authority, of which hearing he shall have at least three days' written notice, exclusive of Sundays and holidays, from the appointing authority. Within two days, exclusive of Sundays and holidays, after completion of said hearing, the appointing authority shall give the employee affected a written notice of his decision, stating fully and specifically the reasons therefor.

*Approved May 27, 1960.*

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**Chap. 434.** AN ACT PROHIBITING THE OPENING OF BALLOT BOXES AND THE COUNTING OF VOTES IN TOWNS UNTIL THE POLLS ARE CLOSED.

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

SECTION 1. Section 105 of chapter 54 of the General Laws is hereby amended by striking out the fourth paragraph, as amended by section 7 of chapter 341 of the acts of 1938.

SECTION 2. Chapter 53 of the General Laws is hereby amended by striking out section 51, as most recently amended by section 16 of chapter 473 of the acts of 1938, and inserting in place thereof the following section:—*Section 51.* No ballots cast at a state primary in cities or towns shall be counted until the close of the polls.

*Approved May 27, 1960.*

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**Chap. 435.** AN ACT FURTHER REGULATING THE TRAVEL EXPENSES OF JURORS.

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

Chapter 262 of the General Laws is hereby amended by striking out section 25, as most recently amended by chapter 328 of the acts of 1955, and inserting in place thereof the following section:—*Section 25.* The compensation of traverse jurors impanelled to try cases of

murder in the first degree shall be twelve dollars, and that of all other traverse jurors and of grand jurors ten dollars, for each day's service. All jurors shall receive for each day of actual attendance eight cents a mile for travel out and home, but not for such time as the jury is held under restraint, by order of court, at the expense of the county. If the expense of a juror who attends court, necessarily and actually incurred for transportation out and home once in each day, exceeds the amount of the said allowance for travel, he shall be allowed the amount of such expense in lieu of the said travel allowance. If a grand or traverse juror is required to be in attendance for five or more consecutive days he shall receive his fees not later than the end of every fifth day of such attendance. *Approved May 27, 1960.*

**Chap. 436.** AN ACT AUTHORIZING THE ATTLEBOROUGH HOSPITAL TO MORTGAGE CERTAIN PROPERTY HELD BY IT UNDER A TRUST INSTRUMENT.

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

SECTION 1. The action of the city of Attleboro, by deed dated March thirty-first, nineteen hundred and sixty, and recorded in Bristol County Northern District Registry of Deeds, in amending the trust instrument dated September fifth, nineteen hundred and twelve under which certain real property was conveyed by the town of Attleborough to The Attleborough Hospital, a corporation duly established by law, which trust instrument was ratified and confirmed by chapter three hundred and three of the acts of nineteen hundred and thirteen, so as to authorize The Attleborough Hospital, with the approval of the probate court, to mortgage its real or personal property and so as to provide that in the event a breach of trust should cause a forfeiture under said trust instrument of the real and personal property to the city of Attleboro, said property shall be returned to said city free and clear from all claims of The Attleborough Hospital but subject to the lawful claims of all others, is hereby validated and confirmed.

SECTION 2. The approval of the probate court shall be given upon petition and after notice to the city of Attleboro, the attorney general and all persons interested, if upon hearing it appears to be for the benefit of the estate held in trust by The Attleborough Hospital to grant a mortgage for the purpose of paying the expense of erecting, altering, completing, preparing or improving a building included in said trust estate or for the purpose of paying the expense of other improvements of a permanent nature made or to be made on such trust estate. The decree of the probate court upon such petition shall fix the amount for which the mortgage may be given and the rate of interest which may be paid thereon and may order the interest and the whole or any part of the money secured by the mortgage to be paid from time to time from the income of the property mortgaged or from any other trust property available therefor.

SECTION 3. This act shall take effect upon its passage.

*Approved June 2, 1960.*

**Chap. 437.** AN ACT RELATIVE TO THE NOTICE OF CERTAIN MEETINGS REQUIRED BY LAW TO BE OPEN TO THE PUBLIC AND RELATIVE TO THE REMEDY IN CASE OF NON-COMPLIANCE WITH THE LAW REQUIRING THAT SUCH MEETINGS BE OPEN TO THE PUBLIC.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately extend and clarify the provisions of law requiring certain meetings to be open to the public, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 11A of chapter 30A of the General Laws, inserted by section 2 of chapter 626 of the acts of 1958, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Except in an emergency, a notice of each meeting of any state board or commission subject to this section shall be filed with the secretary of state, and a copy thereof posted in the public office of the commission on administration and finance at least twenty-four hours, including Saturdays but not Sundays and legal holidays, prior to the time of such meeting. Such filing and posting shall be the responsibility of the officer or officers calling such meeting. For the purpose of this section, “emergency” shall mean a situation where immediate, undelayed action is deemed by the board or commission to be imperative.

SECTION 2. Section 9F of chapter 34 of the General Laws, inserted by section 3 of said chapter 626 of the acts of 1958, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Except in an emergency, a notice of each meeting of any county board or commission shall, at least twenty-four hours, including Saturdays but not Sundays and legal holidays, prior to such meeting, be publicly posted in such place or places as the county commissioners shall designate for the purpose. Such posting shall be the responsibility of the county commissioners. For the purpose of this section, “emergency” shall mean a situation where immediate, undelayed action is deemed by the county commissioners to be imperative.

SECTION 3. Chapter 39 of the General Laws is hereby amended by striking out section 23A, as amended by chapter 274 of the acts of 1960, and inserting in place thereof the following section:—*Section 23A.* As used in this section and in section twenty-three B, the word “board” shall include every board, commission, committee and subcommittee, however elected, appointed or otherwise constituted, of any district, city or town. It shall also include the governing board of every local housing, redevelopment or similar authority. All board meetings shall be open to the public and to the press unless the board shall vote to go into executive session. Such executive session may be held only for the purpose of discussing, deliberating or voting on those matters which by general or special statute, or federal grant-in-aid requirements cannot be made public, and those matters which if made public might adversely affect the public security, the financial interest

of the district, city, town or local housing authority, or the reputation of any person; provided, however, that the meetings of any such board which shall be investigating any board or agency of a municipal government, or any legislation which could ultimately change or alter the existing governmental structure of a city or town, shall, at all times, be open to the public and to the press, notwithstanding a vote of such board to go into executive session.

Except in an emergency, a notice of each board meeting shall be filed with the clerk of the municipality in which the board acts, and the notice or a copy thereof shall, at least twenty-four hours, including Saturdays but not Sundays and legal holidays, prior to such meeting, be publicly posted in the office of such clerk or on the principal official bulletin board of such municipality. The secretary of a regional school district committee shall be considered to be its clerk, and notices of its meetings shall be filed with its secretary and posted in his office or on the principal official bulletin board of the district. If the meeting shall be of a board of a newly organized municipality having neither clerk nor official bulletin board, the officer calling the meeting shall file the notice thereof with the clerk of each city and town within such municipality, and each such clerk shall post the notice in his office or on the principal official bulletin board of his city or town. For the purposes of this section, "emergency" shall mean a situation where immediate, undelayed action is deemed by the board to be imperative.

Every board shall maintain accurate records setting forth the action taken at each meeting. A summary of all matters voted shall be made available with reasonable promptness after each meeting; provided, however, that votes taken in executive session may remain secret so long as their publication would defeat the lawful purposes of the executive session, but no longer. The records of each meeting shall become a public record and be available to the public upon being approved; provided, however, that the records of any executive session may remain secret so long as their publication would defeat the lawful purposes of the executive session, but no longer.

SECTION 4. Said chapter 39 is hereby further amended by striking out section 23B, as appearing in section 4 of chapter 626 of the acts of 1958, and inserting in place thereof the following section:—*Section 23B.* No person shall address a public meeting of a board without leave of the presiding officer at such meeting, and all persons shall, at the request of such presiding officer, be silent. If, after warning from the presiding officer, a person persists in disorderly behavior, said officer may order him to withdraw from the meeting, and, if he does not withdraw, may order a constable or any other person to remove him and confine him in some convenient place until the meeting is adjourned.

SECTION 5. Said chapter 39 is hereby further amended by inserting after said section 23B the following section:—*Section 23C.* Upon proof of failure by any officer to carry out any of his responsibilities for public notice of meetings, for holding them open to the public, or for maintaining public records thereof, as such responsibilities are prescribed by this chapter and by chapters thirty A, thirty-four, and



sixty-six, any justice of the supreme judicial or the superior court, sitting within and for the county in which such officer acts or, in the case of an officer of the commonwealth, sitting within and for any county, shall issue an appropriate order requiring such officer to carry out as to meetings thereafter held all such responsibilities proved not to have been carried out as to any meeting or meetings theretofore held; but action otherwise duly taken at any meeting shall not be invalidated by the failure of any officer to carry out the said responsibilities for public notice of meetings. Such order may be sought in any case by petition of ten registered voters of the commonwealth or, in the case of a county or municipal officer, by ten registered voters of the county or municipality for which the officer acts, by petition of the attorney general, or by petition of the district attorney of the district in which lies the municipality for which the officer acts. The order of notice on the petition shall be returnable not later than ten days after the filing thereof. The petition shall be heard and determined on the return day or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the cause consistent with the rights of the parties. All processes may be issued from the clerk's office in the county in which the action is brought and, except as aforesaid, shall be returnable as the court orders. The remedy created hereby is not exclusive, but shall be in addition to every other available remedy.

SECTION 6. Section 5A of chapter 66 of the General Laws, inserted by section 10 of chapter 626 of the acts of 1958, is hereby amended by striking out, in lines 9 and 10, the words “, commissions and school committees”,—so as to read as follows:—*Section 5A.* The records required to be kept by sections eleven A of chapter thirty A, nine F of chapter thirty-four, and twenty-three A of chapter thirty-nine, shall record exactly the votes and other official actions taken by such boards and commissions; but unless otherwise required by the governor in the case of state boards, commissions and districts, or by the county commissioners in the case of county boards and commissions, or the governing body thereof in the case of a district, or by ordinance or by-law of the city or town, in the case of municipal boards, such records need not include a verbatim record of discussions at such meetings.

SECTION 7. The provisions of section twenty-three C of chapter thirty-nine of the General Laws, inserted by section five of this act, shall take effect as of January fifth, nineteen hundred and fifty-nine.

*Approved June 2, 1960.*

**Chap. 438.** AN ACT VALIDATING THE ELECTION HELD IN THE TOWN OF FRAMINGHAM ON APRIL TWENTY-SIXTH, NINETEEN HUNDRED AND SIXTY.

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

SECTION 1. The election held in the town of Framingham on April twenty-sixth, nineteen hundred and sixty is hereby confirmed and declared valid, notwithstanding the failure to give notice as required by any general or special law and the by-laws of said town, to the same extent as if said election had been called, held and conducted in compliance with law and said by-laws.

SECTION 2. This act shall take effect upon its passage.

*Approved June 2, 1960.*

**Chap. 439.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF DUKES COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Dukes county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

DUKES COUNTY.

Item	
1.	For interest on county debt ..... \$11,178 00
2.	For reduction of county debt ..... 26,000 00
3.	For county commissioners, salaries and expenses .. 5,349 33
4.	For transportation and expenses of county and acting commissioners ..... 500 00
5.	For clerk of courts, salaries and expenses ..... 7,288 60
6.	For county treasurer, salaries and expenses ..... 4,026 50
7.	For sheriff, salary and expenses ..... 3,650 00
8.	For registry of deeds, salaries and expenses ..... 17,541 25
8a.	For registry of probate, salaries and expenses .... 2,500 00
9.	For law library, salaries and expenses ..... 750 00
10.	For highways, including state highways, bridges and land damages ..... 26,500 00
12.	For criminal costs in superior court ..... 7,469 63
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees ..... 1,125 00
14.	For district courts, salaries and expenses ..... 17,239 63
15.	For medical examiners and commitments of insane 500 00
16.	For jail and house of correction, maintenance and operation ..... 11,955 00
18.	For court houses and registry buildings, maintenance and operation ..... 6,401 75
20.	For agricultural school or county aid to agriculture, maintenance and operation ..... 13,186 45
21.	For state reservation, maintenance and operation, Gay Head ..... 1,000 00
21a.	For state reservation, maintenance and operation, Indian Burial Ground ..... 400 00
25.	For contributory retirement system and supervisory expenses ..... 3,530 72
26.	For miscellaneous and contingent expenses ..... 6,750 00
27.	For unpaid bills of previous years ..... 2,000 00

Item		
28.	For reserve fund .....	\$5,000 00
28a.	For reserve for salary adjustments .....	4,273 92
29.	For advertising recreational advantages of the county .....	20,000 00
30.	For rodent control .....	6,150 00
31.	For county airport, maintenance and operation ..	39,676 70
32.	For woodtick control .....	1,250 00
34.	For soil conservation district .....	250 00
39.	For group insurance .....	3,500 00
Total Amount of Appropriations .....		\$256,942 48
Less Estimated amount available for Reduction of County Tax .....		49,546 15

And the county commissioners of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ..... \$207,396 33

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Dukes county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for pay-

ments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 2, 1960.*

**Chap. 440.** AN ACT AUTHORIZING THE TOWN OF MONTAGUE TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

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

SECTION 1. The town of Montague, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may construct such sewers in said town as may be necessary.

SECTION 2. The town may make and maintain, in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerage and sewage disposal, a board of three sewer commissioners, who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual town meeting, and until their successors are qualified, and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners, or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner

as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by General Laws, and the provisions of said General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments, or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, one million five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Montague Sewerage Loan, Act of 1960. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 9. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system or systems of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 10. Said board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk or superintendent at its pleasure. Said board may, in its discretion prescribe for the users of said sewer system or systems such annual rentals or charges based on the benefits derived therefrom as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the town.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contract shall be made or obligations incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 12. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for inspection of the materials, the construction, alteration and use of all connections entering into such sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Greenfield, if there be any, and if not, then in some newspaper published in the county of Franklin, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewage disposal has been approved by the state department of public health.

SECTION 14. This act shall take full effect upon its acceptance by vote of a majority of the voters of said town voting thereon at an annual town meeting or a special town meeting called for the purpose within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

*Approved June 2, 1960.*

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**Chap. 441.** AN ACT EXTENDING THE TIME WITHIN WHICH THE METROPOLITAN DISTRICT COMMISSION IS AUTHORIZED TO CONVEY A CERTAIN PARCEL OF LAND LOCATED IN CAMBRIDGE, ARLINGTON AND BELMONT TO THE METROPOLITAN TRANSIT AUTHORITY.

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

Section 1 of chapter 491 of the acts of 1951 is hereby amended by striking out, in line 74 and in line 76, the word "ten" and inserting in place thereof, in each instance, the word:—twenty.

*Approved June 2, 1960.*

**Chap. 442.** AN ACT PROVIDING THAT CERTAIN HAIRDRESSERS ENROLLED IN REGISTERED SCHOOLS OF BEAUTY CULTURE FOR TRAINING AS INSTRUCTORS BE GRANTED TEMPORARY LICENSES AS ASSISTANT INSTRUCTORS AND MAY INSTRUCT IN HAIRDRESSING IN SUCH SCHOOLS.

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

SECTION 1. The first paragraph of section 87BB of chapter 112 of the General Laws, as appearing in section 7 of chapter 565 of the acts of 1943, is hereby amended by inserting after the first sentence the following two sentences:—Any registered hairdresser having not less than three years practical experience as such who enrolls in a registered school of beauty culture for a training course as an instructor, shall, upon such enrollment, file an application for examination as an instructor, accompanied by the appropriate fee, and said applicant shall, pending said examination as an instructor, be granted by the board, upon payment of a fee of fifteen dollars, a temporary license as an assistant instructor, which license shall be valid for a period of six months. Such assistant instructor may, under the direct supervision of a registered instructor, instruct students in such school for the first one hundred hours of his or her instructor training and thereafter may at the discretion of the school supervisor instruct such students without such direct supervision up to the first five hundred hours of the students' training; provided, however, that no school shall employ more than one assistant instructor for every two licensed instructors employed by it.

SECTION 2. Said section 87BB of said chapter 112 is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:—

No person not so licensed as an assistant instructor or so registered as an instructor may instruct in hairdressing in any registered school except as authorized by the board. *Approved June 2, 1960.*

**Chap. 443.** AN ACT AUTHORIZING THE BOARD OF REGISTRATION IN MEDICINE TO LICENSE, WITHOUT EXAMINATION, A CERTAIN PHYSICIAN.

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

The board of registration in medicine may, without examination, grant a certificate of registration as a qualified physician to David Donaldson of Weston, who has, upon written examinations, been registered as a physician in the state of Michigan, upon receipt of his application therefor accompanied by the required fee.

*Approved June 2, 1960.*

**Chap. 444.** AN ACT REQUIRING THE HUMANE SLAUGHTERING OF LIVESTOCK.

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

SECTION 1. Chapter 94 of the General Laws is hereby amended by inserting after section 139B the following five sections:—*Section*



139C. As used in this section and sections one hundred and thirty-nine D to one hundred and thirty-nine G, inclusive, the following words shall have the following meanings:—

“Commissioner”, the commissioner of agriculture.

“Slaughterer”, any person regularly engaged in the business of (1) purchasing livestock for purposes of slaughter or (2) slaughtering livestock for the sale, by such person or others, of meat or meat products.

“Livestock”, cattle, calves, sheep, swine, horses, mules, goats and any other animal which can or may be used in and for the preparation of meat or meat products, excluding poultry.

“Packer”, any person engaged in the business of slaughtering, or of manufacturing or preparing meat or meat products for sale, either by such person or others; or of manufacturing or preparing livestock products for sale by such person or others.

“Stockyard”, any place, establishment or facility conducted or operated for compensation or profit as a public market, consisting of pens, or other enclosures, and their appurtenances, for the handling, keeping and holding of livestock for the purpose of sale or shipment.

“Humane method”, a method whereby the animal is rendered insensible to pain by mechanical, electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast or cut; or a method of slaughtering, including handling and other preparation for slaughtering, required by or used in connection with the ritual requirements of the Jewish faith or of any other religious faith, whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

*Section 139D.* No slaughterer, packer or stockyard operator shall shackle, hoist, or otherwise bring livestock into position for slaughter by any method which shall cause injury or pain, nor bleed or slaughter any livestock except by a humane method.

*Section 139E.* The commissioner shall administer the provisions of sections one hundred and thirty-nine C to one hundred and thirty-nine G, inclusive. He shall promulgate and may from time to time revise rules and regulations which shall conform substantially to the rules and regulations promulgated by the secretary of the United States department of agriculture pursuant to the Federal Humane Slaughter Act of 1958 (Public Law 85-765; 72 Stat. 862); provided, however, that the use of a manually operated hammer, sledge or poleax shall not be deemed a humane method of slaughter within the meaning of sections one hundred and thirty-nine C to one hundred and thirty-nine G, inclusive.

*Section 139F.* Any person who violates any provision of section one hundred and thirty-nine D or one hundred and thirty-nine E, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than sixty days, or both.

*Section 139G.* Nothing in sections one hundred and thirty-nine C to one hundred and thirty-nine E, inclusive, shall prohibit, abridge, or in any way hinder the religious freedom of any person or group, and, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter shall

be exempt from the provisions of said sections. In this section the term "ritual slaughter" means slaughter in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

SECTION 2. The commissioner of agriculture may, by administrative order, exempt from compliance with sections one hundred and thirty-nine D and one hundred and thirty-nine E of chapter ninety-four of the General Laws, inserted by section one of this act, for a period not exceeding one year after the effective date of this act, any person who is a slaughterer, packer or stockyard operator if he finds that compliance therewith by such person would constitute undue hardship.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-two.

*Approved June 2, 1960.*

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**Chap. 445.** AN ACT ESTABLISHING PRELIMINARY MUNICIPAL ELECTIONS IN THE CITY OF SALEM.

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

SECTION 1. On the third Tuesday preceding every regular or special municipal election in the city of Salem at which any elective municipal office is to be filled, there shall be held, except as otherwise provided in section nine, a preliminary election for the purpose of nominating candidates therefor. At every such election the polls shall be opened during such hours, in accordance with general law, as the members of the municipal council may prescribe and the general laws relative to municipal elections shall apply thereto, except as is otherwise specifically provided for in this act.

SECTION 2. Except as is otherwise provided in said section nine, there shall not be printed on the official ballot to be used at any regular or special municipal election in said city the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nomination, held as provided in this act. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such election unless he shall have submitted, within the time limited and as provided by section three, the nomination paper therein described.

SECTION 3. Any person who is qualified to vote at any regular or special municipal election in said city for a candidate for any elective municipal office in said city, and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election for nomination therefor; provided, that if he is a candidate to be voted for in a single ward he shall be a registered voter in the ward wherein he is a candidate; and provided, further, that on or before five o'clock in the afternoon of the sixth Tuesday preceding such regular or special municipal election there shall be submitted to the board of registrars of voters a nomination paper prepared and issued by the city clerk,



# OFFICIAL PRELIMINARY BALLOT.

On the back and outside of each ballot when folded shall be printed the words "Official Ballot for preliminary Election" followed by the designation of the ward for which the ballot is prepared, the date of the preliminary election and a facsimile of the signature of the city clerk.

SECTION 6. No ballot used at any preliminary election in said city shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating his views or opinion.

SECTION 7. The election officers of said city shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the city clerk, who shall canvass said returns and shall forthwith determine the result thereof, insert the same in a newspaper published in said city and post the same in a conspicuous place in his office.

SECTION 8. If any person receives at a preliminary election a majority of all the votes cast for the office for nomination to which he was a candidate, he shall be deemed and declared elected thereto; provided, that at said election at least eighty per cent of the total registered vote of the city, or, in the case of a ward councilor, of the ward, shall be cast; otherwise the two persons receiving at a preliminary election the highest number of votes for nomination for any office, except one to which two or more persons are to be elected at the regular or special municipal election following, and, as to each of such offices, the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office, shall, except as provided in this section and in section nine, be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special municipal election at which such office is to be filled.

If the preliminary election results in a tie vote among candidates for nomination to any office receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the regular or special municipal election, all candidates participating in said tie vote shall have their names printed upon the official ballot, although in consequence there be printed thereon the names of candidates to a number exceeding twice the number to be elected.

SECTION 9. If at the expiration of the time for filing with the city clerk nomination papers for candidates to be voted for at any preliminary election there have not been filed with him more than twice as many such nomination papers for an office as there are persons to be elected to such office, the candidates whose nomination papers have thus been filed shall be deemed to have been nominated to said office, and their names shall be printed on the official ballot to be used at the regular or special municipal election following, and the city clerk shall not print said names upon the ballot to be used at said preliminary election, and no other nomination to said office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of said city, no preliminary election shall be held in any such ward or wards.

SECTION 10. So much of chapter five hundred and fifty-nine of

## BRISTOL COUNTY.

Item		
1.	For interest on county debt .....	\$32,335 00
2.	For reduction of county debt .....	90,000 00
3.	For county commissioners, salaries and expenses .....	14,767 00
4.	For transportation and expenses of county and acting commissioners .....	1,200 00
5.	For clerk of courts, salaries and expenses .....	83,472 25
6.	For county treasurer, salaries and expenses ....	37,883 25
7.	For sheriff, salary and expenses .....	9,872 50
8.	For registries of deeds, salaries and expenses ...	195,143 11
8a.	For registry of probate, salaries and expenses ..	24,429 75
9.	For law library, salaries and expenses .....	27,436 80
10.	For highways, including state highways, bridges and land damages .....	245,705 00
11.	For examination of dams .....	6,000 00
12.	For criminal costs in superior court .....	150,798 33
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	120,655 50
14.	For district courts, salaries and expenses .....	366,263 92
15.	For medical examiners and commitments of insane .....	31,075 00
16.	For jail and house of correction, maintenance and operation .....	230,907 82
17.	For training school .....	10,000 00
18.	For court houses and registry buildings, maintenance and operation .....	231,993 53
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	353,606 78
24.	For non-contributory pensions .....	38,145 00
25.	For contributory retirement system and supervisory expenses .....	64,697 53
26.	For miscellaneous and contingent expenses ....	22,871 11
27.	For unpaid bills of previous years .....	3,800 00
28.	For reserve fund .....	30,000 00
28a.	For reserve for salary adjustments .....	57,560 23
30.	For forest fire patrol .....	4,500 00
32.	For police training school .....	500 00
39.	For group insurance .....	21,750 00
Total Amount of Appropriations .....		\$2,507,369 41
Less Estimated amount available for Reduction of County Tax .....		733,941 94

And the county commissioners of Bristol County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ..... \$1,773,427 47

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

**Chap. 449.** AN ACT AUTHORIZING THE INSTALLATION OF DEVICES FOR THE CONTROL OF PARKING AREAS IN MUNICIPALLY OWNED OFF-STREET PARKING LOTS AND THE USE OF RECEIPTS THEREFROM.

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

Chapter 40 of the General Laws is hereby amended by striking out section 22C, inserted by chapter 326 of the acts of 1951, and inserting in place thereof the following section:—*Section 22C.* Any city or town, having installed parking meters under the provisions of section twenty-two A, may install parking meters in municipally owned off-street parking lots and other devices for controlling such off-street parking lots, and may use any receipts from parking meters and other devices so installed for the purpose of purchase of additional parking lots, the care and maintenance of the same, and in general for any traffic control or traffic safety purposes, including payment for public liability coverage in connection with the use of said municipally owned off-street parking lots.

*Approved June 6, 1960.*

**Chap. 450.** AN ACT VALIDATING AND CONFIRMING THE LAYING OUT, ALTERATION, RELOCATION, DISCONTINUANCE AND ACCEPTANCE OF PUBLIC WAYS IN THE TOWN OF LUDLOW.

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

SECTION 1. The laying out, alteration, relocation, discontinuance or acceptance of all public ways in the town of Ludlow prior to May first, nineteen hundred and sixty, in so far as such laying out, alteration, relocation, discontinuance or acceptance may be invalid by reason of failure to comply with the provisions of chapters forty-one, seventy-nine, eighty and eighty-two of the General Laws, is hereby validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved June 6, 1960.*

**Chap. 451.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BRISTOL COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Bristol county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

the acts of nineteen hundred and twelve and any other special law, and acts in amendment thereof, and in addition thereto, as is inconsistent with this act, is hereby repealed.

SECTION 11. This act shall be submitted for acceptance to the registered voters of the city of Salem at the state election to be held in the year nineteen hundred and sixty, in the form of the following question, which shall be printed on the official ballot to be used in said city at said election:—"Shall an act passed by the general court in the year nineteen hundred and sixty, entitled 'An Act establishing Preliminary Municipal Elections in the City of Salem', be accepted?" If the majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect in the biennial municipal election to be held in said city in the year nineteen hundred and sixty-one, and for all municipal elections in said city thereafter, but not otherwise.

*Approved June 2, 1960.*

**Chap. 446.** AN ACT FURTHER REGULATING INTEREST RATES ON HOME MORTGAGES.

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

Section 90A of chapter 140 of the General Laws, inserted by section 1 of chapter 505 of the acts of 1959, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:—No person shall directly or indirectly charge, take or receive for a loan of more than fifteen hundred dollars secured wholly or partially by a mortgage of real estate having an assessed value of not over ten thousand dollars, having thereon a dwelling house with accommodations for three or less separate households and occupied in whole or in part at the time the loan is made as a home by any obligor on the mortgage debt or by any person granting or releasing any interest under said mortgage, a greater rate of interest than an amount equivalent to one and one-half per cent a month computed on unpaid balances before default and for six months after continuing default and for a period after the expiration of six successive months of continuing default a greater rate of interest than a sum equivalent to one per cent a month computed on unpaid balances. The borrower shall have the right to anticipate his debt in whole or in part at any time without being required to pay a penalty to the lender therefor.

*Approved June 2, 1960.*

**Chap. 447.** AN ACT TO PROVIDE FOR THE PROPER CALIBRATION AND INSPECTION OF BULK MILK TANK CONTAINERS.

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

SECTION 1. Chapter 98 of the General Laws is hereby amended by striking out section 42, as amended by chapter 185 of the acts of 1955, and inserting in place thereof the following section:—*Section 42.* After giving said notice, said sealers shall go to the houses, stores, shops and vehicles of persons not complying therewith, and shall test and adjust, seal or condemn in accordance with the results of their



tests, the weighing or measuring devices of such persons, provided, that devices for determining the measurement of leather bought, sold or offered for sale shall be tested at least semi-annually, and provided, further, that when a vehicle tank used in the sale of commodities by liquid measure has once been sealed, it shall not be necessary to seal it again while it remains in the same condition as when first sealed. A person who neglects or refuses to exhibit his weighing or measuring devices to a sealer or deputy, or who hinders, obstructs or in any way interferes with a sealer or deputy in the performance of duty, shall be punished by a fine of not more than fifty dollars.

SECTION 2. Said chapter 98 is hereby further amended by inserting after section 46 the following section:—*Section 46A.* Each bulk milk tank shall upon installation be calibrated and sealed by the director or his authorized representative. Reinstallation of a used bulk milk tank shall be considered as an original installation, provided it is for a new owner at other than the original premises. Each bulk milk tank in the commonwealth, including tanks already installed, shall be checked and resealed and, if necessary, recalibrated by the director or his authorized agent at least once in every two-year period. The director shall prescribe rules governing the calibration and sealing of bulk milk tanks. The director shall prepare the required interpolation charts for use in connection with such tanks, utilizing therefor a conversion figure of eight and six tenths pounds per gallon of milk. A record of the inspection and calibration of all such tanks shall be kept by the director. Whenever the recalibration of a bulk milk tank is requested, it shall be done by the director and the party requesting the recalibration shall pay a fee therefor to be established and collected by the director, but such fee shall not exceed fifteen dollars.

SECTION 3. Section 56 of said chapter 98 is hereby amended by striking out paragraph (j) as amended by chapter 184 of the acts of 1955, and inserting in place thereof the following paragraph:—

(j) Vehicle tanks used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, one dollar. For each additional one hundred gallons or fraction thereof, an additional fee of fifty cents shall be received. When a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purposes of this section, be considered as a separate tank.

*Approved June 2, 1960.*

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**Chap. 448.** AN ACT RELATIVE TO VETERANS' PENSIONS IN THE TOWN OF RANDOLPH.

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

SECTION 1. Notwithstanding the provisions of section sixty of chapter thirty-two of the General Laws, the provisions of sections fifty-six to fifty-nine, inclusive, of said chapter shall be in effect in the town of Randolph, provided, that no veteran whose employment first began after June thirtieth, nineteen hundred and thirty-nine, shall be subject to the provisions of said sections fifty-six to fifty-nine, inclusive.

SECTION 2. This act shall take effect when accepted by the selectmen prior to June first, nineteen hundred and sixty-one.

*Approved June 2, 1960.*

Said director shall file with the county commissioners and the county treasurer of Bristol county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in

investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 7, 1960.*

**Chap. 452.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF BARNSTABLE COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Barnstable county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

BARNSTABLE COUNTY.

Item	
1.	For interest on county debt ..... \$33,076 75
2.	For reduction of county debt ..... 112,500 00
3.	For county commissioners, salaries and expenses ..... 18,139 50
4.	For transportation and expenses of county and acting commissioners ..... 1,000 00

Item		
5.	For clerk of courts, salaries and expenses .....	\$21,517 00
6.	For county treasurer, salaries and expenses ....	21,985 47
7.	For sheriff, salary and expenses .....	11,024 50
8.	For registry of deeds, salaries and expenses ....	113,788 50
8a.	For registry of probate, salaries and expenses ..	5,285 00
9.	For law library, salaries and expenses .....	5,000 00
10.	For highways, including state highways, bridges and land damages .....	172,050 00
12.	For criminal costs in superior court .....	27,994 65
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	23,910 00
14.	For district courts, salaries and expenses .....	105,218 98
15.	For medical examiners and commitments of in- sane .....	3,922 50
16.	For jail and house of correction, maintenance and operation .....	181,345 77
17.	For training school .....	3,500 00
18.	For court houses and registry buildings, main- tenance and operation .....	37,874 85
20.	For agricultural school or county aid to agricul- ture, maintenance and operation .....	37,926 26
22.	For hospital or sanatorium .....	566,758 00
23.	For preventorium or health service .....	62,333 51
24.	For non-contributory pensions .....	19,571 13
25.	For contributory retirement system and super- visory expenses .....	22,684 33
26.	For miscellaneous and contingent expenses ....	12,540 54
27.	For unpaid bills of previous years .....	500 00
28.	For reserve fund .....	25,000 00
28a.	For reserve for salary adjustments .....	59,363 84
29.	For advertising recreational advantages of the county .....	50,000 00
30.	For state fire patrol .....	4,500 00
31.	For maintenance, forest fire apparatus .....	1,200 00
31a.	For forest fire apparatus .....	30,000 00
32.	For police training school and bureau of criminal identification .....	21,988 09
33.	For police radio system .....	34,741 07
36.	For beach commission .....	500 00
38.	For airplane .....	3,975 00
39.	For group insurance .....	14,723 00
40.	For advertising and promoting county fairs ....	500 00
41.	For sewage system, maintenance and operation ..	3,635 00
43.	For forest fire fighting training school .....	6,600 00
Total Amount of Appropriations .....		\$1,878,173 24
Less Estimated amount available for Reduction of County Tax .....		687,947 26

And the county commissioners of Barnstable County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$1,190,225 98

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Barnstable county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other

persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 7, 1960.*

**Chap. 453.** AN ACT AUTHORIZING THE CITY OF MEDFORD TO PAY FREDERICK J. WALSH A CERTAIN SUM AS COMPENSATION FOR SICK LEAVE.

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

SECTION 1. For the purpose of discharging a moral obligation, the city of Medford may pay to Frederick J. Walsh, a former employee of the cemetery department of said city, a sum not to exceed six hundred and fifty dollars as compensation for sick leave from January second to March eighth, nineteen hundred and fifty-nine, inclusive.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

*Approved June 7, 1960.*

**Chap. 454.** AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO ESTABLISH A SCHEDULE OF FINES FOR THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS IN SAID CITY.

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

The second paragraph of section 20A of chapter 90 of the General Laws, as appearing in section 1 of chapter 249 of the acts of 1953, is hereby amended by inserting after the word "however", in line 17, the words:—, that, for the purposes of proceedings under this paragraph only, the city of Cambridge may establish by ordinance a schedule of fines, not exceeding a maximum of fifteen dollars, for such offences so committed in said city in the calendar year; and provided further, however.

*Approved June 7, 1960.*

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**Chap. 455.** AN ACT RELATIVE TO THE PURCHASE AND OTHER ACQUISITION OF CERTAIN NARCOTIC PREPARATIONS AND THE PENALTIES THEREFOR.

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

Chapter 94 of the General Laws is hereby amended by striking out section 199F, inserted by chapter 210 of the acts of 1959, and inserting in place thereof the following section:—*Section 199F.* Whoever purchases, acquires or receives any narcotic preparation as defined in section one hundred and ninety-nine E with the intent of evading the narcotic drug laws, and not for the purpose of alleviating pain or disease, shall be punished by a fine of not less than two hundred dollars nor more than two thousand dollars or by imprisonment in a jail or house of correction for not more than two years.

*Approved June 7, 1960.*

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**Chap. 456.** AN ACT PROVIDING THAT THE USE OF A REVOKED OR FORGED CREDIT CARD OR THE UNAUTHORIZED USE OF THE CREDIT CARD OF ANOTHER SHALL CONSTITUTE LARCENY.

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

Chapter 266 of the General Laws is hereby amended by inserting after section 37 the following section:—*Section 37A.* Whoever with intent to defraud knowingly uses or authorizes another person to use a revoked or forged credit card or makes reference by number or other description to a non-existent credit card and thereby obtains credit or the privilege of making a deferred payment for the purchase or acquisition of money, goods or services, or whoever steals or wrongfully appropriates or uses without authority a credit card belonging to another person shall be guilty of larceny. The words "credit card", as used in this section, shall mean and include any card, plate, coupon, book or other device issued to a person which authorizes such person, members of his family, his employees or agents to purchase or otherwise acquire money, goods or service on credit or in deferred instalments. The words "revoked credit card", as used in this section, shall mean a credit card which has been terminated by the person issuing the same by written notice sent to the person to whom such credit card has been issued at his last known address by certified mail.

*Approved June 7, 1960.*

**Chap. 457.** AN ACT PROVIDING FOR THE PROMPT DISPOSITION OF GRIEVANCES OF STATE EMPLOYEES RELATING TO CONDITIONS OF EMPLOYMENT.

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

Section 53 of chapter 30 of the General Laws, as amended by section 1 of chapter 615 of the acts of 1958, is hereby further amended by striking out, in line 8, the words "and overtime", and inserting in place thereof the words:—overtime, and other matters relating to conditions of employment, except assignments of tours of duty.

*Approved June 7, 1960.*

**Chap. 458.** AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE VETERANS OF WORLD WAR I OF THE U.S.A., DEPARTMENT OF MASSACHUSETTS.

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

Chapter 8 of the General Laws is hereby amended by striking out section 17, as most recently amended by chapter 400 of the acts of 1960, and inserting in place thereof the following section:—*Section 17.* Whenever in the opinion of the superintendent of buildings there is space available, there shall be set apart and suitably furnished a room or rooms in the state house for the use of the Massachusetts department of The American Legion, of the United Spanish War Veterans, of the Disabled American Veterans of the World War, of the Veterans of Foreign Wars of the United States, of the American Veterans of World War II, AMVETS, of the Veterans of Indian Wars, of Italian American World War Veterans of the United States, Inc., Department of Massachusetts, of the Jewish War Veterans of the United States, Department of Massachusetts, Inc., of the Polish-American Veterans of Massachusetts, Inc., of the Marine Corps League, Department of Massachusetts, Inc., of the Polish Legion of American Veterans, Department of Massachusetts, Inc., and of the Veterans of World War I of the U.S.A., Department of Massachusetts, respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for each of the aforesaid departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World Wars and the Spanish War.

*Approved June 7, 1960.*

**Chap. 459.** AN ACT VALIDATING CERTAIN AMENDMENTS TO THE ZONING BY-LAWS OF THE TOWN OF LYNNFIELD.

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

SECTION 1. The amendments to the zoning by-laws of the town of Lynnfield adopted during the current year and described in Articles 33, 34 and 36 of the warrant for the annual town meeting held in said town in the current year are hereby confirmed and made valid notwithstanding the failure to comply with the provisions of law relative to changes in zoning by-laws.

SECTION 2. This act shall take effect upon its passage.

*Approved June 10, 1960.*



- Chap. 460.** AN ACT PROVIDING THAT CERTAIN ACTION BY THE TOWN OF IPSWICH SHALL BE DEEMED TO HAVE INCREASED THE ANNUAL AMOUNT OF THE RETIREMENT ALLOWANCE PAYABLE TO CERTAIN PERSONS.

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

SECTION 1. The action taken by the town of Ipswich at its annual town meeting on March seventh in the current year, pursuant to Article 27 of the warrant for said meeting, shall be deemed to have increased, effective as of said March seventh, in accordance with sections ninety-six and ninety-seven of chapter thirty-two of the General Laws, the annual amount of the retirement allowance, pension, annuity or other benefit payable to Samuel H. Williams, Nancy L. Wood, beneficiary of Francis E. Wood, Pearly M. Waite, beneficiary of Albert G. Waite, C. Gardner Caverly, Mary W. Scott, Lawrence R. Gwinn, and Helen Horsman, beneficiary of Byard Horsman, to the amount of twelve hundred dollars in each case, as though the names of said persons and a proposal to increase said annual amount payable to each to twelve hundred dollars had been included in said Article 27 at the time of the posting of said warrant.

SECTION 2. This act shall take effect upon its passage.

*Approved June 10, 1960.*

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- Chap. 461.** AN ACT PROVIDING THAT THE PROVISIONS OF LAW PERTAINING TO ANNUITIES TO DEPENDENTS OF CERTAIN POLICE OFFICERS AND FIRE FIGHTERS KILLED IN THE PERFORMANCE OF DUTY BE APPLICABLE IN THE CITY OF PITTSFIELD.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the provisions of section eighty-nine B of chapter thirty-two of the General Laws shall be applicable in the city of Pittsfield as of February first, nineteen hundred and fifty-seven.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

*Approved June 10, 1960.*

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- Chap. 462.** AN ACT AUTHORIZING THE BOARD OF REGISTRATION OF HAIRDRESSERS TO LICENSE BEAUTY SHOPS IN STATE INSTITUTIONS AND TO CREDIT OPERATORS WITH THE PRACTICAL EXPERIENCE REQUIRED PRIOR TO EXAMINATION.

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

Section 87AA of chapter 112 of the General Laws, as most recently amended by section 1 of chapter 537 of the acts of 1953, is hereby further amended by adding at the end the following paragraph:—

The board may register beauty shops operated in state institutions for the sole purpose of crediting the operators employed therein with the practical experience so obtained and thereby enabling them to qualify for the hairdressers' examination.

*Approved June 10, 1960.*

**Chap. 463.** AN ACT TO PERMIT LANDLORDS TO RECOVER RENT ARREARAGE IN A SUMMARY PROCESS ACTION.

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

SECTION 1. Chapter 239 of the General Laws is hereby amended by striking out sections 2 and 3, as appearing in the Tercentenary Edition, and inserting in place thereof the following two sections:—

*Section 2.* Such person may bring an action in the superior court in the county, or in the district court in the judicial district, in which the land lies, by a writ in the form of an original summons to the defendant to answer to the claim of the plaintiff that the defendant is in possession of the land or tenements in question, describing them, which he holds unlawfully against the right of the plaintiff, and, if rent is claimed, that the defendant owes rent in the amount stated in said writ. No other declaration shall be required. Failure to claim rent in said action shall not bar a subsequent action therefor.

*Section 3.* Except as hereinafter provided, if the court finds that the plaintiff is entitled to possession, he shall have judgment and execution for possession and costs, and, if rent is claimed as provided in section two and found due, the judgment and execution shall include the amount of the award. If the plaintiff becomes nonsuit or fails to prove his right to possession, the defendant shall have judgment and execution for costs.

In case of appeal on either or both issues involved the appeal shall be to the superior court under section five.

SECTION 2. This act shall take effect on September first, nineteen hundred and sixty and shall apply only to actions of summary process commenced on or after said effective date.

*Approved June 10, 1960.*

**Chap. 464.** AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY CERTAIN PARK LAND TO MISSION HILL POST #327, AMERICAN LEGION INC.

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

SECTION 1. The city of Boston, acting by and through its parks and recreation commission, is hereby authorized to convey, for nominal consideration, to Mission Hill Post #327, American Legion Inc., for the purpose of constructing thereon a post headquarters, that portion of park land held by said city which is located on Parker Hill avenue in the Mission Hill section of the Roxbury district of Boston; provided, that said commission shall, by vote at a regular or special meeting, assent to said conveyance; and provided, further, that said conveyance is approved by the mayor of said city.

SECTION 2. The jurisdiction in and over the land described in section one shall revert to and revest in the city of Boston whenever such land shall cease to be used for the purpose set forth in said section one. In the event that said land is not used for the purposes set forth in said section one within three years of the effective date of this act, it shall revert to and revest in said city.

SECTION 3. This act shall take full effect upon its acceptance by a majority vote of the city council of the city of Boston.

*Approved June 10, 1960.*

**Chap. 465.** AN ACT ESTABLISHING A PURCHASING DEPARTMENT IN THE CITY OF FITCHBURG:

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

SECTION 1. Notwithstanding the provisions of sections one hundred and three and one hundred and four of chapter forty-one of the General Laws, there is hereby established in the city of Fitchburg a purchasing department, to consist of a purchasing agent and such assistants as the city council may determine. The salaries of the purchasing agent and assistants shall be determined by the city council. The agent and assistants shall be appointed by the mayor subject to the approval of the city council for such terms of office as may be prescribed by ordinance, and may be removed for cause by the mayor with the approval of the city council. The purchasing agent shall purchase all supplies for the city and for every department thereof except in case of emergency. All purchases or contracts for purchase exceeding one thousand dollars in amount shall be based upon competition. A record shall be kept by the department of the prices paid for the supplies, and shall be open to the inspection of any citizen.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Fitchburg, subject to the provisions of its charter, but not otherwise.

*Approved June 10, 1960.*

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**Chap. 466.** AN ACT AUTHORIZING THE CITY OF BOSTON TO USE THE REMAINING BALANCE OF A CERTAIN FUNDING LOAN FOR THE CONSTRUCTION OF A MUNICIPAL AUDITORIUM.

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

Section 2 of chapter 717 of the acts of 1957 is hereby amended by adding at the end the following paragraph:—

Any balance remaining in said account on January first, nineteen hundred and sixty, may be used, upon appropriation pursuant to section three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as most recently amended by section one of chapter six hundred and four of the acts of nineteen hundred and forty-one, in lieu of borrowing a like amount under chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-seven, for the purpose of constructing the municipal auditorium authorized by chapter one hundred and sixty-four of the acts of nineteen hundred and fifty-four.

*Approved June 10, 1960.*

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**Chap. 467.** AN ACT PROVIDING THAT A SEPARATE LICENSE SHALL BE SECURED FOR EACH PLACE OF BUSINESS WHERE A PERSON OPERATES A DRIVER SCHOOL.

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

The first paragraph of section 32G of chapter 90 of the General Laws, as appearing in chapter 563 of the acts of 1953, is hereby amended by inserting after the first sentence the following sentence:— A separate license shall be secured for each place of business where a person operates a driver school.

*Approved June 10, 1960.*

**Chap. 468.** AN ACT TO ELIMINATE THE OBLIGATION OF DOMESTIC FRATERNAL BENEFIT SOCIETIES TO PAY THE COST OF EXAMINATIONS BY THE COMMISSIONER OF INSURANCE.

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

Section 44 of chapter 176 of the General Laws, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by striking out the last sentence.

*Approved June 10, 1960.*

**Chap. 469.** AN ACT RELATIVE TO THE COUNTING OF BALLOTS AT THE SPECIAL REFERENDUM ELECTION TO BE HELD IN THE TOWN OF WATERTOWN ON JUNE FOURTEENTH, NINETEEN HUNDRED AND SIXTY.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the counting of ballots cast in the town of Watertown at the special referendum election to be held on June fourteenth, nineteen hundred and sixty, may be adjourned at midnight of said day unless the counting is sooner completed and all ballots counted or uncounted shall be transported to the office of the town clerk and shall be enclosed and sealed up by said clerk. The counting shall be resumed in the office of said town clerk at nine o'clock ante meridian on June fifteenth, nineteen hundred and sixty, and shall continue to midnight of said day unless sooner completed. Said counting, if not completed, shall resume at nine o'clock ante meridian on June sixteenth, nineteen hundred and sixty, and shall continue until the counting is completed.

SECTION 2. This act shall take effect upon its passage.

*Approved June 14, 1960.*

**Chap. 470.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF ESSEX COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Essex county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

ESSEX COUNTY.

Item	
1. For interest on county debt .....	\$27,729 15
2. For reduction of county debt .....	56,800 00

Item		
3.	For county commissioners, salaries and expenses	\$36,383 51
4.	For transportation and expenses of county and acting commissioners .....	2,000 00
5.	For clerk of courts, salaries and expenses .....	123,129 41
6.	For county treasurer, salaries and expenses ....	39,151 84
7.	For sheriff, salary and expenses .....	10,040 00
8.	For registry of deeds, salaries and expenses ....	350,143 66
8a.	For registry of probate, salaries and expenses ..	18,138 83
9.	For law library, salaries and expenses .....	25,438 45
10.	For highways, including state highways, bridges and land damages .....	423,373 77
12.	For criminal costs in superior court .....	99,033 20
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	207,256 00
14.	For district courts, salaries and expenses .....	567,026 98
15.	For medical examiners and commitments of insane .....	37,000 00
16.	For jail and house of correction, maintenance and operation .....	322,876 83
16a.	For industrial farm, maintenance and operation	159,227 95
17.	For training school .....	223,280 01
18.	For court houses and registry buildings, maintenance and operation .....	198,014 51
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	591,406 80
24.	For non-contributory pensions .....	77,402 52
25.	For contributory retirement system and supervisory expenses .....	124,798 05
26.	For miscellaneous and contingent expenses ....	33,865 83
27.	For unpaid bills of previous years .....	15,000 00
28.	For reserve fund .....	40,000 00
28a.	For reserve for salary adjustments .....	132,572 17
29.	For advertising recreational, industrial and agricultural advantages of the county .....	6,000 00
30.	For fire patrol .....	4,500 00
31.	For forest development .....	2,200 00
39.	For group insurance .....	47,000 00
Total Amount of Appropriations .....		\$4,000,789 47
Less Estimated amount available for Reduction of County Tax .....		1,178,552 94

And the county commissioners of Essex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ..... \$2,822,236 53

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Essex county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in

investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 14, 1960.*

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**Chap. 471.** AN ACT AUTHORIZING THE TOWN OF HULL TO PAY CERTAIN UNPAID BILLS.

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

SECTION 1. The town of Hull is hereby authorized to appropriate money for the payment of certain unpaid bills, and after such appropriation the treasurer of said town is hereby authorized to pay to the following for services rendered the sums set forth after their respective names:—Daley & Wanzer, one hundred and forty-four dollars; Leo Trubia, one hundred and twenty-eight dollars; James Papasodero, three hundred and sixty-seven dollars and fifty cents; Barry Trucking, eighty dollars; J. Bongarzone, two hundred and fifty-five dollars and fifty cents; J. Elisii, two hundred and fifty-five dollars and fifty cents; Americo Colangeli, three hundred and fifty-two dollars; N. DiVito, two hundred and fifty-five dollars and fifty cents; Bruno Varano, one hundred and forty-six dollars; Richard J. Delmonico, four hundred and twenty dollars; Elia A. Mascioli, one hundred and forty-six dollars; John F. Perry, one hundred and forty-six dollars; J. P. Barbuto, two hundred and twenty-four dollars; and to Samuel Skoler, one hundred and forty-four dollars for materials supplied to said town in the years nineteen hundred and fifty-seven and nineteen hundred and fifty-eight. Said unpaid bills were incurred by the high-

way department of said town and are legally unenforceable against said town by reason of said services and materials not having been engaged pursuant to provisions of the General Laws and town by-laws and having been incurred in the absence of available appropriations.

SECTION 2. No bill shall be approved by the town accountant of said town or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said town accountant stating under the penalties of perjury that the materials, and services for which such bills have been submitted were ordered by an official or an employee of said town and that such materials were delivered and actually received by said town or that such services were rendered to said town, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for materials or services which were not received by or rendered to said town shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its passage.

*Approved June 14, 1960.*

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**Chap. 472.** AN ACT CHANGING THE EXPIRATION DATE OF CERTIFICATES OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND THE METHOD OF RENEWING THE SAME.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certificates of registration of professional engineers and land surveyors be valid for two years instead of one year, and adjusting the fees for such certificates or renewals thereof, and to provide that certificates expiring in June of the current year may be renewed for said period of two years, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section 81N, as appearing in section 2 of chapter 643 of the acts of 1941, and inserting in place thereof the following section:—*Section 81N.* Certificates of registration shall expire June thirtieth in every even-numbered year, and may be renewed as hereinafter provided. The secretary of the board shall, at least one month in advance of the expiration date of such certificate, notify the registrant of such expiration date and of the fee required for the renewal of the certificate for the succeeding two-year period, and any such certificate may be renewed on or prior to the expiration date or at any time prior to August first following such expiration date upon the payment of a fee of four dollars. If a registrant fails to renew his certificate prior to said August first, such certificate may thereafter be renewed upon the payment of a fee as hereinafter provided. Such fee shall be six dollars for any certificate renewed prior to June thirtieth next following its expiration, and shall be eight dollars for any certificate renewed after said date and within two years of its expira-



tion date. If a registrant fails to renew his certificate within two years of the expiration date, he shall be temporarily dropped from the roster of registered professional engineers or of registered land surveyors, subject to reinstatement as hereinafter provided. Written notice shall be given to the registrant by the secretary of the board one month in advance of such dropping from said roster. A registrant, who has been temporarily dropped from said roster, may be reinstated upon the payment of a fee of fifteen dollars and upon the filing of an application for reinstatement together with evidence satisfactory to the board that nothing has occurred during the time he was dropped from said roster which would justify the revocation of his certificate under the provisions of section eighty-one P. A registrant so reinstated shall, without the payment of an additional fee, be issued a certificate of registration.

SECTION 2. The second paragraph of section 11 of chapter 584 of the acts of 1958 is hereby amended by adding at the end the following sentence:—Any such employee, who prior to December thirty-first, nineteen hundred and fifty-eight, was appointed to any such position, but whose appointment had not become permanent due to procedural delay until January of nineteen hundred and fifty-nine, shall, for the purposes of this paragraph, be deemed to have been permanently appointed as of December thirty-first, nineteen hundred and fifty-eight.

*Approved June 14, 1960.*

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**Chap. 473.** AN ACT PROVIDING FOR THE INSTALLATION OF SOUND BARRIERS AT CERTAIN HANGARS AND FOR THE DESIGNATION OF A RUN UP AREA AT THE LOGAN INTERNATIONAL AIRPORT.

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

SECTION 1. The Massachusetts Port Authority is hereby authorized and directed to install sound barriers outside of and adjacent to all hangars erected after January first, nineteen hundred and sixty at the General Edward Lawrence Logan International Airport, for the purpose of decreasing the vibration from the operation of aircraft engines.

SECTION 2. Said Authority shall, by regulation, designate an area at said Logan airport southeast of the present terminal building as the only area in said airport in which aircraft engines shall be test run between midnight and seven o'clock in the morning. This section shall not apply to aircraft testing immediately prior to take off.

SECTION 3. The provisions of section two of this act shall not apply to military aircraft.

*Approved June 14, 1960.*

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**Chap. 474.** AN ACT PROVIDING THAT CERTAIN MEMBERS OF THE ADVISORY COMMITTEE ON CORRECTION SHALL NOT BE ENTITLED TO VOTE ON MATTERS BEFORE SAID COMMITTEE.

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

Chapter 27 of the General Laws is hereby amended by striking out section 3, as most recently amended by chapter 704 of the acts of 1957, and inserting in place thereof the following section:—*Section*

3. There shall be in the department an advisory committee on correction consisting of the commissioner of correction, the chairman of the parole board and the commissioner of probation, *ex officio*, and nine members, at least one of whom shall be a representative of labor, to be appointed by the governor. Upon the expiration of the term of an appointed member his successor shall be appointed in like manner for a term of three years. The committee shall meet at least twice a year upon call of the chairman, who shall be designated by the governor, and shall meet at any time upon call of the governor. The committee shall visit at least annually each correctional institution of the commonwealth. Its function shall be to give advice and to make recommendations to the governor on any matter affecting the department or the correction program, and it shall have no other powers or duties. A member *ex officio* shall not be entitled to vote on any matter before the committee.

The members of said committee shall receive no compensation for their services, but shall be reimbursed for expenses necessarily incurred in rendering such service. *Approved June 14, 1960.*

**Chap. 475.** AN ACT ESTABLISHING A WORK PROGRAM FOR CERTAIN PATIENTS AT MONSON STATE HOSPITAL, AND AUTHORIZING PAYMENT FOR WORK PERFORMED THEREUNDER.

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

Chapter 123 of the General Laws is hereby amended by inserting after section 39C the following section:—*Section 39D.* The commissioner may establish a program at the Monson state hospital whereby patients therein whose recovery would be assisted by performing certain work in or about said hospital shall be assigned to such work. Patients so assigned shall be known as patient-trainees. The commissioner shall make such rules and regulations as may be necessary to carry out said program. The superintendent of said hospital shall determine the patients eligible to participate in said program. The commissioner may direct the superintendent to pay each patient-trainee the sum of one dollar per day for work performed by him under said program. Any money so earned by a patient-trainee shall be credited weekly to his spending account.

*Approved June 14, 1960.*

**Chap. 476.** AN ACT PROVIDING THAT TIME SERVED AS A CADET TEACHER IN THE SOMERVILLE SCHOOL SYSTEM MAY BE COUNTED AS CREDITABLE SERVICE FOR CERTAIN MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM.

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

Notwithstanding any provision of law to the contrary, any person who is employed as a teacher in the Somerville school department and is a member of the teachers' retirement system shall be allowed to count as creditable service for purposes of retirement that period of time served by him as a cadet teacher in the school system of the city of Somerville; provided, that such person, before the date any re-

tirement allowance becomes effective for him, pays into the annuity savings fund of the teachers' retirement system in one sum, or in instalments, upon such terms and conditions as the teachers' retirement board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation had he been eligible for membership and been a member of such system during such period, together with regular interest thereon to date of final payment thereof.

*Approved June 14, 1960.*

**Chap. 477.** AN ACT RELATIVE TO THE MUTUAL SAVINGS CENTRAL FUND, INC., AND THE PURCHASE AND SALE OF PROPERTY OF SAVINGS BANKS IN THE POSSESSION OF THE COMMISSIONER OF BANKS.

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

SECTION 1. Section 3 of chapter 43 of the acts of 1934, as most recently amended by section 6 of chapter 324 of the acts of 1956, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—The Fund may be invested by the corporation only as provided in subsections (a), (b), (c) and (e) of section seven of said chapter forty-four except that the Fund may be used as provided by section three A, and except, further, that the Fund may be used for the purchase of all or any part of the property of any member bank in the possession of the commissioner under sections twenty-two to thirty-six, inclusive, of chapter one hundred and sixty-seven of the General Laws, on such terms and conditions and at such valuations as the directors may determine.

SECTION 2. Section 24 of chapter 167 of the General Laws, as most recently amended by section 8 of chapter 432 of the acts of 1955, is hereby further amended by adding at the end the following paragraph:—

The commissioner shall not sell for cash or other consideration or as provided by section seventy-three of chapter one hundred and sixty-eight all or any part of the real or personal property of a savings bank in his possession without having first given to the Mutual Savings Central Fund, Inc., and to the Federal Deposit Insurance Corporation or to any successor to said corporations, respectively, reasonable opportunity, jointly or severally, to offer to purchase the same; and the commissioner shall, in any petition to the supreme judicial court filed by him seeking an order or decree directing the sale of any such property, certify that such reasonable opportunity has been so given and the amounts, if any, for which the Mutual Savings Central Fund, Inc., or the Federal Deposit Insurance Corporation, or both, or any successor corporations thereto have expressed a willingness to purchase said property.

*Approved June 14, 1960.*

**Chap. 478.** AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY JOSEPH F. BATTLES DAMAGES FOR A CERTAIN LAND TAKING BY SAID CITY.

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

SECTION 1. Notwithstanding any provision of law to the contrary

and in order to discharge a moral obligation, the city of Brockton is hereby authorized to pay to Joseph F. Battles of Brockton, a sum not to exceed sixteen thousand dollars as damages in connection with the taking by eminent domain by said city of a parcel of land in the vicinity of Oak street, North Warren avenue extension and Herrod avenue extension, for school purposes, owned by him, the time having expired within which a petition may legally be brought for assessment of damages because of said taking.

SECTION 2. This act shall take effect upon its passage.

*Approved June 20, 1960.*

**Chap. 479.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO RENEW A LEASE TO THE TOWN OF PLYMOUTH OF CERTAIN COUNTY PROPERTY FOR USE AS A POLICE STATION.

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

SECTION 1. The county commissioners of the county of Plymouth, acting in the name and on behalf of said county, may renew the lease to the town of Plymouth for a period of ten years of that portion of the old jail building in the rear of the court house for use as a police station, which premises formerly had been leased for the same purpose under authorization contained in chapter two hundred and twenty-three of the acts of nineteen hundred and thirty-one.

SECTION 2. All action taken by said county commissioners and by the said town and its officials since the expiration of the original lease as to occupancy and care of property is hereby validated and confirmed.

SECTION 3. This act shall take effect upon its passage.

*Approved June 20, 1960.*

**Chap. 480.** AN ACT EXTENDING THE TIME WITHIN WHICH THE CITY OF PEABODY MAY BORROW MONEY FOR REMODELING, RECONSTRUCTING, ENLARGING, MAKING EXTRAORDINARY REPAIRS TO, RE-EQUIPPING AND REFURNISHING THE JOSIAH B. THOMAS HOSPITAL.

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

SECTION 1. Section 1 of chapter 426 of the acts of 1958 is hereby amended by striking out, in line 4, the word "two" and inserting in place thereof the word:—three.

SECTION 2. This act shall take effect upon its passage.

*Approved June 20, 1960.*

**Chap. 481.** AN ACT RELATIVE TO SUPERVISION, CONTROL AND TRANSPORTATION OF ATHLETIC AND OTHER ORGANIZATIONS OF COUNTY AGRICULTURAL SCHOOL PUPILS, AND APPROPRIATIONS IN CONNECTION THEREWITH.

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

Chapter 74 of the General Laws is hereby amended by adding after

section 31A the following section:—*Section 31B.* The boards of trustees of the Bristol county agricultural school, the Essex county agricultural school and the Norfolk county agricultural school may supervise and control all athletic and other organizations composed of vocational agricultural school pupils and bearing the name of said school or organized in connection therewith. The trustees of each of said county agricultural schools may, directly or through authorized representatives, determine under what conditions the same may compete with similar organizations in other schools. Expenditures by said trustees for the organization and conduct of physical training and exercises, athletics, sports, games and play, for providing proper apparatus, equipment, supplies, athletic wearing apparel, including appropriate souvenir garments and trophies, and facilities for the same in the buildings, yards and playgrounds under the control of said trustees, or upon any other land which they may have the right or privilege to use for this purpose, and for exercises, athletics, sports, games and play, shall be deemed to be for school purposes and shall be considered to be a proper maintenance item for reimbursement purposes. Said trustees shall include in their annual budgets, with the approval of the commissioner, amounts sufficient for the employment of coaches to supervise in said county agricultural schools physical training and exercises, athletics, sports, games and play, and for the transportation of the school athletic teams, coaches, cheerleaders, bands and other groups composed of pupils of the said schools, within the commonwealth to places where athletic contests or physical exercises, sports, games, play, musical festivals, competitions or other events are held, and for the purchase of uniforms and musical instruments for the members of bands composed of pupils of said schools.

*Approved June 20, 1960.*

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**Chap. 482.** AN ACT ESTABLISHING AN ADVISORY COUNCIL TO CONSULT WITH THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE HOSPITAL SURVEY AND CONSTRUCTION ACT OF THE FEDERAL GOVERNMENT.

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

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 72A the following section:—*Section 72B.* There shall be an advisory council on hospital surveys and construction planning, consisting of the commissioners of public health, mental health and public welfare, ex officio, and twelve persons, who shall include representatives of non-governmental organizations or groups, of agencies of the commonwealth concerned with the operation, construction or utilization of hospitals, and of consumers of hospital services selected from persons familiar with the need of such services in urban or rural areas, to be appointed by the governor, with the advice and consent of the council. As the term of office of an appointive member expires, his successor shall be appointed by the governor, in like manner, for a term of four years. No member shall be reappointed for more than two terms. The commissioner of public health shall be the chairman of the council. Members of said council shall serve without compensation but each member shall be paid by

the commonwealth the traveling expenses necessarily incurred by him in connection with the performance of his official duties.

Said advisory council shall, in order to carry out the purposes of the federal Hospital Survey and Construction Act (Public Law 725—79th Congress, 2nd Session), as amended, consult with and advise the department in any matter relative to surveying the need for hospitals and to developing a program for constructing the same.

SECTION 2. The initial appointments of the advisory council established by section seventy-two B of chapter one hundred and eleven of the General Laws, as appearing in section one of this act, shall be as follows:—three shall be appointed for terms of four years each, three for terms of three years each, three for terms of two years each and three for terms of one year each. Upon the expiration of the term of office of each member, his successor shall be appointed for a term of four years, as provided by said section seventy-two B.

*Approved June 20, 1960.*

**Chap. 483.** AN ACT PROVIDING THAT PERSONS GRANTED A CERTIFICATE OF LIMITED REGISTRATION ENTITLING THEM TO PRACTICE MEDICINE IN A CERTAIN HOSPITAL OR INSTITUTION MAY ALSO PRACTICE MEDICINE IN AFFILIATED HOSPITALS.

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

Chapter 112 of the General Laws is hereby amended by striking out section 9, as most recently amended by chapter 526 of the acts of 1955, and inserting in place thereof the following section:—*Section 9.* An applicant for limited registration under this section who shall furnish the board with satisfactory proof that he is twenty-one or over and of good moral character, that he has creditably completed not less than three and one half years of study in a legally chartered medical school having the power to grant degrees in medicine, and that he has been appointed an interne, fellow or medical officer in a hospital or other institution maintained by the commonwealth, or by a county or municipality thereof, or in a hospital or clinic which is incorporated under the laws of the commonwealth or in a clinic which is affiliated with a hospital licensed by the department of public health under authority of section seventy-one of chapter one hundred and eleven, or in an out-patient clinic operated by the department of mental health, may, upon the payment of five dollars, be registered by the board as a hospital medical officer for such time as it may prescribe; but such limited registration shall entitle the said applicant to practice medicine only in the hospital or other institution designated on his certificate of limited registration, or outside such hospital or other institution for the treatment, under the supervision of one of its medical officers who is a duly registered physician, of persons accepted by it as patients, or in any hospital affiliated for training purposes with the hospital designated on said certificate, which affiliation is approved by the board, and in any case under regulations established by such hospital or other institution. The name of any hospital so affiliated and so approved shall also be indicated on such certificate. Limited registration under this section may be revoked at any time by the board.

*Approved June 20, 1960.*

**Chap. 484.** AN ACT TO CONTINUE THE LAND ACQUISITION PROGRAM FOR THE CONSERVATION AND EXTENSION OF STATE PARKS AND RECREATIONAL AREAS.

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

For the purpose of acquiring land for recreational facilities, as authorized by section three of chapter one hundred and thirty-two A of the General Laws, and for the development thereof, the commissioner of natural resources may expend such sums, not exceeding one million dollars, as may be appropriated therefor.

*Approved June 20, 1960.*

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**Chap. 485.** AN ACT AUTHORIZING THE CITY OF LYNN TO SELL CERTAIN PARK LAND ON MAGNOLIA AVENUE, SO CALLED, IN SAID CITY.

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

SECTION 1. The city of Lynn may, subject to the approval of the board of park commissioners of said city, sell the whole or any part of the unused portion of certain park land on Magnolia avenue, so called, in said city, bounded and described as follows:—Northeasterly by land of the City of Lynn, two hundred seven and sixty one-hundredths feet; Westerly by land of Helman twenty-six and forty-nine one-hundredths feet; Southwesterly by land of Helman, Keith and Suttie, one hundred seventy-eight and thirty-six one-hundredths feet; Southeasterly by land of Lynn Housing Authority thirteen and eighty-seven one-hundredths feet; containing thirty-seven hundred thirty-seven square feet, more or less, and shown as lot numbered six on plan entitled "Lynn Off-Street Parking Commission, Curtis Square, Lynn", dated January, nineteen hundred and sixty, and signed by William B. Hilton, City Engineer.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved June 20, 1960.*

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**Chap. 486.** AN ACT PROVIDING FOR AN ACCELERATED PROGRAM OF FOREST MANAGEMENT ON STATE FOREST LANDS.

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

The commissioner of natural resources is hereby authorized and directed to initiate and develop an accelerated forest management program on lands under the control of the department of natural resources. Said program shall include a complete inventory of forest resources, the marking, cutting and sale of mature and commercially valuable timber on said lands, and the making of necessary silvicultural improvements thereon. Said department may expend for such program such sums, not exceeding five hundred thousand dollars, as may be appropriated therefor.

*Approved June 20, 1960.*

**Chap. 487.** AN ACT SUBMITTING TO THE VOTERS OF THE TOWN OF FOXBOROUGH THE QUESTIONS OF ESTABLISHING A BOARD OF PUBLIC WORKS IN SAID TOWN AND AUTHORIZING THE SELECTMEN TO ACT AS SUCH BOARD.

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

SECTION 1. There shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting of the town of Foxborough in the year nineteen hundred and sixty-one the following two questions:—

Question 1. "Shall the town of Foxborough establish a board of public works which shall have the powers and duties of the water commissioners, highway department and tree warden?"

YES.	
NO.	

Question 2. "If it is voted to establish a board of public works, shall the selectmen act as the board of public works?"

YES.	
NO.	

SECTION 2. If the majority of the votes cast in answer to question one is in the affirmative, and the majority of votes cast in answer to question two is in the negative, there shall be established in said town a board of public works in accordance with the provisions of sections sixty-nine D to sixty-nine F, inclusive, of chapter forty-one of the General Laws except that said board shall have the powers and duties of the water commissioners, highway department and tree warden, and the powers and duties of such additional boards, departments and offices authorized by said sections sixty-nine D to sixty-nine F, inclusive, for inclusion in a public works department, as the town may thereafter provide by by-law for inclusion under said board and the members of said board shall be elected at the next annual town meeting in accordance with and for such terms as provided for in section sixty-nine D of said chapter forty-one.

If the majority of the votes cast in answer to question one is in the affirmative and the majority of the votes cast in answer to question two is in the affirmative, the selectmen of the town shall, upon their election and qualification, act as the board of public works.

If the majority of the votes cast in answer to question one is in the negative, questions one and two shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting of the town of Foxborough in the year nineteen hundred and sixty-three. If the majority of the votes cast in answer to question one is again in the negative, said questions shall not be placed upon the ballot a third time.

*Approved June 20, 1960.*

**Chap. 488.** AN ACT DESIGNATING THE ROTARY CIRCLE LOCATED AT THE JUNCTION OF THE STATE HIGHWAY KNOWN AS ROUTE 1 AND NAHATTAN STREET IN THE TOWN OF NORWOOD AS THE JAMES E. PENDERGAST CIRCLE.

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

The rotary circle located at the junction of the state highway known as Route 1 and Nahattan street in the town of Norwood shall be known



and designated as the James E. Pendergast Circle and a suitable marker bearing such designation shall be erected at a prominent place in said circle by the department of public works.

*Approved June 20, 1960.*

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**Chap. 489.** AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF MENTAL HEALTH.

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

Section 2 of chapter 19 of the General Laws, as most recently amended by chapter 722 of the acts of 1951, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Upon the expiration of the term of office of the commissioner, his successor shall be appointed for six years by the governor, with the advice and consent of the council; and the commissioner shall receive such salary, not exceeding twenty thousand dollars, as the governor and council may determine, and the commissioner may be permitted such professional affiliations as he desires.

*Approved June 20, 1960.*

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**Chap. 490.** AN ACT PROVIDING FOR THE MAINTENANCE OF A CERTAIN BRIDGE ACROSS THE CHARLES RIVER IN THE CITY OF BOSTON WITHOUT A DRAW.

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

The bridge constructed and maintained by the city of Boston under chapter two hundred and seventeen of the acts of eighteen hundred and ninety-four across the Charles river, connecting the city proper, so-called, with that part of said city which was formerly Charlestown, and the elevated railway structure thereon maintained by the metropolitan transit authority may severally be maintained without a draw, subject to the laws of the United States. *Approved June 20, 1960.*

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**Chap. 491.** AN ACT PROVIDING THAT WAGES PAID TO CERTAIN EMPLOYEES OF HOUSING AUTHORITIES SHALL BE DETERMINED BY THE COMMISSIONER OF LABOR AND INDUSTRIES.

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

Section 26T of chapter 121 of the General Laws, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—In the development or administration of a project, a housing authority shall furnish the commissioner of labor and industries, upon his request, with a list of the classifications of work performed by all architects, technical engineers, draftsmen, technicians, laborers and mechanics employed therein, and shall notify him from time to time of any changes in said classifications. The commissioner shall determine rates of wages and fees and payments to health and welfare plans for each such classification and shall furnish the housing authority with a schedule of such rates, fees and

payments. The rates of wages and fees paid by each housing authority to such architects, technical engineers, draftsmen, technicians, laborers and mechanics shall not be less than those determined by said commissioner who shall set the rate at no less than eighty per cent of the prevailing wage in accordance with sections twenty-six and twenty-seven of chapter one hundred and forty-nine. In the event that any housing authority fails to furnish the commissioner with said list within two weeks after the date of his request, said commissioner shall determine said rates of wages and fees and payments to health and welfare plans. Each contractor with a housing authority, and each sub-contractor, shall comply with the applicable requirements of chapter one hundred and forty-nine as to wages and hours of labor and any other conditions relating to employment. The department of labor and industries shall enforce this paragraph and shall also have power to petition the court for injunction or other appropriate relief against any housing authority which fails to comply herewith.

*Approved June 20, 1960.*

**Chap. 492.** AN ACT RELATIVE TO SURVIVORSHIP BENEFITS UNDER THE CONTRIBUTORY RETIREMENT LAW.

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

Section 12B of chapter 32 of the General Laws, as most recently amended by section 2 of chapter 617 of the acts of 1959, is hereby further amended by adding at the end the following paragraph:—

The total annual allowance derived from and payable under the provisions of this section shall at no time be greater than the annual rate of regular compensation, payable to such member on the date of his death.

*Approved June 20, 1960.*

**Chap. 493.** AN ACT PROVIDING THAT ANNUALLY A GRADUATE OF KFAR SILVER AGRICULTURAL TRAINING INSTITUTE IN ISRAEL BE ADMITTED TO THE UNIVERSITY OF MASSACHUSETTS.

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

Chapter 75 of the General Laws is hereby amended by adding at the end the following section:—*Section 32.* The University of Massachusetts may admit annually one person, who is a qualified graduate of the Kfar Silver Agricultural Training Institute in Israel, as a student in the agricultural department for the course of four years. The qualifications of said person shall be approved by the board of admissions. Said person shall pay the same annual tuition fee as is required of residents of the commonwealth. *Approved June 22, 1960.*

**Chap. 494.** AN ACT ESTABLISHING THE MINIMUM ANNUAL SALARY OF POLICE OFFICERS IN THE CITY OF BOSTON.

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

SECTION 1. Section 13 of chapter 291 of the acts of 1906, as most recently amended by section 1 of chapter 7 of the acts of 1920, is hereby further amended by striking out, in lines 4 to 11, inclusive,

the words “ , nor shall the pay of the members of the police force other than said police commissioner and superintendent of police be increased or diminished, except by the concurrent action of said mayor and said police commissioner. The police commissioner may, without such concurrent action, with the approval of the governor and council, fix the salary of the superintendent of police”, and by adding at the end the following paragraph:—

The superintendent of police shall receive such annual salary as shall from time to time be fixed by the police commissioner with the approval of the governor and council; provided, however, that such salary shall not be less than eleven thousand nine hundred and forty dollars. The salary of the deputy superintendents, captains and other officers and members of said police shall not be increased or diminished except by concurrent action of the mayor and the police commissioner; provided, however, that a deputy superintendent shall not receive as an annual salary less than ninety-eight hundred and forty dollars, nor a captain less than eight thousand dollars, nor a lieutenant less than sixty-nine hundred and sixty dollars, nor a sergeant less than sixty-two hundred and eighty dollars, nor a patrolman after the second year of service less than fifty-five hundred dollars or in the second year of service less than five thousand and thirty dollars or in the first year of service less than forty-eight hundred and eighty dollars; and provided, further, that lieutenant detectives shall receive an annual salary three hundred dollars in excess of the annual salary of lieutenants, and sergeant detectives shall receive an annual salary three hundred dollars in excess of the annual salary of sergeants, and first grade detectives, second grade detectives and third grade detectives shall receive an annual salary five hundred dollars, four hundred dollars and three hundred dollars, respectively, in excess of the maximum annual salary of patrolmen.

SECTION 2. Section 2 of chapter 735 of the acts of 1950 is hereby amended by striking out lines 1 to 17, inclusive.

SECTION 3. Chapter three hundred and forty-two of the acts of nineteen hundred and forty-seven, chapter four hundred and eight of the acts of nineteen hundred and forty-eight, chapter five hundred and eighty-nine of the acts of nineteen hundred and forty-nine, chapter six hundred and sixty-five of the acts of nineteen hundred and fifty-one, and chapter five hundred and eighty-six of the acts of nineteen hundred and fifty-two are hereby repealed.

SECTION 4. This act shall take full effect upon its acceptance by vote of the city council of said city, and the approval of its mayor.

*Approved June 22, 1960.*

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**Chap. 495.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF PLYMOUTH COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Plymouth county,

its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

PLYMOUTH COUNTY.

Item		
1.	For interest on county debt .....	\$12,408 08
2.	For reduction of county debt .....	88,824 00
3.	For county commissioners, salaries and expenses	24,318 00
4.	For transportation and expenses of county and acting commissioners .....	1,151 00
5.	For clerk of courts, salaries and expenses .....	57,681 00
6.	For county treasurer, salaries and expenses ....	21,818 75
7.	For sheriff, salary and expenses .....	12,802 75
8.	For registry of deeds, salaries and expenses ....	177,488 05
8a.	For registry of probate, salaries and expenses ..	21,366 15
9.	For law library, salaries and expenses .....	9,975 00
10.	For highways, including state highways, bridges and land damages .....	300,785 00
11.	For examination of dams .....	1,000 00
12.	For criminal costs in superior court .....	95,762 41
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	123,527 00
14.	For district courts, salaries and expenses .....	271,824 65
15.	For medical examiners and commitments of insane .....	21,925 00
16.	For jail and house of correction, maintenance and operation .....	301,461 07
17.	For training school .....	13,000 00
18.	For court houses and registry buildings, maintenance and operation .....	91,735 29
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	72,679 37
24.	For non-contributory pensions .....	26,081 00
25.	For contributory retirement system and supervisory expenses .....	51,806 48
26.	For miscellaneous and contingent expenses ....	2,444 08
27.	For unpaid bills of previous years .....	5,300 00
28.	For reserve fund .....	30,000 00
28a.	For reserve for salary adjustments .....	40,714 91
30.	For forest fire control .....	7,815 00
31.	For bureau of criminal investigation and police training school .....	21,402 50
32.	For police radio network .....	350 00
39.	For group insurance .....	13,015 00
Total Amount of Appropriations .....		\$1,920,461 54

Less Estimated amount available for Reduction of County Tax .....	\$455,822 96
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And the county commissioners of Plymouth County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of .. \$1,464,638 58

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Plymouth county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county of-

ficers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 22, 1960.*

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**Chap. 496.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPDEN COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Hampden county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following

sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

## HAMPDEN COUNTY.

Item		
1.	For interest on county debt .....	\$10,000 00
2.	For reduction of county debt .....	46,000 00
3.	For county commissioners, salaries and expenses	24,384 50
4.	For transportation and expenses of county and acting commissioners .....	600 00
5.	For clerk of courts, salaries and expenses .....	74,451 75
6.	For county treasurer, salaries and expenses ....	25,179 25
7.	For sheriff, salary and expenses .....	10,000 00
8.	For registry of deeds, salaries and expenses ....	183,481 78
8a.	For registry of probate, salaries and expenses ..	27,756 34
9.	For law library, salaries and expenses .....	23,690 50
10.	For highways, including state highways, bridges and land damages .....	251,820 00
11.	For examination of dams .....	4,200 00
12.	For criminal costs in superior court .....	65,399 75
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	196,351 34
14.	For district courts, salaries and expenses .....	464,651 07
15.	For medical examiners and commitments of insane .....	32,000 00
16.	For jail and house of correction, maintenance and operation .....	257,723 01
17.	For training school .....	105,198 39
18.	For court houses and registry buildings, maintenance and operation .....	120,654 67
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	111,177 33
21.	For state reservation, maintenance and operation, Mount Tom .....	32,319 58
23.	For preventorium or health service .....	3,000 00
24.	For non-contributory pensions .....	15,107 71
25.	For contributory retirement system and supervisory expenses .....	56,364 29
26.	For miscellaneous and contingent expenses ....	10,442 35
27.	For unpaid bills of previous years .....	700 00
28.	For reserve fund .....	25,000 00
28a.	For reserve for salary adjustments .....	69,500 00
29.	For advertising recreational, industrial and agricultural advantages of the county .....	4,600 00
30.	For radio system for fire protection, maintenance	200 00
39.	For group insurance .....	21,500 00
40.	For soil conservation .....	200 00
Total Amount of Appropriations .....		\$2,273,653 61

Less Estimated amount available for Reduction of County Tax .....	\$518,171 55
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And the county commissioners of Hampden County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$1,755,482 06

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Hampden county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county of-



ficers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 22, 1960.*

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**Chap. 497.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF NORFOLK COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Norfolk county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified

in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

NORFOLK COUNTY.

Item		
1.	For interest on county debt .....	\$15,437 50
2.	For reduction of county debt .....	50,000 00
3.	For county commissioners, salaries and expenses .....	23,560 50
4.	For transportation and expenses of county and acting commissioners .....	645 00
5.	For clerk of courts, salaries and expenses .....	62,339 37
6.	For county treasurer, salaries and expenses ....	34,058 90
7.	For sheriff, salary and expenses .....	10,730 00
8.	For registry of deeds, salaries and expenses ....	325,551 47
8a.	For registry of probate, salaries and expenses ..	32,865 00
9.	For law library, salaries and expenses .....	6,571 00
10.	For highways, including state highways, bridges and land damages .....	506,325 82
12.	For criminal costs in superior court .....	132,826 21
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	170,600 00
14.	For district courts, salaries and expenses .....	537,210 60
15.	For medical examiners and commitments of insane .....	44,500 00
16.	For jail and house of correction, maintenance and operation .....	255,947 75
17.	For training school .....	66,000 00
18.	For court houses and registry buildings, maintenance and operation .....	213,319 67
19.	For construction of county buildings and/or purchase of land .....	80,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	404,074 72
24.	For non-contributory pensions .....	20,000 00
25.	For contributory retirement system and supervisory expenses .....	63,462 55
26.	For miscellaneous and contingent expenses ....	12,925 88
27.	For unpaid bills of previous years .....	13,500 00
28.	For reserve fund .....	35,000 00
28a.	For reserve for salary adjustments .....	80,000 00
30.	For forest fire patrol .....	2,500 00
39.	For group insurance .....	25,000 00
Total Amount of Appropriations .....		\$3,224,951 94
Less Estimated amount available for Reduction of County Tax .....		1,264,283 48

And the county commissioners of Norfolk County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ..... \$1,960,668 46

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Norfolk county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other

persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved June 22, 1960.*

**Chap. 498.** AN ACT DESIGNATING THAT PORTION OF ROUTE 9 FROM THE CITY OF NORTHAMPTON TO THE CITY OF PITTSFIELD AS THE UNITED STATES MARINE CORPS LEAGUE HIGHWAY.

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

That portion of state highway route 9 from the city of Northampton to the city of Pittsfield shall be known and designated as the United States Marine Corps League highway, and suitable markers bearing such designation shall be erected and maintained thereon by the state department of public works. *Approved June 24, 1960.*

**Chap. 499.** AN ACT EXTENDING TO ADDITIONAL STREETS IN THE CITY OF BOSTON THE APPLICABILITY OF THE LAW RELATIVE TO REMOVING CERTAIN ILLEGALLY PARKED VEHICLES FROM PUBLIC WAYS IN THE DOWNTOWN AREA OF SAID CITY.

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

SECTION 1. The fourth sentence of section 2 of chapter 263 of the acts of 1929 is hereby amended by striking out the words inserted by

section 1 of chapter 440 of the acts of 1959 and inserting in place thereof the words:—or parked or standing in the area of the city bounded northerly by the northerly line of Cambridge street and said line extended to the Charles river, northwesterly by the Charles river, westerly by the easterly line of Boston University bridge and said line extended southerly to the right of way of the Boston and Albany Railroad, southerly by the northerly line of the right of way of the Boston and Albany Railroad to the westerly line of Massachusetts avenue, westerly again by the westerly line of Massachusetts avenue to the southerly line of the right of way of the New York, New Haven and Hartford Railroad, southeasterly and southerly by the southerly line of said right of way of the New York, New Haven and Hartford Railroad to the downtown area of the city as defined as aforesaid, and easterly, southerly and easterly again by said downtown area of the city to the northerly line of Cambridge street.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter.

*Approved June 24, 1960.*

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**Chap. 500.** AN ACT INCREASING THE ANNUAL SALARIES OF THE MAYOR AND COUNCILLORS OF THE CITY OF QUINCY.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the annual salary of the mayor of the city of Quincy shall be fifteen thousand dollars.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the annual salary of each councillor in the city of Quincy shall be twenty-five hundred dollars.

SECTION 3. Section one of this act shall be submitted to the voters of the city of Quincy at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot:—"Shall the salary of the mayor of the city of Quincy be increased to \$15,000?" If a majority of the votes cast in answer to said question is in the affirmative, section one shall take effect on January first, nineteen hundred and sixty-two, but not otherwise.

SECTION 4. Section two of this act shall be submitted to the voters of the city of Quincy at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot:—"Shall the salary of each councillor in the city of Quincy be increased to \$2,500?" If a majority of the votes cast in answer to said question is in the affirmative, section two shall take effect on January first, nineteen hundred and sixty-two, but not otherwise.

*Approved June 24, 1960.*

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**Chap. 501.** AN ACT PROVIDING FOR THE PAYMENT OF THE DIFFERENCE BETWEEN THE SALARY OF REGISTER OF PROBATE AND THE SALARY ACTUALLY RECEIVED BY EDMUND H. GUNTHER WHILE ACTING REGISTER OF PROBATE OF MIDDLESEX COUNTY.

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

The state treasurer is hereby authorized and directed to pay to Edmund H. Gunther the difference between the salary he received as assistant register of probate of Middlesex county and the salary which he would have received had he been the register of probate for said county from July eleventh, nineteen hundred and fifty-seven to November sixth, nineteen hundred and fifty-seven, during which period he served as acting register for said county.

*Approved June 24, 1960.*

**Chap. 502.** AN ACT AUTHORIZING THE PAYMENT OF AN EXPENSE ALLOWANCE OF TWO HUNDRED DOLLARS TO MEMBERS OF THE MUNICIPAL COUNCIL OF THE CITY OF ATTLEBORO.

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

SECTION 1. Section 17 of chapter 680 of the acts of 1914, as amended by section 1 of chapter 137 of the acts of 1930, is hereby further amended by adding at the end the following sentence:—Each member shall, in addition to his salary, receive two hundred dollars annually as an expense allowance.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Attleboro at the regular municipal election to be held in the year nineteen hundred and sixty-one in the form of the following question which shall be placed upon the official ballot to be used at said election:—“Shall an act passed by the general court in the current year, entitled ‘An Act authorizing the payment of an expense allowance of two hundred dollars to members of the municipal council of the city of Attleboro’ be accepted?” If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect on the first Tuesday of January, nineteen hundred and sixty-two, but not otherwise.

*Approved June 24, 1960.*

**Chap. 503.** AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF WATERTOWN OF THE QUESTION OF INCREASING THE SALARIES OF AND ESTABLISHING A MINIMUM ANNUAL SALARY FOR FIRE FIGHTERS IN SAID TOWN.

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

SECTION 1. The officers and members of the fire fighting force of the fire department of the town of Watertown shall receive such annual salary as shall from time to time be fixed by the board of selectmen; provided, however, that the chief of the department shall receive an annual salary of not less than eight thousand and ten dollars, a deputy chief an annual salary of not less than six thousand nine hundred and ninety dollars, a captain an annual salary of not less than six thousand six hundred and twenty dollars, a lieutenant an annual salary of not less than six thousand one hundred dollars, the mechanic an annual salary of not less than six thousand one hundred dollars, and a fire fighter an annual salary of not less than five thousand dollars to start, five thousand two hundred and fifty dollars during

the second year of service, and five thousand five hundred dollars after the second year of service.

SECTION 2. If a petition is obtained, signed and filed, and signatures of petitioners thereon certified, and a certificate transmitted to the state secretary, as provided in this section, there shall be printed on the official ballot to be used in the town of Watertown at the biennial state election in the current year the following question:—  
“Shall fire fighters employed by the town of Watertown, who now receive an annual salary of \$4,415 to start, \$4,555 after one year of service, \$4,695 after two years of service, and \$4,835 after three years of service, receive an increase to an annual salary of not less than \$5,000 to start, \$5,250 during the second year of service, and \$5,500 after the second year of service, and shall the chief of the department receive an annual salary of not less than \$8,010; a deputy chief an annual salary of not less than \$6,990; a captain an annual salary of not less than \$6,620; a lieutenant an annual salary of not less than \$6,100; and the mechanician an annual salary of not less than \$6,100?”

YES.	
NO.	

(a) A petition for the printing of such question as aforesaid shall be issued only if, after the effective date of this section, ten or more registered voters of the town appear together at the office of the town clerk, and in the presence of a justice of the peace subscribe, in substantially the following form, a request for the issuance of such petition:—

THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WATERTOWN

REQUEST FOR ISSUANCE OF PETITION FOR PRINTING OF QUESTION ON BALLOT.

Each of the undersigned hereby declares under the pains and penalties of perjury on the.....day of.....1960:—

1. That he is a registered voter of the town of Watertown, residing at the street and number, and in the precinct, set against his name.
2. That he desires to have printed on the official ballot to be used in the town of Watertown at the biennial state election to be held in the current year the following question:—

*(Here insert the question set forth above in this section.)*

3. That he hereby requests the issuance of a petition for the printing of said question on said ballot.

The undersigned do hereby appoint each of the following persons:—*(here insert name and address of one or more persons)* as their duly authorized agents to receive the petition hereby requested.

Signature of Petitioner	Residence on January 1, 1960	Precinct	Present Residence
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Signed by the subscribers appearing together at the office of the Town Clerk of the town of Watertown on this.....day of.....1960, in the presence of

.....  
*Justice of the Peace.*

(b) If a request is so subscribed the town clerk shall forthwith transmit same to the board of registrars of voters, who shall check each name on such request and shall certify thereon the number of signatures so checked which are the names of registered voters of the town, and if such request contains at least ten names certified pursuant to this paragraph the board shall forthwith transmit to the town clerk said request, with a certificate so stipulating.

The town clerk shall issue, not later than five o'clock in the afternoon of the tenth day after the receipt of such request, to any one of the persons specified in such request, petition sheets, substantially in the form of nomination papers for nomination of candidates for town office, to a number containing spaces for signatures equal in number to at least one half of the number of persons registered to vote in the town at the last annual town election preceding the filing of such request.

Each petition sheet shall be in substantially the following form:—

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WATERTOWN

PETITION FOR THE PRINTING OF A CERTAIN QUESTION ON THE BALLOT TO BE USED  
IN THE TOWN OF WATERTOWN AT THE STATE ELECTION TO BE HELD ON  
NOVEMBER 8, 1960.

TO THE TOWN CLERK:

We, the undersigned, registered voters of the town of Watertown, hereby petition that there be printed on the official ballot to be used in the town of Watertown at the biennial state election to be held on Tuesday, November 8, 1960, the following question:—

*(Here insert the question set forth in the first paragraph of this section.)*

Signatures of Petitioners (To be signed in person with name as registered)	Residence January 1, 1960 (If registered after above date, residence when registered)	Precinct	Present Residence
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THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

WATERTOWN,

19 .

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

NAMES AND ADDRESSES OF PERSONS CIRCULATING THIS SHEET	NUMBERS OF LINES UPON WHICH APPEAR SIGNATURES AS TO WHICH CERTIFICATION IS MADE HEREBY
--	--

NAME	ADDRESS
------	---------

*(Add here or at some other convenient place on petition sheet the following)—*



This petition sheet filed by

.....  
(Signature of Filer)

.....  
(Number, Street, Town)

Each petition sheet shall, before issuance, be prepared by the registrars of voters by making the insertion required by the foregoing form. No petition sheet shall be valid unless prepared and issued by the town clerk.

(c) A petition for the printing of said question as aforesaid shall be signed by registered voters of the town to a number equal at least to five per cent of the persons registered to vote in the town at the biennial state election next preceding the filing of the petition. Every voter signing such a petition shall sign in person, with his name as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in paragraph (b) shall not be counted in determining the number of petitioners. If the name of any voter appears as petitioner on the same petition more than once, it shall be deemed to appear but once.

(d) The separate sheets of a petition for the printing of said question as aforesaid shall be filed all together with the board of registrars of voters at or before five o'clock in the afternoon of July twenty-sixth in the current year. Every sheet of such petition shall be signed by the person filing such petition who, if he is other than the person appointed to receive the petition upon the issuance thereof, shall add to his signature his place of residence, giving street and number, if any; and the board of registrars of voters shall require satisfactory identification of such person. Such petition shall, when filed, be a matter of public record; but such petition shall not be open to public inspection until the signatures thereon have been certified.

(e) Upon the filing of a petition for the printing of said question as aforesaid the board of registrars of voters shall check each name to be certified by it on such petition and shall certify thereon the number of signatures so checked which are the names of registered voters of the town; provided, however, that said board shall not certify a greater number of names than required by paragraph (c) with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same petition. A petition not containing names certified pursuant to this paragraph, to the number required by said paragraph (c), shall be invalid. The board shall complete the certification required by this paragraph at or before five o'clock in the afternoon of August twenty-third in the current year.

(f) A petition for the printing of said question as aforesaid which

has been filed and is in apparent conformity with law shall be deemed to be valid unless written objection thereto is made by a registered voter of the town. Such objection shall be filed with the board of registrars at or before five o'clock in the afternoon of August thirtieth in the current year. Any general or special law to the contrary notwithstanding, objections filed with the said board shall forthwith be considered by the board, which shall not later than September thirteenth in the current year render its decision on such objections stating its finding as to the validity of the petition. In all matters relating to such objections, said board shall have the powers and perform the duties prescribed for such boards with respect to objections to nomination papers, under the provisions of section twelve of chapter fifty-three of the General Laws; and the decision of said board shall be final except that it shall be subject to judicial review under section fourteen of chapter thirty A of the General Laws. Certification pursuant to paragraph (e) shall not preclude a voter from filing objections to the validity of such petition.

(g) If such petition is either deemed or found to be valid under paragraph (f), the board shall transmit to the state secretary not later than five o'clock in the afternoon of September twenty-seventh in the current year a certificate of the filing of a petition in conformity with this section, of the certification of signatures of petitioners thereon to the number required by paragraph (c) and of the deeming or finding of such petition to be valid under paragraph (f).

SECTION 3. Section two of this act shall take effect upon its passage. Section one of this act shall take effect on the first Wednesday of January, nineteen hundred and sixty-one, if the aforesaid question is printed on the official ballot to be used in the town of Watertown at the biennial state election in the current year and a majority of votes cast in answer to such question at such election is in the affirmative.

*Approved June 24, 1960.*

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**Chap. 504.** AN ACT PROVIDING FOR A SECOND ASSISTANT CLERK FOR THE CENTRAL DISTRICT COURT OF NORTHERN ESSEX.

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

SECTION 1. Section 10 of chapter 218 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by chapter 723 of the acts of 1955, and inserting in place thereof the following sentence:—Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the Brighton district, the municipal court of the West Roxbury district, the municipal court of the South Boston district, the central district court of Worcester, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex, the first district court of Essex, the district court of southern Essex, the central district court of northern Essex, the district court of Springfield, the second district court of Bristol, the third district court of Bristol, the district court of East Norfolk, the district court of Somers-

ville and the district court of Chelsea.

SECTION 2. The second assistant clerk of the central district court of northern Essex first appointed under the provisions of section ten of chapter two hundred and eighteen of the General Laws, as amended by section one of this act, shall be selected from among persons then employed in the office of the clerk of said court, and such appointee shall not, as a result of said appointment, suffer a reduction in salary.

*Approved June 27, 1960.*

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**Chap. 505.** AN ACT RELATIVE TO THE PAYMENT OF CERTAIN PREMIUMS FOR CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE BY PERSONS RETIRED FROM THE SERVICE OF THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for certain insurance protection of employees and former employees of the commonwealth and to authorize certain deductions for the payment of premiums beginning July first, nineteen hundred and sixty, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 10 of chapter 32A of the General Laws is hereby amended by striking out the first sentence, as amended by section 4 of chapter 389 of the acts of 1960, and inserting in place thereof the following three sentences:—The commission shall require that, on retirement of an employee, the policy or policies of insurance shall provide that the group life coverage of such employee as set forth in section six, except the optional coverage referred to therein, shall be reduced fifty per cent and the group general or blanket insurance providing hospital, surgical and medical benefits shall be continued. The retired employee shall pay fifty per cent of the average group premium for such group life coverage and fifty per cent of the average group premium for the hospital, surgical and medical benefits for such employee or for such employee and his dependents and the commonwealth shall contribute the remaining fifty per cent of such premium cost. Prior to retirement an insured employee who terminates his service with the commonwealth and who has a right to retire but whose retirement is deferred as provided in section ten of chapter thirty-two shall for the purposes of this chapter only be deemed to have been granted a leave of absence without pay and may continue his full coverage in the state insurance plan; provided, he files an application therefor with the commission, and makes payment for the entire cost of his insurance, with no contribution by the commonwealth, to the commission in such manner as it may prescribe.

SECTION 2. Section ten of chapter thirty-two A of the General Laws, as amended by section one of this act, shall apply to all persons who were insured under the provisions of said chapter thirty-two A and whose services were terminated by reason of retirement or who were entitled to a deferred retirement allowance on or after January first, nineteen hundred and fifty-six, except that the commonwealth shall not contribute to the premium cost on a retroactive basis to Jan-

uary first, nineteen hundred and fifty-six.

SECTION 3. This act shall take effect July first, nineteen hundred and sixty.

*Approved June 30, 1960.*

**Chap. 506.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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

SECTION 1. To provide for supplementing certain appropriations previously made, and for certain new activities and projects, the sums set forth in this act are hereby made available from the funds designated, to be in addition to any amounts otherwise available for the purpose, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to said appropriations in chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine.

SECTION 2.

# STATE PURPOSES APPROPRIATIONS.

## APPROPRIATIONS MADE FROM THE GENERAL FUND.

### Service of the Legislature.

#### *Senate.*

Item	
0101-30	For expenses of senators, including travel, prior appropriation continued . . . . . \$6,000 00

#### *House of Representatives.*

0102-30	For expenses of representatives, including travel, prior appropriation continued . . . . . \$60,000 00
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#### *Other Expenses.*

0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions . . . . . \$5,000 00
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### Service of the Department of Corporations and Taxation.

#### *Appellate Tax Board.*

1204-01	For the service of the board, including not more than twenty-nine permanent positions . . . . . \$4,000 00
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SECTION 3. This act shall take effect upon its passage.

*Approved June 30, 1960.*

**Chap. 507.** AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-ONE, FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

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

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the funds designated in said section, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and sixty-one, in this act referred to as the year nineteen hundred and sixty-one, or for such period as may be specified.

## SECTION 2.

### GENERAL FUND.

#### STATE PURPOSES APPROPRIATIONS.

##### Legislature.

##### Senate.

Item		
0101-01	For the compensation of senators, prior appropriation continued . . . . .	\$190,000 00
0101-02	For the salary of the clerk of the senate . . . . .	13,500 00
0101-03	For the salary of the assistant clerk of the senate . . . . .	10,620 00
0101-04	For clerical assistance to the clerk of the senate, including not more than two permanent positions . . . . .	14,480 00
0101-05	For the salary of the chaplain of the senate . . . . .	3,960 00
0101-06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions . . . . .	48,240 00
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate, prior appropriation continued . . . . .	56,000 00
0101-30	For expenses of senators, including travel, prior appropriation continued . . . . .	45,000 00
0101-51	For stationery for the senate, purchased by and with the approval of the clerk . . . . .	600 00
0101-53	For expenses of the counsel to the senate . . . . .	1,500 00
0101-54	For expenses of the senate clerk's office . . . . .	200 00
0101-55	For expenses of the committee on rules on the part of the senate . . . . .	350 00
0101-56	For the expenses of the senate committee on ways and means, including not more than three permanent positions, prior appropriation continued . . . . .	18,000 00
0101-60	For traveling and such other expenses of the committees of the senate as may be authorized by order of the senate . . . . .	2,000 00
Total		\$404,450 00

*House of Representatives.*

Item		
0102-01	For the compensation of representatives, prior appropriation continued	\$1,263,600 00
0102-02	For the salary of the clerk of the house of representatives	13,500 00
0102-03	For the salary of the assistant clerk of the house of representatives	10,620 00
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	26,640 00
0102-05	For the salary of the chaplain of the house of representatives	3,960 00
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	86,770 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	78,000 00
0102-08	For clerical and other assistance to the house committee on ways and means, including not more than nine permanent positions, prior appropriation continued	68,200 00
0102-30	For expenses of representatives, including travel, prior appropriation continued	255,000 00
0102-51	For stationery for the house of representatives, purchased by and with the approval of the clerk	5,000 00
0102-52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued	9,500 00
0102-53	For expenses of the counsel to the house of representatives	1,500 00
0102-54	For expenses of the clerk's office, house of representatives	500 00
0102-56	For expenses of the house committee on ways and means, prior appropriation continued	25,000 00
0102-60	For traveling and such other expenses of the committees of the house of representatives as may be authorized by order of the house of representatives	2,000 00
Total		\$1,849,790 00

*Sergeant-at-Arms.*

0103-01	For the salary of the sergeant-at-arms	\$9,431 00
0103-02	For clerical and other assistance employed by the sergeant-at-arms, including not more than six permanent positions	35,646 00
0103-03	For the salaries of the doorkeepers of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than two permanent positions	15,342 00
0103-04	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than thirty-six permanent positions	265,000 00
0103-05	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than twenty-four permanent positions	100,000 00
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	35,000 00
0103-33	For the replacement of certain furnishings in the senate and house of representatives	6,500 00

Item		
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	\$26,500 00
0103-52	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	300 00
	Total	\$493,719 00

*Legislative Research Council.*

0104-01	For expenses of the legislative research council, prior appropriation continued	\$2,000 00
0104-02	For personal services and other expenses of the legislative research bureau	95,000 00
	Total	\$97,000 00

*Recodification Counsel.*

0105-01	For expenses of the recodification counsel, including not more than four permanent positions	\$32,000 00
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*Other Expenses.*

0110-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, prior appropriation continued	\$225,000 00
0110-03	For printing the manual of the general court, with the approval of the clerks of the two branches	18,000 00
0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	55,000 00
0110-05	For telephone service, prior appropriation continued	60,000 00
0110-06	For biographical sketches of certain state and federal officials	6,000 00
0110-12	For the emergency services of a physician, for medical supplies in the state house and for expenses including the purchase of equipment in connection therewith, subject to the approval of the joint committee on rules; provided, that section twenty-one of chapter thirty of the General Laws shall not apply to the payments made under this item	5,200 00
0110-13	For expenses of completing an index to the Special Acts and Resolves under the supervision of the counsel to the house of representatives	15,000 00
0110-22	For the preparation and printing of a descriptive pamphlet of the senate chamber and adjacent rooms, prior appropriation continued.	
0010-30	For traveling and such other expenses of joint committees of the general court as may be authorized by joint order of the general court	3,000 00
	Total	\$387,200 00

Total, Legislative \$3,264,159 00

**Judiciary.**

*Supreme Judicial Court.*

Item		
0301-01	For the salaries of the chief justice and of the six associate justices	\$155,000 00
0301-02	For traveling allowances and expenses	3,000 00
0301-03	For the salary of the clerk for the commonwealth	14,300 00
0301-04	For clerical assistance to the clerk	4,993 00
0301-05	For law clerks and clerical assistance for the justices	70,000 00
0301-06	For office supplies, services and equipment	8,000 00
0301-07	For the salaries of the officers and messengers	6,886 00
0301-08	For the commonwealth's part of the salary of the clerk for the county of Suffolk	1,500 00
0301-10	For facilities provided by the Social Law Library	3,500 00
0301-12	For the service of the executive secretary	29,610 00
0302-01	For the salary of the reporter of decisions	10,000 00
0302-02	For the service of the reporter of decisions, including not more than three permanent positions	19,275 00
Total		\$326,064 00

*Superior Court.*

0305-01	For the salaries of the chief justice and of the thirty-seven justices	\$713,000 00
0305-02	For traveling allowances and expenses, prior appropriation continued	40,000 00
0305-03	For the salary of the assistant clerk of Suffolk county	1,500 00
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	40,000 00
0305-14	For the compensation of probation officers, including not more than forty permanent positions	298,986 00
0305-15	For personal services and expenses of the office of the supervisor of probation	6,800 00
Total		\$1,100,286 00

*Judicial Council.*

0308-01	For the service of the judicial council	\$8,000 00
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*Administrative Committee of District Courts.*

0310-01	For the service of the administrative committee of district courts	\$14,000 00
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*Administrative Committee of Probate and Insolvency Courts.*

0320-01	For the compensation of judges of probate when acting for other judges of probate	\$5,000 00
0320-02	For expenses of judges of probate when acting for other judges of probate	1,500 00
0320-03	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by law	500 00
0320-04	For expenses of the administrative committee of probate courts	500 00
Total		\$7,500 00



*Probate and Insolvency Courts.*

For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:

Item	
<b>Barnstable:</b>	
0321-01	Judge of probate . . . . . \$11,500 00
0321-02	Register . . . . . 7,150 00
0321-03	Assistant register . . . . . 4,950 00
0321-04	Clerical assistance to register, including not more than four permanent positions . . . . . 14,580 00
<b>Berkshire:</b>	
0322-01	Judge of probate . . . . . 11,500 00
0322-02	Register . . . . . 7,700 00
0322-03	Assistant register . . . . . 5,500 00
0322-04	Clerical assistance to register, including not more than five permanent positions . . . . . 19,785 00
<b>Bristol:</b>	
0323-01	Two judges of probate . . . . . 26,000 00
0323-02	Register . . . . . 9,350 00
0323-03	Two assistant registers . . . . . 12,650 00
0323-04	Clerical assistance to register, including not more than fourteen permanent positions . . . . . 54,817 00
<b>Dukes:</b>	
0324-01	Judge of probate . . . . . 4,500 00
0324-02	Register . . . . . 4,950 00
0324-04	Clerical assistance to register, including not more than one permanent position . . . . . 3,497 00
<b>Essex:</b>	
0325-01	Two judges of probate . . . . . 26,000 00
0325-02	Register . . . . . 9,900 00
0325-03	Three assistant registers . . . . . 19,800 00
0325-04	Clerical assistance to register, including not more than seventeen permanent positions . . . . . 64,255 00
<b>Franklin:</b>	
0326-01	Judge of probate . . . . . 11,500 00
0326-02	Register . . . . . 7,150 00
0326-03	Assistant register . . . . . 4,950 00
0326-04	Clerical assistance to register, including not more than two permanent positions . . . . . 7,956 00
<b>Hampden:</b>	
0327-01	Two judges of probate . . . . . 26,000 00
0327-02	Register . . . . . 9,350 00
0327-03	Three assistant registers . . . . . 18,150 00
0327-04	Clerical assistance to register, including not more than thirteen permanent positions . . . . . 53,000 00
<b>Hampshire:</b>	
0328-01	Judge of probate . . . . . 11,500 00
0328-02	Register . . . . . 7,150 00
0328-03	Assistant register . . . . . 4,950 00
0328-04	Clerical assistance to register, including not more than two permanent positions . . . . . 7,788 00
<b>Middlesex:</b>	
0329-01	Three judges of probate . . . . . 43,500 00
0329-02	Register . . . . . 11,550 00
0329-03	Five assistant registers . . . . . 34,650 00
0329-04	Clerical assistance to register, including not more than forty-three permanent positions . . . . . 166,566 00
<b>Nantucket:</b>	
0330-01	Judge of probate . . . . . 4,500 00
0330-02	Register . . . . . 4,950 00
0330-04	Clerical assistance to register, including not more than one permanent position . . . . . 3,497 00

Item

Norfolk:	
0331-01	Two judges of probate . . . . . \$29,000 00
0331-02	Register . . . . . 9,900 00
0331-03	Three assistant registers . . . . . 19,800 00
0331-04	Clerical assistance to register, including not more than fifteen permanent positions . . . . . 58,161 00
Plymouth:	
0332-01	Judge of probate . . . . . 11,500 00
0332-02	Register . . . . . 7,700 00
0332-03	Assistant register . . . . . 5,500 00
0332-04	Clerical assistance to register, including not more than nine permanent positions . . . . . 33,319 00
Suffolk:	
0333-01	Three judges of probate . . . . . 45,750 00
0333-02	Register . . . . . 11,550 00
0333-03	Five assistant registers . . . . . 34,650 00
0333-04	Clerical assistance to register, including not more than forty-nine permanent positions . . . . . 193,087 00
Worcester:	
0334-01	Two judges of probate . . . . . 26,000 00
0334-02	Register . . . . . 9,900 00
0334-03	Four assistant registers . . . . . 25,300 00
0334-04	Clerical assistance to register, including not more than sixteen permanent positions . . . . . 61,806 00
Total	
\$1,339,964 00	

*Land Court.*

0340-01	For the salaries of the judge, associate judges and the recorder, including not more than four permanent positions . . . . . \$71,250 00
0340-02	For the service of the land court, including not more than forty-four permanent positions . . . . . 296,153 00
Total	
\$367,403 00	

*Pensions for Certain Retired Justices.*

0345-01	For pensions of retired judges, as authorized by law . . . . . \$168,000 00
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*District Attorneys.*

0350-01	For the salaries of the district attorney and assistants for the Suffolk district, including not more than twenty-six permanent positions . . . . . \$173,801 00
0351-01	For the salaries of the district attorney and assistants for the northern district, including not more than twelve permanent positions . . . . . 82,500 00
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than five permanent positions . . . . . 27,300 00
0354-01	For the salaries of the district attorney and assistants for the southern district, including not more than six permanent positions . . . . . 29,800 00
0355-01	For the salaries of the district attorney and assistants for the middle district, including not more than five permanent positions . . . . . 26,200 00
0356-01	For the salaries of the district attorney and assistants for the western district, including not more than four permanent positions . . . . . 20,400 00

Item		
0357-01	For the salaries of the district attorney and assistant for the northwestern district, including not more than two permanent positions	\$10,100 00
0358-01	For the salaries of the district attorney and assistants for the Norfolk district, including not more than four permanent positions	19,800 00
0359-01	For the salaries of the district attorney and assistants for the Plymouth district, including not more than four permanent positions	19,300 00
0365-01	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, including expenses incurred in previous years	5,000 00
Total		<u>\$414,201 00</u>

*Committee on Probation.*

0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	\$264,807 00
0370-02	For compensation and expenses of the members of the committee on probation, as authorized by section ninety-nine A of chapter two hundred and seventy-six of the General Laws	1,800 00
Total		<u>\$266,607 00</u>

*Board of Bar Examiners.*

0380-01	For the service of the board, including not more than six permanent positions	\$37,826 00
Total, Judiciary		<u>\$4,049,851 00</u>

**Executive.***Governor.*

0401-01	For the salary of the governor	\$20,000 00
0401-02	For the salaries of officers and employees in the governor's office	150,000 00
0401-03	For postage, printing, office and other contingent expenses, including travel of the governor	59,000 00
0401-04	For maintenance expenses of the governor's automobile	1,800 00
Total		<u>\$230,800 00</u>

*Lieutenant-Governor.*

0402-01	For the salary of the lieutenant-governor	\$11,000 00
0402-02	For personal services for the lieutenant-governor's office	19,800 00
Total		<u>\$30,800 00</u>

*Governor's Council.*

0403-01	For the salaries of the eight councillors	\$24,000 00
0403-02	For personal services for the council	34,145 00
0403-03	For postage, printing, stationery, traveling and contingent expenses of the governor and council	14,000 00
0403-05	For travel and expenses of the lieutenant-governor and council from and to their homes	4,000 00
Total		<u>\$76,145 00</u>

*Extraordinary Expenses.*

Item		
0405-01	For the cost, not to exceed fifteen thousand dollars, of entertainment of distinguished visitors to the commonwealth, provided, that no expenditure shall be allowed for a party exceeding fifty visitors; for the payment of extraordinary expenses not otherwise provided for; and for transfers to appropriation accounts where the amounts otherwise available are insufficient, provided, that requests for such transfers shall be referred to the commission on administration and finance which, after investigation, shall submit for the approval of the governor and council its written recommendation as to the amount of funds required, with facts pertinent thereto . . . . .	\$100,000 00

*Civil Defense Agency.*

0406-01	For the service of the civil defense agency, as authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty, as amended, and chapter five hundred and twenty-two of the acts of nineteen hundred and fifty-one, prior appropriation continued . . . . .	\$357,150 00
0406-05	For training and training supplies; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities for reimbursement of fifty per cent of the amounts expended for the purposes of this item . . . . .	20,000 00

Total \$377,150 00

Total, Executive \$814,895 00

**Military Division.**

*Adjutant General.*

0420-02	For the salary of and the office of the adjutant general, including not more than thirty-six permanent positions . . . . .	\$216,762 00
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*Militia:*

0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general . . . . .	192,000 00
0421-02	For officers' uniform allowances, as authorized by paragraph (c) of section one hundred and twenty of chapter thirty-three of the General Laws . . . . .	76,000 00
0421-05	For compensation for special and miscellaneous duty, transportation of officers to and from military meetings and drills and expenses of camps of instruction, including not more than seven permanent positions . . . . .	95,145 00
0421-14	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property . . . . .	4,000 00
0421-17	For the military reservation, located in Barnstable county, including compensation of the commissioner . . . . .	629 00
0421-21	For the service of the air national guard, including not more than one permanent position . . . . .	10,450 00
0421-60	For the operation of the war records project, so-called, including not more than ten permanent positions . . . . .	44,632 00
0421-61	For expenses for maintaining headquarters in the state house of the department of Massachusetts United Spanish War Veterans, with the approval of the department commander and the adjutant general . . . . .	1,500 00

Total \$641,118 00

*State Quartermaster.*

Item		
0423-01	For the office of the state quartermaster . . .	\$4,075 00
0423-02	For the operation of armories of the first class, including not more than one hundred and two permanent positions . . .	765,324 00

*Militia:*

0424-01	For reimbursement for rent and maintenance of armories not of the first class . . .	22,320 00
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions . . .	31,845 00
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions . . .	116,260 00
0424-08	For certain national guard aviation facilities, including not more than ten permanent positions . . .	40,196 00

Total \$980,020 00

*Armory Commission.*

0428-01	For compensation of one member and for expenses of the commission . . .	\$195 00
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Notwithstanding the provisions of chapter thirty of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades, so-called.

Total, Military Division \$1,621,333 00

**Boards and Commissions serving under Governor and Council.***Commission on Administration and Finance.*

0440-32	For awards to state employees to be granted as provided by chapter five hundred and four of the acts of nineteen hundred and fifty-three, prior appropriation continued.	
0441-01	For the office of the commissioner of administration, including not more than fourteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of eighty-six thousand four hundred and sixty dollars from the Highway Fund . . .	\$269,760 00
0441-03	For telephone service in the state house, prior appropriation continued . . .	130,000 00
0442-01	For the bureau of the comptroller, including not more than one hundred and seventeen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred and six thousand five hundred and forty-two dollars from the Highway Fund . . .	688,472 00
0443-01	For the bureau of the budget commissioner, including not more than fourteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of thirty-five thousand two hundred and one dollars from the Highway Fund . . .	117,336 00
0444-01	For the bureau of the purchasing agent, including not more than seventy-five permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and seventeen thousand four hundred and thirty-two dollars from the Highway Fund . . .	391,439 00
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative . . .	85,000 00
0444-03	For the purchase by the state purchasing agent of replacement motor vehicles for departments and agencies whose appropriations are made from the General Fund for which funds are	

Item

otherwise not available. Motor vehicles purchased under this item are to be allocated in accordance with a schedule of replacement motor vehicles filed by the budget commissioner with the house and senate committees on ways and means, and transfers of the sums required for said purchases are to be authorized by the commission on administration and finance from the amount herein appropriated to appropriations made for the services of said departments and agencies. Said commission is hereby authorized to provide for the transfer of motor vehicles from one such agency or department to another, when, in its opinion, such a transfer is for the best interests of the commonwealth . . . \$250,000 00

0444-04	For the rental of space and for other expenses of the operation and supervision of a passenger automobile pool, under regulations to be approved by the commission on administration and finance . . . . .	12,000 00
0445-01	For the division of personnel and standardization, including not more than seventy-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-six thousand one hundred and seven dollars from the Highway Fund . . . . .	420,356 00
0445-03	For the compensation and expenses of the personnel appeals board, as authorized by section fifty-five of chapter thirty of the General Laws . . . . .	3,000 00
0446-01	For the division of building construction, including not more than forty-eight permanent positions . . . . .	400,332 00
0447-01	For the division of hospital costs and finances, including not more than six permanent positions . . . . .	47,264 00
0448-01	For administration of the state employees' group insurance, including not more than twenty-five permanent positions . . . . .	122,341 00
0448-02	For the commonwealth's share of the state employees' group insurance premium; provided, that the group insurance commission shall charge the division of employment security and other departments and divisions which have federal or other funds allocated to them for this purpose for that portion of the cost of the program as it determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds, and amounts received in payment of all such charges or such transfers shall be credited to the General Fund, prior appropriation continued . . . . .	2,750,000 00
Total		\$5,687,300 00

*State Superintendent of Buildings.*

0450-01	For the office of the superintendent of buildings and for the maintenance of the state house and Ford building, including not more than one hundred and seventy-two permanent positions . . . . .	\$1,020,785 00
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*Commissioners on Uniform State Laws.*

0457-01	For the expenses of the commissioners . . . . .	\$2,950 00
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*State Library.*

0459-01	For the service of the library, including not more than thirty-one permanent positions . . . . .	\$168,006 00
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*Art Commission.*

0460-01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws . . . . .	\$200 00
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*Ballot Law Commission.*

Item		
0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions	\$3,117 00

*Massachusetts Commission Against Discrimination.*

0462-01	For the service of the commission, including not more than fourteen permanent positions	\$105,834 00
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*State Racing Commission.*

0463-01	For the service of the commission, including not more than eleven permanent positions; provided, that fees paid to veterinarians for services in connection with horse racing shall not exceed twenty-five dollars per diem, and in connection with dog racing shall not exceed twenty dollars per diem	\$162,437 00
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*Council for the Aging.*

0465-01	For expenses of the council for the aging	\$15,568 00
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*Mount Greylock Reservation Commission.*

0466-01	For the maintenance of the Mount Greylock war memorial	\$1,289 00
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*Old State House.*

0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	\$1,500 00
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*Alcoholic Beverages Control Commission.*

0469-01	For the service of the commission, including not more than sixty-five permanent positions	\$438,177 00
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*Contributory Retirement Appeal Board.*

0471-01	For the service of the board	\$100 00
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*New England Board of Higher Education.*

0476-01	For expenses of the board, and for compensation and expenses of the members, as provided by chapter five hundred and eighty-nine of the acts of nineteen hundred and fifty-four	\$26,576 00
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*Finance Advisory Board.*

0477-01	For expenses of the board	\$100 00
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*Medical, Dental and Nursing Scholarship Board.*

0479-01	For expenses of the board	\$350 00
0479-02	For scholarships	75,000 00

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Total \$75,350 00

*Soldiers' Home in Massachusetts.*

0481-01	For the maintenance of the Soldiers' Home in Massachusetts, including not more than five hundred and eighty-nine permanent positions	\$3,238,537 00
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*Soldiers' Home in Holyoke.*

Item		
0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and twelve permanent positions . . . . .	\$1,173,950 00

*State Housing Board.*

0483-01	For the service of the board, including not more than thirty-five permanent positions; provided, that the compensation and expenses for legal services payable from this item shall be limited to ten thousand dollars and shall be by direction and under the control of the attorney general . . . . .	\$309,410 00
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*Commissioner of Veterans' Services.*

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions . . . . .	\$24,604 00
0485-02	For the office of the commissioner, and for the administration of the veterans' bonus act, so called, including not more than eighty-seven permanent positions . . . . .	475,698 00
0485-03	For the payment of annuities to certain disabled veterans, as authorized by sections six A to six C, inclusive, of chapter one hundred and fifteen of the General Laws, prior appropriation continued . . . . .	111,000 00
Total		\$611,302 00

*Massachusetts Aeronautics Commission.*

0490-01	For the compensation and expenses of members of the commission, including not more than five permanent positions . . . . .	\$7,000 00
0490-02	For the service of the commission, including not more than nine permanent positions . . . . .	74,715 00
Total		\$81,715 00

*Commission on Employment of the Handicapped.*

0496-07	For expenses of the commission . . . . .	\$2,500 00
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*Massachusetts Rehabilitation Commission.*

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued . . . . .	\$647,000 00
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*Massachusetts Commission on Atomic Energy.*

0498-01	For the service of the commission . . . . .	\$10,212 00
Total, Boards and Commissions serving under Governor and Council . . . . .		<u>\$13,783,915 00</u>

*Secretary of the Commonwealth.*

0501-01	For the salary of the secretary . . . . .	\$11,000 00
0501-02	For the office of the secretary, including not more than eighty-six permanent positions . . . . .	491,107 00
0502-01	For the purchase of certain supplies, equipment and repairs necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", and	



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	for the furnishing of photostatic copies of corporation papers, election papers and acts and resolves . . . . .	\$8,700 00
0502-02	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, as amended . . . . .	2,250 00
	Total	\$513,057 00

*Printing Laws, etc.*

0503-01	For printing and distributing the pamphlet edition and for printing and binding the blue book edition of the acts and resolves of the year nineteen hundred and sixty-one, prior appropriation continued . . . . .	\$40,000 00
0503-02	For the printing of reports of decisions of the supreme judicial court, prior appropriation continued . . . . .	36,400 00
0503-03	For printing and binding public documents, prior appropriation continued . . . . .	9,000 00
	Total	\$85,400 00

*Matters Relating to Elections.*

0504-01	For preparing, printing and distributing ballots, and other miscellaneous expenses for primary and other elections, including not more than five permanent positions, prior appropriation continued . . . . .	\$299,876 00
0504-04	For expenses of publication of lists of candidates and forms of questions before state elections . . . . .	22,000 00
	Total	\$321,876 00

*Medical Examiners.*

0505-01	For medical examiners' fees . . . . .	\$1,800 00
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*Commission on Interstate Co-operation.*

0506-01	For the service of the commission, including not more than two permanent positions . . . . .	\$33,895 00
	Total, Department of the Secretary of the Commonwealth	\$956,028 00

*Treasurer and Receiver-General.*

0601-01	For the salary of the treasurer and receiver-general . . . . .	\$11,000 00
0601-02	For the office of the treasurer and receiver-general, including not more than sixty-three permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and forty-six thousand three hundred and eight dollars from the Highway Fund . . . . .	451,692 00
	Total	\$462,692 00

*Commissioners on Firemen's Relief.*

0602-01	For expenses of administration and for relief disbursed by the commissioners on firemen's relief . . . . .	\$15,000 00
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*State Board of Retirement.*

Item		
0604-01	For the administrative office of the board, including not more than twenty-three permanent positions . . .	\$105,615 00
0604-03	For the payment of the commonwealth's share in financing the state employees' retirement system, as provided by chapter thirty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of one million fifty thousand dollars from the Highway Fund and the sum of twenty-five thousand dollars from the Inland Fisheries and Game Fund; and, provided further, that amounts of reimbursements received from the metropolitan district commission, in accordance with the provisions of section nine A of chapter twenty-nine of the General Laws, and from the federal government on account of the retirement of employees of the division of employment security and the departments of public health, public welfare and education are to be in addition to this item and to be available for expenditure without further appropriation . . .	7,000,000 00
Total		\$7,105,615 00

*Emergency Finance Board.*

0605-01	For administrative expenses of the board, including not more than one permanent position . . .	\$18,321 00
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*World War and Spanish-American War Service.*

0606-01	For making payments to soldiers in recognition of service during World War I and the Spanish War, as provided by law . . .	\$750 00
Total, Department of the Treasurer and Receiver-General		\$7,602,378 00

*Auditor of the Commonwealth.*

0701-01	For the salary of the auditor . . .	\$11,000 00
0701-02	For the office of the auditor, including not more than forty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and six thousand one hundred and twenty-nine dollars from the Highway Fund . . .	353,763 00
0701-23	For an audit of the accounts of the Metropolitan Transit Authority . . .	34,130 00
0701-24	For the expense of an audit of the books of the New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, to be reimbursed by said authority as provided by law . . .	3,650 00
0701-25	For an audit of certain housing authorities, as authorized by section twenty-six NN of chapter one hundred and twenty-one of the General Laws . . .	97,600 00
Total, Department of the Auditor		\$500,143 00

*Department of the Attorney General.*

0801-01	For the salary of the attorney general . . .	\$15,000 00
0801-02	For the office of the attorney general, including not more than forty-two permanent positions . . .	371,647 00
0801-03	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents . . .	19,100 00

Item		
0802-01	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees; provided, that the comptroller shall transfer to the General Fund from the appropriate funds sums equal to the payments made under this item for claims against agencies whose appropriations are derived from other funds . . . . .	<b>\$90,000 00</b>
0802-02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws . . . . .	<b>10,000 00</b>
	Total, Department of the Attorney General	<b><u>\$505,747 00</u></b>

#### Department of Agriculture.

0901-01	For the salary of the commissioner . . . . .	<b>\$10,000 00</b>
0901-02	For the office of the commissioner, including not more than thirty-three permanent positions . . . . .	<b>211,808 00</b>
0901-11	For expenses of the board of agriculture . . . . .	<b>500 00</b>
0901-21	For apiary inspection, including not more than one permanent position, and for the reimbursement of owners of diseased bees as provided in section thirty-four of chapter one hundred and twenty-eight of the General Laws . . . . .	<b>8,880 00</b>
0901-22	For a program of soil conservation, as authorized by chapter one hundred and twenty-eight B of the General Laws . . . . .	<b>1,835 00</b>
	Total	<b><u>\$233,023 00</u></b>

#### *Division of Dairying and Animal Husbandry.*

0905-01	For the service of the division, including not more than five permanent positions . . . . .	<b>\$33,374 00</b>
0905-03	For administering the law relative to inspection of barns and dairies by the department of agriculture, including not more than fifteen permanent positions . . . . .	<b>95,705 00</b>
0905-04	For matching certain federal funds allocated to the department for a program of quality improvement of dairy products . . . . .	<b>4,500 00</b>
	Total	<b><u>\$133,579 00</u></b>

#### *Milk Control Commission.*

0906-01	For the service of the commission, including not more than thirty-four permanent positions . . . . .	<b>\$207,105 00</b>
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#### *Division of Livestock Disease Control.*

0907-01	For the office of the director, including not more than twenty-eight permanent positions . . . . .	<b>\$244,085 00</b>
0907-06	For travel, when allowed, of inspectors of animals, incidental expenses of killing and burial of animals, quarantine and emergency services, and for laboratory and veterinary supplies and equipment . . . . .	<b>1,300 00</b>
0907-07	For the reimbursement of owners of tubercular or brucellosis cattle killed, as authorized by sections twelve A and thirty-six G, respectively, of chapter one hundred and twenty-nine of the General Laws and in accordance with certain provisions of law and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine, prior appropriation continued . . . . .	<b>15,000 00</b>
	Total	<b><u>\$260,385 00</u></b>

*Division of Markets.*

Item		
0908-01	For the service of the division, including not more than twelve permanent positions . . . . .	\$106,895 00

*Division of Plant Pest Control and Fairs.*

0909-01	For the service of the division, including not more than four permanent positions . . . . .	\$29,745 00
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*State Reclamation Board.*

0910-01	For the service of the board, including not more than four permanent positions . . . . .	\$18,420 00
0910-21	For the control of the greenhead fly, as authorized by section twenty-four of chapter two hundred and fifty-two of the General Laws . . . . .	6,500 00

Total \$24,920 00

Total, Department of Agriculture \$995,652 00

*Department of Natural Resources.*

1001-01	For the salary of the commissioner . . . . .	\$10,000 00
1001-02	For the office of the commissioner, including not more than thirty-five permanent positions . . . . .	213,071 00
1001-04	For the expenses of the natural resource board . . . . .	500 00

Total \$223,571 00

*Division of Forests and Parks.*

1002-01	For the office of the director, including not more than eight permanent positions . . . . .	\$48,009 00
1002-12	For the service of the state fire warden, including not more than nineteen permanent positions, and for expenses of the Northeastern Forest Fire Protection Commission, and for compensation of commissioners, as authorized by chapter four hundred and fifty-seven of the acts of nineteen hundred and forty-nine . . . . .	394,415 00
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws . . . . .	62,340 00
1002-21	For the development of forests, including not more than thirty-seven permanent positions . . . . .	259,095 00
1002-26	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Berkshire, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Berkshire shall have deposited the sum of one thousand nine hundred and four dollars in the state treasury for this project . . . . .	7,615 00
1002-27	For certain farm forestry projects in co-operation with the United States Forest Service and the county of Essex, including not more than one permanent position; provided, that no expenditure shall be made under this item until the county of Essex shall have deposited the sum of one thousand eight hundred and one dollars in the state treasury for this project . . . . .	7,205 00
1002-31	For the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths and Japanese beetles under any general or special law, and including not more than thirty-four permanent positions . . . . .	192,148 00
1002-37	For the purchase of a forest fire truck for Berkshire county . . . . .	7,500 00

Total \$978,327 00

*Division of Law Enforcement.*

Item		
1003-01	For the office of the director, including not more than five permanent positions . . . . .	\$25,394 00
1003-02	For the administration and enforcement of laws relative to shellfish and other marine fisheries, and for regulating the sale and cold storage of fresh food fish, including not more than thirty-two permanent positions . . . . .	206,120 00
1003-03	For conservation officers, including not more than thirty-nine permanent positions; provided, that the comptroller shall transfer to the General Fund a sum equal to fifty per cent of the payments made under this item from the Inland Fisheries and Game Fund, as provided by section three A of chapter one hundred and thirty-one of the General Laws . . . . .	267,192 00
Total		\$498,706 00

*Division of Marine Fisheries.*

1004-70	For the service of the office of the director, including not more than eighteen permanent positions, and for the administration of the activities provided for under item 2610-04 . . . . .	\$112,582 00
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*Division of Water Resources.*

1010-01	For the service of the division, including not more than eight permanent positions, to be in addition to any federal funds available for the purpose . . . . .	\$79,475 00
1010-02	For expenses of the Thames river valley flood control commission, as authorized by chapter six hundred and sixteen of the acts of nineteen hundred and fifty-seven . . . . .	7,500 00
1010-03	For expenses of the Connecticut river valley flood control commission and for reimbursement for loss of taxes, as authorized by chapter six hundred and ninety-two of the acts of nineteen hundred and fifty-one . . . . .	98,180 00
1010-04	For expenses of the Merrimack river valley flood control commission, as authorized by chapter six hundred and eight of the acts of nineteen hundred and fifty-six . . . . .	44,300 00
Total		\$229,455 00
Total, Department of Natural Resources		<u>\$2,042,641 00</u>

**Department of Banking and Insurance.***Division of Banks.*

1101-01	For the salary of the commissioner . . . . .	\$12,500 00
1101-02	For the office of the commissioner, including not more than two hundred and one permanent positions . . . . .	1,314,412 00
1102-01	For the office of the supervisor of loan agencies, including not more than thirty-eight permanent positions . . . . .	255,985 00
Total		\$1,582,897 00

*Division of Insurance.*

1103-01	For the salary of the commissioner . . . . .	\$12,500 00
1103-02	For the service of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, and including not more than two hundred and fifty-seven permanent positions; provided, that contracts or orders for the purchase of statement blanks for the	

Item

making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws; and, provided further, that the comptroller shall transfer to the General Fund the sum of two hundred and ninety-nine thousand and four dollars from the Highway Fund . . . \$1,495,020 00

Total \$1,507,520 00

*Division of Savings Bank Life Insurance.*

1105-01 For the service of the division, including not more than twenty-eight permanent positions . . . \$142,571 00

Total, Department of Banking and Insurance \$3,232,988 00

**Department of Corporations and Taxation.**

1201-01 For the salary of the commissioner and associate commissioners . . . \$43,000 00

1201-02 For personal services of the department except as otherwise provided, including not more than seven hundred and sixty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and eighty-six thousand one hundred and fifty-eight dollars from the Highway Fund and the sum of two million four hundred and eighty-two thousand one hundred and ten dollars from the receipts of the income tax; and, provided further, that the position of deputy commissioner or a position of like nature shall not be established in said department and that there shall be no increase in the number of positions designated as "tax supervisor" in said department 3,723,165 00

1201-03 For expenses of the department except as otherwise provided; provided, that the comptroller shall transfer to the General Fund the sum of forty-six thousand seven hundred and sixty dollars from the Highway Fund . . . 233,800 00

1202-02 For expenses of the income tax division; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax . . . 997,400 00

Total \$4,997,365 00

*Division of Accounts.*

1203-01 For the service of the division, including not more than one hundred and thirty-one permanent positions, partly chargeable to item 1203-11; provided, that the incumbent of the position of "legislative assistant, corporations and taxation" (requisition number 01321), on the effective date of this act, shall be deemed to be permanently appointed thereto under chapter thirty-one of the General Laws provided he passes a qualifying examination to be given by the division of civil service . . . \$768,900 00

1203-11 For expenses of auditing and installing systems of municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done . . . 79,000 00

1203-12 For the expenses of certain books, forms and other material which may be sold to cities and towns requiring the same for maintaining their system of accounts . . . 65,000 00

1203-21 For the service of the county personnel board, including not more than six permanent positions . . . 20,249 00

Total \$933,149 00

*Appellate Tax Board.*

Item		
1204-01	For the service of the board, including not more than twenty-nine permanent positions; provided, that the board is hereby authorized to prepare official transcripts of hearings at no net expense to the commonwealth and, in addition to the sums appropriated in this item, expend from the receipts therefor, without appropriation, income derived from the sale of such transcripts . . . . .	\$215,545 00
Total, Department of Corporations and Taxation		<u>\$6,146,059 00</u>

**Department of Education.**

*As used in items under this heading the words "state college" shall, until chapter four hundred and three of the acts of nineteen hundred and sixty becomes effective, mean "teachers college".*

1301-01	For the salary of the commissioner . . . . .	\$14,000 00
1301-02	For the office of the commissioner, including not more than seventy-nine permanent positions . . . . .	494,017 00
1301-03	For extension courses in the methods used in the art of teaching and related subjects and for the summer school at Hyannis or elsewhere, to be conducted by the division of teachers colleges, for graduates of teachers colleges or for such students or graduates of other colleges as may be approved by the state board of education; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws; and, provided further, that the division may, in addition to the sums appropriated for the purpose in this item, expend from the receipts, without appropriation, income derived from such courses as may be conducted at no net expense to the commonwealth to an amount not exceeding four hundred thousand dollars with the approval of the state board of education . . . . .	10,000 00
1301-04	For matching, with the approval of the commission on administration and finance, certain federal funds authorized to be accepted and disbursed by chapter six hundred and sixty-four of the acts of nineteen hundred and fifty-eight and allocated to the commonwealth under the provisions of Public Law 85-864; provided, that the department may use for matching such federal funds other state appropriated funds or any public or private funds that may be available, in addition to the amount made available by this item, prior appropriation continued . . . . .	157,048 00
1301-06	For printing school registers and other school blanks for cities and towns . . . . .	5,000 00
1301-07	For expenses of holding teachers' institutes . . . . .	925 00
1301-08	For aid to certain pupils in state teachers colleges, under the direction of the department of education . . . . .	4,000 00
1301-10	For the service of the state building on Newbury Street, Boston, including not more than five permanent positions . . . . .	44,186 00
1301-13	For the commonwealth's share of the expenses of the national council of state school officers . . . . .	1,500 00
1301-20	For the board of education, including not more than two permanent positions . . . . .	11,586 00
1301-23	For printing guides for school curricula, prior appropriation continued . . . . .	
1301-25	For expenses of the board of collegiate authority . . . . .	400 00
1301-29	For a program of sight saving classes . . . . .	2,000 00

Item		
1301-32	For assistance to children of certain war veterans, prior appropriation continued, as authorized by section seven B of chapter sixty-nine of the General Laws and corresponding provisions of earlier laws . . .	<b>\$150,000 00</b>
1301-33	For certain educational services to certain war veterans . . .	<b>44,207 00</b>
1301-40	For a reserve to provide excess quota instruction personnel at the several state colleges, wherever necessary, for the increased enrollment of students; provided, that transfers are to be authorized by the commission on administration and finance upon recommendation of the commissioner of education from the amount appropriated in this item to appropriation accounts made for the maintenance of said state colleges . . .	<b>150,000 00</b>
		<b>Total \$1,088,869 00</b>

*School Lunch and Commodity Distribution Program.*

1305-01	For the administration of the program, including not more than thirty-two permanent positions . . .	<b>\$178,988 00</b>
1305-05	For partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and, if necessary, for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, payments so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax, prior appropriation continued . . .	<b>330,000 00</b>
		<b>Total \$508,988 00</b>

*Division of Vocational Education.*

1307-01	For the training of teachers for vocational schools, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes act, so-called, including not more than thirty-two permanent positions; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws . . .	<b>\$127,764 00</b>
1307-02	For personal services of the surplus property agency, including not more than three permanent positions; provided, that a sum equivalent to the expenditures made under this item shall be transferred to the General Fund from the receipts of the surplus property agency, established by section fifty-five of chapter seventy-four of the General Laws . . .	<b>19,448 00</b>
		<b>Total \$147,212 00</b>

*Education of Deaf and Blind Pupils.*

1311-01	For education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, prior appropriation continued <b>\$2,150,000 00</b>
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*Division of University Extension.*

1313-01	For the university extension courses, including not more than fifty-five permanent positions; provided, that the division
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## Item

may, in addition to the sums appropriated for the purpose in this item, expend from the receipts, without appropriation, income derived from such courses as may be conducted at no net expense to the commonwealth to an amount not exceeding three hundred and fifty thousand dollars with the approval of the state board of education . . . . \$260,677 00

*Division of Immigration and Americanization.*

1315-01 For the service of the division, including not more than seventeen permanent positions . . . . \$93,117 00

*Division of Public Libraries.*

1316-01 For the service of the division, including not more than twenty-five permanent positions . . . . \$142,132 00

*Division of the Blind.*

1317-01 For general administration and for instruction of the adult blind in their homes, including not more than seventy-three permanent positions . . . . \$394,459 00  
 1317-08 For aiding the adult blind, subject to the conditions provided by law, including the cost of certain medical assistance and supplies, prior appropriation continued . . . . 2,300,000 00  
 1317-10 For expenses of administering and operating the service of piano tuning under section twenty-five of chapter sixty-nine of the General Laws . . . . 30,000 00  
 1317-11 For the operation of local shops, including not more than fourteen permanent positions . . . . 252,628 00  
 1317-15 For the operation of the salesroom and other expenses in connection with the sales of materials made by blind persons, including not more than four permanent positions . . . . 49,797 00  
 1317-16 For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions . . . . 473,260 00  
 1317-18 For certain payments to blind persons, as authorized by chapter six hundred and sixty-nine of the acts of nineteen hundred and fifty-seven . . . . 38,500 00  
 1317-28 For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued . . . . 127,200 00

Total \$3,665,844 00

*Teachers' Retirement Board.*

1319-01 For the service of the board, including not more than thirty-four permanent positions . . . . \$161,884 00

*Massachusetts Maritime Academy.*

1327-01 For administration, including not more than two permanent positions . . . . \$12,140 00  
 1327-10 For maintenance of the academy and ship, including not more than forty-nine permanent positions, with the approval of the commissioner of education . . . . 468,057 00

Total \$480,197 00

*For the maintenance of and for certain improvements at the following state colleges, and the boarding halls attached thereto, with the approval of the commissioner of education; provided, that the board of education may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions not more than twelve professional personnel in positions approved for use at state colleges in position titles designated with the prefix "Commonwealth":*

Item		
1330-01	State college at Bridgewater, including not more than one hundred and twenty-nine permanent positions . . .	\$888,524 00
1330-21	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions . . .	252,379 00
1330-28	For certain repairs to floors . . .	16,100 00
1331-01	State college at Fitchburg, including not more than one hundred and five permanent positions . . .	734,442 00
1331-10	For scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws . . .	5,000 00
1331-21	State college at Fitchburg, boarding hall, including not more than nineteen permanent positions . . .	133,128 00
1332-01	State college at Framingham, including not more than ninety-two permanent positions . . .	514,224 00
1332-21	State college at Framingham, boarding hall, including not more than thirty-two permanent positions . . .	187,821 00
1333-01	State college at Lowell, including not more than sixty-eight permanent positions . . .	390,224 00
1333-21	State college at Lowell, boarding hall, including not more than four permanent positions . . .	12,083 00
1334-01	State college at North Adams, including not more than forty-seven permanent positions . . .	259,835 00
1334-21	State college at North Adams, boarding hall, including not more than eight permanent positions . . .	44,784 00
1334-22	For certain renovations to the women's dormitory, including the cost of furnishings and equipment . . .	24,500 00
1334-23	For certain roof and other repairs . . .	10,000 00
1335-01	State college at Salem, including not more than one hundred and seven permanent positions . . .	671,413 00
1336-01	State college at Westfield, including not more than sixty-five permanent positions . . .	380,225 00
1336-21	State college at Westfield, boarding hall, including not more than seven permanent positions . . .	26,970 00
1337-01	State college at Worcester, including not more than eighty-nine permanent positions . . .	551,734 00
1338-01	State college at Boston, including not more than one hundred and twenty-five permanent positions . . .	861,070 00
1339-01	Massachusetts College of Art, including not more than forty-seven permanent positions . . .	365,022 00
Total		\$6,329,478 00

*For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof; provided, that the trustees may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than one professional person at each institute in a position approved for use at the institute in position titles designated with the prefix "Commonwealth":*

1340-01	Bradford Durfee College of Technology, including not more than sixty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city
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Item		
	of Fall River as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and sixty; provided, that said college is hereby authorized to conduct a summer school at no net expense to the commonwealth, and for said purpose the college may receive and expend income derived therefrom . . .	\$445,528 00
1342-01	New Bedford Institute of Technology, including not more than sixty-one permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of New Bedford as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and sixty; provided, that said institute is hereby authorized to conduct a summer school at no net expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom . . .	448,036 00
	Total	\$893,564 00

*Lowell Technological Institute of Massachusetts.*

1345-01	For the maintenance of the Lowell Technological Institute of Massachusetts, with the approval of the trustees, including not more than one hundred and eighty-six permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and sixty; provided, that the trustees may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than three professional personnel in positions approved for use at the institute in position titles designated with the prefix "Commonwealth"; and, provided further, that said institute is hereby authorized to conduct a summer school at no expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom . . .	\$1,394,892 00
1345-22	For a certain program designed to encourage students in the field of science . . .	5,000 00
1345-42	For scholarships, as authorized by section seventeen of chapter seventy-five A of the General Laws . . .	10,000 00
	Total	\$1,409,892 00

*University of Massachusetts.*

1350-01	For the maintenance of the University of Massachusetts, with the approval of the trustees, including not more than one thousand two hundred and seventy-six permanent positions; provided, that the trustees may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than fourteen professional personnel in positions approved for use at the University in position titles designated with the prefix "Commonwealth"; and, provided further, that the trustees may for services effective on and after September first, nineteen hundred and sixty, including all board receipts for the fall semester, in addition to the sums appropriated, receive and expend as a University trust fund under section five A of chapter seventy-five of the General Laws, at no net expense to the commonwealth, without appropriation, funds received from the operation of the boarding halls; and, provided further, that from said receipts there shall be transferred to the General Fund the sum of one hundred and twenty thousand	
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Item

	dollars to meet the estimated cost of heat, light, power, rental of facilities at present available for the purpose, and the estimated cost of certain employee fringe benefits to be furnished by the commonwealth; and, provided further, that notwithstanding this provision for said boarding hall operation, all present and future employees of said boarding hall shall be construed to be employees of the commonwealth for the purposes of their tenure, retirement, group insurance, industrial accident, or other rights as provided in the General Laws	\$9,820,968 00
1350-21	For expenses in connection with research projects for which the commonwealth will be fully reimbursed by the federal government, with the approval of the commission on administration and finance, prior appropriation continued	50,000 00
1350-26	For the purchase of books	100,000 00
1350-35	For the entertainment of distinguished visitors to the campus of the University, with the approval of the board of trustees	2,000 00
1350-36	For the payment of the rental fee for the president's house, with the approval of the board of trustees	1,200 00
1350-96	For scholarships, as authorized by section thirty-one of chapter seventy-five of the General Laws	25,000 00
	Total	\$9,999,168 00

*Massachusetts Board of Regional Community Colleges.*

1360-01	For administration of the program, as authorized by section twenty-seven of chapter fifteen of the General Laws, including not more than three permanent positions	\$22,126 00
1360-10	Regional community college in metropolitan Boston, appropriation expires June thirtieth, nineteen hundred and sixty-two	16,400 00
1360-20	Regional community college in northeastern Massachusetts, appropriation expires June thirtieth, nineteen hundred and sixty-two	16,400 00
1360-30	Regional community college in southeastern Massachusetts, appropriation expires June thirtieth, nineteen hundred and sixty-two	16,400 00
	Total	\$71,326 00

*Division of Youth Service.*

1380-01	For the youth service board and for the administration of the division of youth service, including not more than eighty-seven permanent positions	\$840,681 00
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*For the maintenance of and for certain improvements at the institutions within the division:*

1381-01	Industrial school for boys, including not more than one hundred and twenty-nine permanent positions	\$731,994 00
1382-01	Industrial school for girls, including not more than ninety-five permanent positions	518,743 00
1383-01	Lyman school for boys, including not more than one hundred and forty-nine permanent positions	928,896 00
1384-01	For the operation of reception and detention facilities for boys in the city of Boston, including not more than sixty permanent positions	363,201 00
1385-01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	325,649 00

Item		
1386-01	For the operation of reception and detention facilities for girls in the city of Boston, including not more than twenty-nine permanent positions	\$161,723 00
1387-01	For the operation of a detention center in Hampden county, including not more than eighteen permanent positions	99,302 00
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-six permanent positions	171,951 00
1389-01	For the operation of a detention center in Worcester county, including not more than nineteen permanent positions	100,940 00
1390-01	For the maintenance of the Stephen L. French Youth Forestry Camp	60,375 00
	Total	<u>\$3,462,774 00</u>
	Total, Division of Youth Service	<u>\$4,303,455 00</u>

*School Building Assistance Commission.*

1393-01	For the school building assistance commission	\$80,517 00
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*Board of Educational Assistance.*

1394-01	For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws, prior appropriation continued	\$10,475 00
1394-02	For scholarships, as authorized by section twenty-six of chapter fifteen of the General Laws; provided, that notwithstanding the provisions of said section twenty-six, the board may grant scholarships equal to fifty per cent of the amount appropriated in this item to students enrolled in state colleges operated by the commonwealth, prior appropriation continued	150,000 00
	Total	<u>\$160,475 00</u>
	Total, Department of Education	<u>\$31,946,795 00</u>

**Department of Civil Service and Registration.***Division of Civil Service.*

1402-01	For the salary of the director and for the compensation of members of the commission	\$40,000 00
1402-02	For the service of the division, including not more than two hundred and twenty permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-six thousand eight hundred and forty-eight dollars from the Highway Fund	1,147,317 00
1402-21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	2,500 00
	Total	<u>\$1,189,817 00</u>

*Division of Registration.*

1403-01	For the salary of the director	\$6,000 00
1403-02	For the service of the division, including not more than forty-eight permanent positions	336,982 00
	Total	<u>\$342,982 00</u>

*For the service of the following agencies in the division:*

Item		
1404-01	Board of registration in medicine, including not more than seven permanent positions	\$10,725 00
1405-01	Board of dental examiners, including not more than five permanent positions	5,950 00
1406-01	Board of registration in chiropody, including not more than five permanent positions, notwithstanding the limitations of section twelve C of chapter thirteen of the General Laws	3,100 00
1407-01	Board of registration in pharmacy, including not more than nine permanent positions	34,356 00
1408-01	Board of registration of nurses, including not more than ten permanent positions	5,780 00
1409-01	Board of registration in embalming and funeral directing, including not more than five permanent positions	11,500 00
1410-01	Board of registration in optometry, including not more than five permanent positions	3,100 00
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions	2,625 00
1412-01	Board of registration of professional engineers and land surveyors, prior appropriation continued	34,925 00
1413-01	Board of registration of architects, including not more than five permanent positions	5,470 00
1414-01	Board of registration of certified public accountants, including not more than five permanent positions	16,160 00
1416-01	State examiners of electricians, including not more than two permanent positions	9,700 00
1417-01	State examiners of plumbers, including not more than three permanent positions	7,600 00
1418-01	Board of registration of real estate brokers and salesmen, including not more than twenty-four permanent positions	148,147 00
1419-01	Board of registration of electrologists, including not more than three permanent positions	1,900 00
1420-01	Board of registration of barbers, including not more than nine permanent positions	46,440 00
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	87,872 00
1422-01	Board of registration of dispensing opticians, including not more than five permanent positions	1,200 00
1424-01	Board of registration of sanitarians, including not more than four permanent positions	1,080 00

Total \$437,630 00

Total, Department of Civil Service and Registration \$1,970,429 00

**Department of Commerce.**

1551-01	For the service of the department, including not more than fifty-seven permanent positions	\$561,565 00
1551-02	For the promotion of vacation travel within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	100,000 00
1551-03	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	100,000 00
1551-10	For the commonwealth's share of the expenses of the New England textile committee	4,185 00

Total, Department of Commerce \$765,750 00

**Department of Labor and Industries.**

Item		
1601-01	For general administration and for the division of employment of the aging, including not more than thirteen permanent positions	\$101,172 00
1603-01	For the division of industrial inspection, including not more than sixty-eight permanent positions	439,957 00
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	87,514 00
1607-01	For the division of statistics, including not more than thirty-four permanent positions	178,981 00
1609-01	For administration of the division on necessities of life, including not more than five permanent positions	29,546 00
1609-05	For administration, by said division, of sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions	73,762 00
1611-01	For the board of conciliation and arbitration, including not more than sixteen permanent positions	127,814 00
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	174,587 00
1615-01	For the division of standards, including not more than twenty-one permanent positions	128,650 00
Total		\$1,341,983 00

*Division of Apprentices Training.*

1620-01	For the service of the division, including not more than thirty-six permanent positions; provided, that all of the positions of this division, with the exception of the head clerk, shall not be subject to chapter thirty-one of the General Laws	\$187,726 00
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*Labor Relations Commission.*

1630-01	For the service of the commission, including not more than twenty permanent positions	\$135,539 00
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*Health, Welfare and Retirement Trust Funds Board.*

1640-01	For the service of the board, as authorized by sections ten E and ten F of chapter twenty-three of the General Laws, including not more than twenty-eight permanent positions, prior appropriation continued	\$172,083 00
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*Division of Industrial Accidents.*

1651-01	For personal services of members of the board, including not more than eleven permanent positions	\$111,000 00
1651-02	For the service of the board and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and seventy-two permanent positions	869,031 00
1651-05	For expenses of impartial examinations, prior appropriation continued	35,000 00
1651-06	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, prior appropriation continued; provided, that the comptroller shall transfer to the General Fund the sum of three hundred and eighty-one thousand five hundred dollars from the Highway Fund	1,090,000 00

Total \$2,105,031 00

*Division of Self-Insurance.*

Item		
1651-21	For the service of the division, including not more than six permanent positions . . . . .	\$34,206 00

*Industrial Accident Rehabilitation Board.*

1652-01	For the service of the board, including not more than six permanent positions . . . . .	\$13,414 00
	Total, Department of Labor and Industries	<u>\$3,989,982 00</u>

**Department of Mental Health.**

1701-01	For the salary of the commissioner . . . . .	\$15,000 00
1701-02	For administration, including community nurseries for retarded children, the division of mental hygiene, psychiatric services to the courts and other state departments, therapy and outpatient treatment of sexual offenders including those incarcerated in institutions within the commonwealth, and for the transportation and medical examination of patients and certain feeble-minded persons, including not more than three hundred and sixty-one permanent positions . . . . .	3,445,150 00
	Total	<u>\$3,460,150 00</u>

*For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:*

1710-00	Massachusetts mental health center, including not more than two hundred and seventy-three permanent positions . . . . .	\$1,453,400 00
1711-00	Boston state hospital, including not more than one thousand one hundred and two permanent positions . . . . .	5,734,200 00
1711-31	For certain fence repairs . . . . .	10,000 00
1712-00	Danvers state hospital, including not more than eight hundred and forty-two permanent positions . . . . .	4,253,700 00
1712-21	For certain plumbing renovations . . . . .	14,000 00
1713-00	Foxborough state hospital, including not more than five hundred and fifty-three permanent positions . . . . .	2,881,772 00
1713-23	For certain roof repairs . . . . .	15,000 00
1714-00	Gardner state hospital, including not more than four hundred and eighty-four permanent positions . . . . .	2,629,230 00
1714-30	For pointing and waterproofing "A" and "B" buildings . . . . .	13,000 00
1715-00	Grafton state hospital, including not more than five hundred and seventy permanent positions . . . . .	3,036,580 00
1716-00	Medfield state hospital, including not more than six hundred and seventy-three permanent positions . . . . .	3,316,135 00
1716-23	For certain plumbing renovations . . . . .	15,000 00
1716-24	For certain improvements to the sewer line . . . . .	16,500 00
1717-00	Metropolitan state hospital, including not more than seven hundred and thirty-one permanent positions . . . . .	3,746,875 00
1717-31	For pointing and waterproofing medical building, appropriation expires June thirtieth, nineteen hundred and sixty-two . . . . .	50,000 00
1718-00	Northampton state hospital, including not more than seven hundred and thirty-two permanent positions . . . . .	3,763,700 00
1719-00	Taunton state hospital, including not more than six hundred and ninety-seven permanent positions . . . . .	3,694,700 00
1720-00	Westborough state hospital, including not more than seven hundred and sixty-nine permanent positions . . . . .	3,900,200 00
1720-27	For certain improvements to the auditorium . . . . .	12,000 00
1720-33	For certain improvements to steam lines . . . . .	15,000 00



Item		
1721-00	Worcester state hospital, including not more than one thousand and twenty-eight permanent positions	\$5,049,615 00
1722-00	Monson state hospital, including not more than seven hundred and forty-seven permanent positions	3,549,500 00
1723-00	Belchertown state school, including not more than four hundred and sixty-five permanent positions	2,481,300 00
1723-30	For certain repairs to roofs and porches	8,500 00
1724-00	Walter E. Fernald state school, including not more than eight hundred and sixty permanent positions	4,467,105 00
1724-26	For certain improvements to boilers	26,550 00
1724-28	For certain roof and other repairs	21,000 00
1725-00	Wrentham state school, including not more than six hundred and forty-one permanent positions	3,327,415 00
1726-00	Paul A. Dever state school, including not more than six hundred and nineteen permanent positions	3,232,900 00
1726-23	For payment to the treasurer of the United States through the department of health, education and welfare, in accordance with the quitclaim deed dated July twenty-six, nineteen hundred and forty-eight, between the United States of America and the commonwealth of Massachusetts, as amended on October twenty-eight, nineteen hundred and forty-nine, and as supplemented by letter dated November sixteen, nineteen hundred and fifty-three, of the net proceeds from the public sale of certain surplus buildings	14,176 00
1727-00	Cushing hospital, including not more than three hundred and thirty-three permanent positions	2,652,700 00
	Total	<u>\$63,401,753 00</u>
	Total, Department of Mental Health	<u>\$66,861,903 00</u>

#### Department of Correction.

1801-01	For the salary of the commissioner	\$15,000 00
1801-02	For administration, including not more than sixty-seven permanent positions; provided, that the persons employed under the division of classification of prisoners shall not be subject to the civil service laws and rules; and, provided further, that notwithstanding any provision of the law to the contrary, the director of civil service shall certify to the commissioner of correction, on receipt of permanent requisitions, names of correction officers to fill permanent vacancies, and the salary of these employees during the period of official training shall be paid from this item	460,945 00
	Non-Contributory Pensions:	
1801-21	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired, prior appropriation continued	25,000 00
	Total	<u>\$500,945 00</u>

*For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:*

1810-01	Correctional institution at Bridgewater, including not more than five hundred and sixteen permanent positions	\$3,721,650 00
1810-26	For certain improvements to the sewage disposal system	7,000 00
1812-01	Correctional institution at Walpole, including not more than two hundred and ninety permanent positions	1,993,047 00

Item		
1812-02	Correctional institution at Walpole, industries, including not more than thirty permanent positions; provided, that the commissioner of correction shall determine the cost of the manufacture of motor vehicle registration plates and certify to the comptroller the amounts to be transferred therefor from the Highway Fund to the General Fund	\$766,734 00
1812-22	For purchase and installation of two-way radio equipment	11,000 00
1814-01	Correctional institution at Concord, including not more than two hundred and forty-six permanent positions	1,701,580 00
1814-02	Correctional institution at Concord, industries, including not more than twenty-three permanent positions	376,810 00
1814-21	For certain improvements to steam lines	18,000 00
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-two permanent positions	879,500 00
1816-02	Correctional institution at Framingham, industries, including not more than eleven permanent positions	227,021 00
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-four permanent positions	1,942,400 00
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	482,850 00
1820-01	For the operation of correctional institution camps, including not more than twenty-five permanent positions	301,007 00
Total		<u>\$12,428,599 00</u>

*Parole Board.*

1830-01	For the service of the board, including not more than sixty-five permanent positions	\$455,871 00
Total, Department of Correction		<u>\$13,385,415 00</u>

**Department of Public Welfare.**

1901-01	For the salary of the commissioner	\$12,500 00
1901-03	For the office of the commissioner and expenses of the department, including not more than five hundred and fifty-one permanent positions	2,948,449 00
1901-04	For payments on account of permanent and total disability assistance made in accordance with section three of chapter one hundred and eighteen D of the General Laws	76,000 00
1901-06	For payments on account of old age assistance grants made in accordance with section one C of chapter one hundred and eighteen A of the General Laws	120,000 00
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	3,930,900 00
Total, Department of Public Welfare		<u>\$7,087,849 00</u>

**Department of Public Health.**

*Bureau of Administration.*

2001-01	For the salary of the commissioner	\$16,000 00
2001-02	For the service of the bureau of administration, including not more than thirty-eight permanent positions	240,587 00

Item		
2001-03	For a poliomyelitis vaccine (Salk) program, as authorized by chapter four hundred and eighty-one of the acts of nineteen hundred and fifty-five, as amended, and for the development of programs for the diagnosis, care, treatment and rehabilitation of victims of the poliomyelitis epidemic, to be expended either with or without grants or contributions from public or private agencies; provided, that such grants or contributions may be expended without appropriation; and, provided further, that the commissioner shall require a report of the use of all vaccine from each participating physician, and said reports shall be summarized and presented to the General Court on or before the first Wednesday in January, nineteen hundred and sixty-one, prior appropriation continued . . .	<b>\$300,000 00</b>
2001-04	For the expenses of certain research in connection with a health program for children and youth, to be in addition to any federal funds available for the purpose . . .	<b>4,497 00</b>
		<b>Total \$561,084 00</b>

*Bureau of Environmental Sanitation.*

2002-01	For the service of the bureau, including not more than sixty-five permanent positions; provided, that an amount equal to the administrative expense paid from this account and incurred in making special air pollution surveys shall be transferred from item 2002-02 and credited to the General Fund by the comptroller upon certification by the commissioner of public health . . .	<b>\$538,689 00</b>
2002-02	For special air pollution surveys to be conducted upon request of cities or towns; provided, that any city or town requesting such a survey shall pay in advance the estimated cost thereof, the amounts so received to be available for expenditure under this item without appropriation, expires June thirtieth, nineteen hundred and sixty-two.	
2002-24	For the removal of weeds from Lake Quinsigamond . . .	<b>35,000 00</b>
		<b>Total \$573,689 00</b>

*Bureau of Preventive Disease Control.*

2003-01	For the service of the bureau and for the operation of certain clinics in the outpatient department of certain general hospitals, including not more than sixty permanent positions . . .	<b>\$1,347,808 00</b>
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*Bureau of Health Services.*

2004-01	For the service of the bureau, including not more than sixty-one permanent positions . . .	<b>\$692,974 00</b>
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*Bureau of Hospital Facilities.*

2005-01	For the service of the bureau, including not more than twenty-three permanent positions . . .	<b>\$162,618 00</b>
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*Bureau of Tuberculosis and Institutions.*

2006-01	For the service of the bureau and for the commonwealth's share of the operation of certain tuberculosis clinics, including not more than thirty-two permanent positions . . .	<b>\$204,911 00</b>
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*Institute of Laboratories.*

2007-01	For the service of the institute, including not more than one hundred and thirty-seven permanent positions . . .	<b>\$767,787 00</b>
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*Bureau of Consumer Products Protection.*

Item		
2008-01	For the service of the bureau, including not more than forty-six permanent positions . . . . .	\$286,340 00
2008-23	For certain equipment, public health center, Amherst . . . . .	10,500 00
Total		<u>\$296,840 00</u>

*For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:*

2021-00	For the maintenance of the Tewksbury hospital, including not more than seven hundred and twenty-four permanent positions . . . . .	\$4,095,700 00
2021-29	For certain improvements to the lighting of the grounds . . . . .	10,000 00
2022-00	Lakeville state sanatorium, including not more than two hundred and forty-seven permanent positions . . . . .	1,250,130 00
2023-00	North Reading state sanatorium, including not more than two hundred and eight permanent positions . . . . .	921,680 00
2024-00	Rutland state sanatorium, including not more than two hundred and fifty-four permanent positions . . . . .	1,307,100 00
2024-23	For the purchase and installation of fuel tanks . . . . .	18,000 00
2025-00	Westfield state sanatorium, including not more than two hundred and ninety-one permanent positions . . . . .	1,550,450 00
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and six permanent positions . . . . .	4,140,650 00
2027-00	Massachusetts Hospital School, including not more than two hundred and thirteen permanent positions . . . . .	1,124,150 00
2031-00	Pondville hospital, including not more than two hundred and seventy-three permanent positions . . . . .	1,550,130 00
2031-50	For the expenses of a cancer research project . . . . .	33,700 00
Total		<u>\$16,001,690 00</u>

*New England Interstate Water Pollution Control Commission.*

2040-01	For expenses of the New England interstate water pollution control commission, as authorized by chapter four hundred and twenty-one of the acts of nineteen hundred and forty-seven, and for compensation and expenses of the commissioners, as provided by section four of said chapter . . . . .	\$9,780 00
Total, Department of Public Health		<u>\$20,619,181 00</u>

**Department of Public Safety.**

2101-01	For the salary of the commissioner . . . . .	\$12,500 00
2101-02	For certain administrative expenses of the department, including not more than one hundred permanent positions . . . . .	572,356 00
Total		<u>\$584,856 00</u>

*Division of Fire Prevention.*

2103-01	For the fire prevention service, including not more than twenty-five permanent positions . . . . .	\$214,389 00
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*Division of Inspection.*

2104-01	For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions . . . . .	\$421,893 00
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Item		
2104-31	For the board of boiler rules, including not more than four permanent positions . . . . .	\$1,450 00
	Total	<u>\$423,343 00</u>

*State Boxing Commission.*

2105-11	For the service of the commission, including not more than six permanent positions . . . . .	\$29,089 00
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*Board of Standards.*

2106-01	For the service of the board, including not more than seven permanent positions . . . . .	\$5,150 00
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*Board of Elevator Regulations.*

2107-01	For the service of the board, including not more than seven permanent positions . . . . .	\$5,100 00
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*Board of Fire Prevention Regulations.*

2108-01	For the service of the board, including not more than six permanent positions . . . . .	\$4,100 00
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*Division of Subversive Activities.*

2109-01	For the service of the division, including not more than five permanent positions . . . . .	\$31,718 00
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*Board of Schoolhouse Structural Standards.*

2110-01	For the service of the board, as authorized by chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five, as amended . . . . .	\$2,050 00
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*Board of Examiners of Elevator Constructors,  
Maintenance Men and Repairmen.*

2111-01	For the service of the board, as authorized by section seventy-one A of chapter one hundred and forty-three of the General Laws . . . . .	\$1,000 00
	Total, Department of Public Safety	<u><u>\$1,300,795 00</u></u>

**Department of Public Works.***Division of Waterways.*

2202-03	For administration, including not more than sixty-five permanent positions; provided, that an amount equal to the expenditures for personal services properly chargeable to item 2202-05, as certified by the director of the division, shall be credited as revenue to the General Fund	\$353,107 00
2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions . . . . .	8,752 00
2202-07	For the operation and maintenance of the New Bedford state pier, including not more than three permanent positions . . . . .	17,341 00
	Total	<u>\$379,200 00</u>

*Outdoor Advertising Division.*

Item		
2230-01	For the service of the division, including not more than eleven permanent positions . . . . .	<b>\$50,347 00</b>

*Mass Transportation Commission.*

2260-02	For expenses of the mass transportation commission; as authorized by chapter four hundred and sixteen of the acts of nineteen hundred and fifty-nine, to be in addition to any federal funds made available for the purpose, prior appropriation continued . . . . .	<b>\$86,581 00</b>
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Total, Department of Public Works **\$516,128 00**

**Department of Public Utilities.**

2301-01	For personal services of the commissioners, including not more than seven permanent positions . . . . .	<b>\$77,000 00</b>
2301-02	For administration, including not more than seventy-three permanent positions; provided, that the incumbent of the position of "public utilities department secretary" (requisition number 86634), on the effective date of this act, shall be deemed to be permanently appointed thereto under chapter thirty-one of the General Laws provided he passes a qualifying examination to be given by the division of civil service . . . . .	<b>498,220 00</b>
2301-09	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item, prior appropriation continued . . . . .	<b>20,000 00</b>

Total **\$595,220 00**

*Commercial Motor Vehicle Division.*

2304-01	For the service of the division, including not more than thirty-two permanent positions . . . . .	<b>\$220,816 00</b>
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*Securities Division.*

2308-01	For the service of the division, including not more than nine permanent positions . . . . .	<b>\$53,690 00</b>
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Total, Department of Public Utilities **\$869,726 00**

**Annuities and Payments.**

2405-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves . . . . .	<b>\$18,200 00</b>
2405-02	For payment of any claims, as authorized by sections eighty-nine and eighty-nine A of chapter thirty-two of the General Laws, for allowances to the families of certain employees killed or fatally injured in the discharge of their duties . . . . .	<b>16,200 00</b>

Total, Annuities and Payments **\$34,400 00**

**Non-Contributory Pensions.**

2411-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, and for the cost of medical examinations in connection there-	
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## Item

with, and for the commonwealth's proportionate share of retirement allowances payable under chapter four hundred and sixty-five of the acts of nineteen hundred and fifty-six, as amended, to persons retired in accordance with the provisions of sections fifty-six to sixty, inclusive, of chapter thirty-two of the General Laws; provided, that the comptroller shall transfer to the General Fund the sum of five hundred and ninety-four thousand dollars from the Highway Fund, prior appropriation continued . . . . . \$2,700,000 00

Total, Non-Contributory Pensions \$2,700,000 00

## Miscellaneous.

- 2420-02 For the payment, with the approval of the comptroller, of expenses of prior fiscal years for which no funds are available in the current fiscal year; provided, that such payments are otherwise authorized by law . . . . . \$25,000 00
- 2420-06 For the repayment to claimants, as authorized by section one hundred and forty-nine D of chapter one hundred and seventy-five of the General Laws and for reimbursement of other persons for funds previously deposited in the treasury of the commonwealth and escheated to the commonwealth . . . . . 2,000 00
- 2420-08 For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws . . . . . 1,500 00
- 4181-00 Notwithstanding any provision of law or rules and regulations of the division of personnel, the comptroller is hereby authorized to allow a payment of sixty-seven dollars and seventy-six cents to a certain employee of the division of employment security for vacation allowance earned but not paid.

Total, Miscellaneous \$28,500 00

## LOCAL AID APPROPRIATIONS.

*The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:*

## Judiciary.

## Suffolk County Court House.

- 2603-02 For reimbursing the city of Boston for thirty per cent of the cost of maintenance of the Suffolk county court house, as provided by and subject to the conditions of section six of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five; provided, that this appropriation shall not be construed as fixing the specific amount for which the commonwealth shall be liable on account of said maintenance . . . . . \$240,000 00

Total, Judiciary \$240,000 00

**Boards and Commissions serving under Governor and Council.**

*Service of the State Housing Board.*

Item		
2604-02	For the reimbursement of housing authorities, as authorized by chapter six hundred and sixty-eight of the acts of nineteen hundred and fifty-three . . . . .	\$175,000 00
2604-03	For reimbursement to certain cities and towns, as provided by chapter two hundred of the acts of nineteen hundred and forty-eight, as amended . . . . .	4,180,000 00
	Total	<u>\$4,355,000 00</u>

*Service of the Commissioner of Veterans' Services.*

2604-06	For reimbursing cities and towns for money paid for veterans' benefits, as provided in section six of chapter one hundred and fifteen of the General Laws . . . . .	\$5,140,000 00
	Total, Boards and Commissions serving under Governor and Council . . . . .	<u>\$9,495,000 00</u>

**Department of Agriculture.**

*Division of Livestock Disease Control.*

2609-01	For the reimbursement of certain towns for compensation paid to inspectors of animals . . . . .	\$5,000 00
	Total, Department of Agriculture	<u>\$5,000 00</u>

**Department of Natural Resources.**

*Division of Forests and Parks.*

2610-01	For aiding towns in the purchase of equipment for extinguishing forest fires, as provided by section eleven of chapter forty of the General Laws, prior appropriation continued.	
2610-02	For reimbursement to certain towns for extinguishing forest fires, prior appropriation continued.	
2610-03	For the reimbursement to cities and towns of a proportion of their expenses for the suppression of insect pests, as provided by law, prior appropriation continued.	

*Division of Marine Fisheries.*

2610-04	For the reimbursement to certain coastal cities and towns of a part of the cost of projects for the suppression of enemies of shellfish and for propagation, as authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws . . . . .	\$20,000 00
2610-06	For bounties on seals . . . . .	200 00

Total \$20,200 00

Total, Department of Natural Resources \$20,200 00



**Department of Corporations and Taxation.***Reimbursement for Loss of Taxes.*

Item		
2612-01	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and sixty, for the reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws and for reimbursing certain towns as authorized by chapters seven hundred and one and five hundred and seventy-nine of the acts of nineteen hundred and fifty-six	\$890,000 00
2612-02	For the reimbursement of cities and towns for abatements granted, as provided by section eight A of chapter fifty-eight and section five of chapter fifty-nine of the General Laws	250,000 00
	<b>Total</b>	<b>\$1,140,000 00</b>
<b>Total, Department of Corporations and Taxation</b>		<b>\$1,140,000 00</b>

**Department of Education.**

2613-01	For reimbursement to cities and towns of a portion of the cost of a program for extended school services for certain children of certain employed mothers, as authorized by sections twenty-six A to twenty-six F, inclusive, of chapter seventy-one of the General Laws	\$5,000 00
2613-02	For the reimbursement of certain cities and towns for sight saving classes, as provided by law	19,000 00
2613-03	For assisting small towns in providing themselves with school superintendents, as provided by law	200,000 00
2613-04	For the reimbursement of certain towns for the transportation of pupils as provided by law; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	6,600,000 00
2613-05	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law	4,900,000 00
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	118,000 00
2613-07	For the reimbursement of certain towns for the transportation of pupils, as authorized by section eight A of chapter seventy-four of the General Laws; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	130,000 00
2613-19	For the reimbursement of certain cities and towns maintaining extended courses of instruction, as authorized by section seventy-eight of chapter seventy-one of the General Laws	17,000 00
	<b>Total</b>	<b>\$11,989,000 00</b>

*School Building Assistance Commission.*

2613-08	For reimbursement of certain cities and towns for part of the cost of construction of school projects as authorized by chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax	\$12,000,000 00
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*School Lunch and Commodity Distribution Program.*

Item		
2613-09	For the reimbursement of cities and towns for partial assistance in the furnishing of lunches to school children, as authorized by chapter five hundred and thirty-eight of the acts of nineteen hundred and fifty-one, and, if necessary, for supplementing federal funds allocated for the special milk program; provided, that notwithstanding any provisions of law to the contrary, reimbursements so authorized to be paid from state funds shall not exceed fifty per cent of the total reimbursement authorized by the national school lunch act; and, provided further, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax . . . . .	\$1,900,000 00

*Education of Deaf and Blind Pupils.*

2613-10	For the reimbursement of certain cities and towns for day classes of the deaf and of the blind, as provided by sections twenty-eight and thirty-three of chapter sixty-nine of the General Laws . . . . .	\$34,000 00
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*Teachers' Retirement Board.*

2613-11	For reimbursement of certain cities and towns for pensions to retired teachers . . . . .	\$2,400,000 00
2613-16	For the payment of retirement assessments of teachers formerly in military or naval service, as authorized by section nine of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended . . . . .	500 00
2613-17	For the payment of the commonwealth's share in financing the teachers' retirement system, as provided by chapter thirty-two of the General Laws, to be in addition to the balance available in item 1319-08 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine . . . . .	12,150,000 00
Total		\$14,550,500 00

*Division of Youth Service.*

2613-12	For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools . . . . .	\$12,500 00
2613-13	For the commonwealth's share of a delinquency prevention program in the city of Boston, as authorized by section sixty-nine B of chapter six of the General Laws . . . . .	30,000 00
2613-14	For the commonwealth's share of a delinquency prevention program in the city of Cambridge, as authorized by section sixty-nine B of chapter six of the General Laws . . . . .	3,000 00
2613-15	For the reimbursement of cities and towns for part of the cost of employing school adjustment counsellors, as authorized by section forty-six G of chapter seventy-one of the General Laws . . . . .	230,000 00
Total		\$275,500 00

Total, Department of Education \$40,749,000 00

*Department of Public Welfare.*

2619-01	For the payment of suitable aid to certain dependent children . . . . .	\$8,480,000 00
2619-02	For the burial by cities and towns of indigent persons who have no legal settlement . . . . .	16,340 00

Item		
2619-03	For expenses in connection with smallpox and other diseases dangerous to the public health . . . . .	\$146,000 00
2619-04	For the support of sick indigent persons who have no legal settlement . . . . .	810,000 00
2619-05	For temporary aid given by cities and towns to indigent persons with no legal settlement, and to shipwrecked seamen, and for the transportation of indigent persons under the charge of the department . . . . .	2,340,000 00
2619-06	For the reimbursement of cities and towns for total and permanent disability assistance, as provided by chapter one hundred and eighteen D of the General Laws . . . . .	5,765,000 00
2619-07	For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the twelve months ending June thirtieth, nineteen hundred and sixty . . . . .	590,000 00
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law . . . . .	39,400,000 00
Total, Department of Public Welfare		<u>\$57,547,340 00</u>

#### Department of Public Health.

##### *Bureau of Tuberculosis and Institutions.*

2620-01	For the payment of subsidies for tubercular patients in certain hospitals . . . . .	\$250,000 00
Total, Department of Public Health		<u>\$250,000 00</u>

#### DEBT SERVICE APPROPRIATIONS.

##### Interest and Redemption of Debt.

2810-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2951-00, prior appropriation continued; provided, however, that the deficit existing in this item at the close of the nineteen hundred and sixty fiscal year shall be charged to the surplus account of that fiscal year and not carried forward to the fiscal year nineteen hundred and sixty-one . . . . .	\$6,995,000 00
2820-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2952-00, and to be in addition to any amounts made available by section eighteen of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, prior appropriation continued; provided, that to reimburse the General Fund for the cost of debt service on account of highway expenditures made in accordance with the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and fifty-four, as amended, the comptroller shall transfer to the General Fund the sum of two hundred and forty-six thousand two hundred dollars from the Highway Fund . . . . .	26,465,000 00
Total, Interest and Redemption of Debt		<u>\$33,460,000 00</u>
TOTAL, GENERAL FUND		<u>\$340,499,182 00</u>

HIGHWAY FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Public Works.

*Highway Activities.*

*The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-one fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:*

Item		
2900-01	For the salaries of the commissioner and the associate commissioners, including not more than three permanent positions	\$35,000 00
2900-02	For administration and engineering in connection with all highway activities, for the offices of the commissioner, department secretary, personnel officer and business agent, including telephone service in the public works building; and for the payment of damages caused by defects in state highways, with the approval of the attorney general; provided, that the position of personnel director, public works department, shall not be subject to the civil service laws and rules, prior appropriation continued	17,869,350 00
2900-04	For the maintenance and repair of state highways and bridges, traffic signs and signals, including traffic safety devices on town and city ways as the department may deem necessary; for work for which the Highway Fund is reimbursed other than work in connection with the projects included in federal aid programs; and for the purchase, construction and repair of shelters for departmental equipment and material including land necessary therefor, the cost of which is less than ten thousand dollars for each project, prior appropriation continued	11,499,750 00
2900-08	For the cost of snow and ice control on state highways and town roads, including the removal of sand and other additional expenses in connection therewith, prior appropriation continued	6,321,200 00
2900-12	For projects for improving state highways and through routes, including bridges, and including construction and reconstruction, it being the intent of the general court that state highways shall be made continuous whether or not sections to be made state highways require construction work; for turnouts or rest areas within highway rights of way, including contingent expenses therefor; and upon agreement with city or town officials, for construction of needed improvements on other through routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of the sum appropriated herein may be used in conjunction with city or town funds, prior appropriation continued	700,000 00
2900-20	For all personal services, for the fiscal year nineteen hundred and sixty-one and previous years, for all projects and activities relating to highways, including not more than four thousand and twenty-seven permanent positions; provided, that transfers shall be made to this account by the commissioner of public works from appropriations for the several	

Item		
	highway activity items in this act except items 2900-01 and 2900-80 in amounts not in excess of the initial amounts prescribed for personal services by subsidiary account as authorized by section twenty-seven of chapter twenty-nine of the General Laws, the amounts transferred to this account to be credited to corresponding subsidiary accounts; and, provided further, that the provisions of section twenty-nine of chapter twenty-nine of the General Laws shall apply to this item.	
2900-35	For resurfacing existing state highways with not less than one and one-quarter inches of bituminous bound aggregate, using present traveled ways as a base; provided, that the state purchasing agent may buy the required bituminous-treated aggregate, notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, prior appropriation continued	\$1,400,000 00
2900-36	For the construction or reconstruction of state highway and other bridges, including certain bridges placed under the authority of the department of public works by chapter six hundred and ninety of the acts of nineteen hundred and forty-five and by chapter four hundred and eighty-two of the acts of nineteen hundred and forty-eight; provided, that sums herein appropriated may be used, upon agreement with city or town officials, in conjunction with city or town funds without acceptance by the commonwealth of responsibility for maintenance, prior appropriation continued	500,000 00
2900-38	For expenses in connection with research and investigational work to be done on a co-operative basis with the Massachusetts Institute of Technology, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-two	30,000 00
2900-39	For certain research and investigational work in co-operation with the highway research board, prior appropriation continued	1,000 00
2900-61	For the compensation of former employees of the department of public works, now retired, as authorized by chapter four hundred and three of the acts of nineteen hundred and forty-eight, as amended by chapter four hundred and forty-one of the acts of nineteen hundred and fifty-three	21,000 00
2900-80	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions	472,870 00
2900-83	For the installation of fluorescent lights	10,000 00
Total, Department of Public Works		<u>\$38,860,170 00</u>

#### Registry of Motor Vehicles.

2924-01	For the service of the registry, including not more than one thousand and nine permanent positions; provided, that the position of legislative assistant, R.M.V., shall not be subject to the civil service laws and rules; and, provided further, that the incumbent of the position of assistant to registrar of motor vehicles (requisition number 90127) on the effective date of this act shall be deemed to be permanently appointed thereto under chapter thirty-one of the General Laws, provided he passes a qualifying examination to be given by the division of civil service	\$6,049,364 00
2924-02	For the installation of a system relating to the registration of motor vehicles	345,000 00
Total, Registry of Motor Vehicles		<u>\$6,394,364 00</u>

**Department of Public Safety.**

*Division of State Police.*

Item		
2926-01	For the service of the division, including not more than six hundred and fifty permanent positions . . .	<b>\$4,525,310 00</b>
2926-07	For certain further improvements in the state-wide radio communication system, prior appropriation continued.	
2926-11	For the compensation of state police officers formerly in the service of the commonwealth, now retired . . .	<b>43,000 00</b>
	The comptroller is hereby authorized to transfer to the Highway Fund the sum of six hundred and eighty-three thousand eight hundred and thirty-six dollars from the General Fund on account of the expenditures under the division of state police.	
	<b>Total, Department of Public Safety</b>	<b><u>\$4,568,310 00</u></b>

**Metropolitan District Commission.**

*The following items are to be paid with the approval of the Metropolitan District Commission:*

2931-01	For general administration, including not more than sixty-five permanent positions; provided, that the comptroller shall transfer to the Highway Fund seventy-five per cent of the cost of payments made under this item from the Metropolitan District Commission Funds, to be assessed by methods fixed by law . . .	<b>\$368,245 00</b>
2931-04	For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof for the year nineteen hundred and sixty-one and for previous years, prior appropriation continued . . .	<b>1,000,000 00</b>
2931-06	For the maintenance of boulevards and parkways, including the installation of traffic lights and including Bunker Hill and the property adjacent, and for the maintenance of parks reservations and the Charles River basin, and for the payment of damages caused by defects in boulevards and parkways under the control of the commission with the approval of the attorney general, including the retirement of metropolitan police and veterans under the provisions of the General Laws, and including not more than one thousand and eighty-eight permanent positions; provided, that the comptroller shall transfer to the Highway Fund proportions of payments made under this item, as provided by section fifty-five of chapter ninety-two of the General Laws; and, provided further, that not less than one hundred thousand dollars of the sum herein appropriated, in addition to any sum heretofore designated for the Old Colony division, so-called, shall be used for the purpose of improving the sanitary condition of beaches including Pleasure Bay and bathhouses, and for the improvement of sidewalks and roadways in the South Boston district of the Old Colony division . . .	<b>9,296,432 00</b>
2931-74	For the purchase of certain highway maintenance equipment . . .	<b>83,100 00</b>
	<b>Total, Metropolitan District Commission</b>	<b><u>\$10,747,777 00</u></b>

## LOCAL AID APPROPRIATIONS.

## Department of Public Works.

*Highway Activities.*

Item		
2900-17	For projects for the construction and maintenance of town and county ways, as provided in subdivision two (a) of section thirty-four of chapter ninety of the General Laws; provided, that amounts made available by this item in any fiscal year shall be available for expenditure in the succeeding fiscal year; and, provided further, that not less than three hundred thousand dollars of the sum herein appropriated shall be available for maintenance projects on said town and county ways; and, provided further, that notwithstanding any provision of the General Laws to the contrary, the department of public works is hereby authorized during the fiscal year nineteen hundred and sixty-one to enter into agreements with officials of cities and towns for projects to be constructed in the nineteen hundred and sixty-two fiscal year not exceeding in the aggregate seven million dollars.	
2900-18	For aiding cities and towns in the repair and improvement of public ways, as provided by section twenty-six of chapter eighty-one of the General Laws; except, that the state's contribution shall be at an annual rate not to exceed two hundred and seventy-five dollars per mile for the calendar year nineteen hundred and sixty-one, the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five and chapter seven hundred and six of the acts of nineteen hundred and forty-nine notwithstanding; and, provided, that the amount appropriated for the purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year . . . . .	\$2,600,000 00
Total, Department of Public Works		<u>\$2,600,000 00</u>

## DEBT SERVICE APPROPRIATIONS.

## Interest and Redemption of Debt.

2951-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2810-00, prior appropriation continued . . . . .	\$11,634,809 00
2952-00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2820-00, prior appropriation continued . . . . .	<u>28,126,000 00</u>
Total, Interest and Redemption of Debt		<u>\$39,760,809 00</u>
Total, Highway Fund		<u>\$102,931,430 00</u>

## INLAND FISHERIES AND GAME FUND.

## STATE PURPOSES APPROPRIATIONS.

## Department of Natural Resources.

*Division of Fisheries and Game. (It is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund):*

3304-01	For the service of the division, including not more than fourteen permanent positions and including expenses of the board as authorized by chapter twenty-one of the General Laws . . . . .	<u>\$151,562 00</u>
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Item		
3304-41	For the development of wells at certain fish hatcheries	\$8,000 00
3304-42	For the expenses of fish hatcheries and for the improvement and management of lakes, ponds and rivers, including not more than forty-nine permanent positions	501,150 00
3304-44	For the contribution of the department of natural resources towards a wild life co-operative research project, in accordance with a contract with the federal government, to be expended by the University of Massachusetts	8,100 00
3304-46	For a striped bass and marine fisheries investigation; provided, that the comptroller shall transfer to the Inland Fisheries and Game Fund the sum of six thousand dollars from the General Fund	12,000 00
3304-47	For fish restoration projects, as authorized by chapter two hundred and seven of the acts of nineteen hundred and fifty-one, including not more than four permanent positions, prior appropriation continued	51,644 00
3304-48	For the purchase of land, Sunderland and Sandwich fish hatcheries, and for the purchase of other land for access to streams and ponds	6,000 00
3304-51	For expenses of game farms and for wild life research and management, including not more than fifty-one permanent positions	404,770 00
3304-53	For expenses of establishing and conducting wild life restoration projects, as authorized by chapter three hundred and ninety-two of the acts of nineteen hundred and thirty-eight, including not more than twenty permanent positions, prior appropriation continued	164,812 00
3304-57	For certain improvements to game farms	9,500 00
Total		\$1,317,538 00

*Division of Law Enforcement.*

3308-05	For the payment of damages caused by wild deer and wild moose, including not more than one permanent position, prior appropriation continued	\$4,355 00
3308-07	For the supervision of public fishing and hunting grounds	8,924 00
Total		\$13,279 00

Total, Department of Natural Resources	\$1,330,817 00
<b>TOTAL, INLAND FISHERIES AND GAME FUND</b>	<b>\$1,330,817 00</b>

**RECREATIONAL BOATING FUND.**

**STATE PURPOSES APPROPRIATION.**

**Registry of Motor Vehicles.**

*Division of Motorboats.*

3401-01	For the service of the division, including not more than thirty-eight permanent positions	\$286,497
Total, Registry of Motor Vehicles		\$286,497
<b>TOTAL, RECREATIONAL BOATING FUND</b>		<b>\$286,497</b>



## AGRICULTURAL PURPOSES FUND.

## STATE PURPOSES APPROPRIATION.

## Department of Agriculture.

*Division of Plant Pest Control and Fairs.*

Item		
3809-21	For state prizes and agricultural exhibits, including allotment of funds for the 4-H activities; provided, that the comptroller shall transfer to the General Fund the sum of ninety-two thousand and forty dollars from the Agricultural Purposes Fund, prior appropriation continued . . .	<u>\$191,750 00</u>
	Total, Department of Agriculture	<u>\$191,750 00</u>
	TOTAL, AGRICULTURAL PURPOSES FUND	<u><u>\$191,750 00</u></u>

## MOSQUITO CONTROL FUND.

## STATE PURPOSES APPROPRIATIONS.

## Department of Agriculture.

*State Reclamation Board.*

3901-00	For the expenses of mosquito control projects, as authorized by chapter three hundred and seventy-nine of the acts of nineteen hundred and thirty, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and thirty-five, to be assessed in the calendar year nineteen hundred and sixty . . .	<u>\$128,466 00</u>
3915-00	For the expenses of mosquito control projects, as authorized by chapter four hundred and fifty-six of the acts of nineteen hundred and forty-five, as most recently amended by chapter three hundred and three of the acts of nineteen hundred and fifty-nine, to be assessed in the calendar year nineteen hundred and sixty . . .	<u>97,212 00</u>
3917-00	For the expenses of mosquito control projects, as authorized by chapter three hundred and forty-one of the acts of nineteen hundred and fifty-six, to be assessed in the calendar year nineteen hundred and sixty . . .	<u>95,508 00</u>
3918-00	For the expenses of mosquito control projects, as authorized by chapter four hundred and thirty-two of the acts of nineteen hundred and fifty-eight, to be assessed in the calendar year nineteen hundred and sixty . . .	<u>82,764 00</u>
3920-00	For the expenses of mosquito control projects, as authorized by chapter five hundred and fourteen of the acts of nineteen hundred and fifty-seven, to be assessed in the calendar year nineteen hundred and sixty . . .	<u>75,466 00</u>
	Total	<u>\$479,416 00</u>
	Total, Department of Agriculture	<u><u>\$479,416 00</u></u>

STATE RECREATION AREAS FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

*Division of Forests and Parks.*

Item		
4010-01	For the service of the bureau of recreation, including not more than seventy-one permanent positions . . .	\$699,650 00
4010-23	For certain improvements to the water supply, Bradley W. Palmer State Park . . .	10,000 00
8260-06	From the unexpended balance remaining in item 8260-06, there shall be allowed and paid for the acquisition of certain land, as authorized by chapter six hundred and thirty-one of the acts of nineteen hundred and fifty-four, certain amounts in accordance with a judgment recorded in dockets numbered 1321, 1322 and 1323.	
	Total	<u>\$709,650 00</u>
	Total, Department of Natural Resources	<u>\$709,650 00</u>

Department of Public Works.

*Division of Waterways.*

4050-01	For the administration of public beaches, including not more than three permanent positions . . .	\$21,074 00
4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions . . .	112,717 00
4050-03	For the care and maintenance of the province lands, including the bathhouse, and of the lands acquired and structures erected by the Provincetown tercentenary commission, including not more than five permanent positions . . .	40,490 00
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position . . .	116,655 00
4050-06	For the maintenance of Scusset beach . . .	37,315 00
4050-51	For certain improvements to the water supply system, Horseneck beach . . .	1,000 00
	Total, Department of Public Works	<u>\$329,251 00</u>

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

4081-00	For the payment of interest on certain bonded debt of the commonwealth, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued . . .	\$105,914 00
4082-00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued . . .	370,000 00
	Total, Interest and Redemption of Debt	<u>\$475,914 00</u>

**SMOKE INSPECTION FUND.****STATE PURPOSES APPROPRIATION.****Department of Public Health.***Division of Smoke Inspection.*

Item		
4311-01	For the service of the division, including not more than nine permanent positions . . . . .	<b>\$52,376 00</b>
	Total, Department of Public Health	<b>\$52,376 00</b>
	<b>TOTAL, SPECIAL ASSESSMENT FUNDS</b>	<b>\$2,046,607 00</b>

**METROPOLITAN DISTRICT COMMISSION FUNDS.****STATE PURPOSES APPROPRIATIONS.**

*The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:*

**Metropolitan Parks, General.**

8601-27	For certain payments for the use of facilities of the museum of science . . . . .	<b>\$75,000 00</b>
8601-29	For certain payments for the maintenance and use of the Trailside museum . . . . .	<b>40,000 00</b>
8602-27	For the cost of suppressing the gypsy moth . . . . .	<b>5,000 00</b>
8602-37	For the expenses of holding band concerts . . . . .	<b>35,000 00</b>
8602-92	For the development of certain recreation areas, as authorized by chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item, prior appropriation continued, expires June thirtieth, nineteen hundred and sixty-two . . . . .	<b>150,000 00</b>
8603-03	For certain improvements to roofs, Nantasket . . . . .	<b>6,000 00</b>
	Total, Metropolitan Parks, General	<b>\$311,000 00</b>

**Metropolitan Sewerage District.**

8701-00	For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including the retirement of veterans under the provisions of the General Laws, and including not more than three hundred and twenty-one permanent positions . . . . .	<b>\$2,601,665 00</b>
8701-28	For the purchase and installation of comminutors, Nut Island . . . . .	<b>20,000 00</b>
	Total, Metropolitan Sewerage District	<b>\$2,621,665 00</b>

**Metropolitan Water System.**

8902-00	For the maintenance and operation of the metropolitan water system, including the retirement of veterans under the provisions of the General Laws and including not more than six hundred and ten permanent positions, prior appropriation continued . . . . .	<b>\$4,166,250 00</b>
8902-22	For emergency repairs to water mains, prior appropriation continued . . . . .	<b>15,000 00</b>

Item		
8902-34	For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued	\$500,000 00
8902-36	For the purchase of certain pipe and valve stock, prior appropriation continued	25,000 00
8902-49	For the purchase and installation of a hydraulic gate, Wachusett power station, prior appropriation continued	25,000 00
8902-87	For the replacement of valves, Winsor Dam power station	15,500 00
Total, Metropolitan Water System		<u>\$4,746,750 00</u>
TOTAL, METROPOLITAN DISTRICT COMMISSION FUNDS		<u><u>\$7,679,415 00</u></u>

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-one certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty, the unexpended balances of the items shown below are hereby reappropriated:

2900-07	8256-99	8702-25
2900-09	8328-02	8702-34
2900-11	8329-00	8807-25
2900-37	8356-20	8902-24
2931-53	8356-37	8902-83
2931-56	8356-40	8902-85
2931-69	8356-43	8902-86
7786-02	8601-39	9103-01
8256-01	8602-84	9103-02
8256-42	8602-85	9103-03
8256-73	8602-86	9103-04
8256-81	8602-89	9111-01
8256-84	8602-90	9117-01
8256-87	8602-91	9118-01
8256-88	8602-92	

SECTION 3. Wherever, in section two of this act, it is provided that transfers shall be made from a fund, account or receipts, of a specific sum, a percentage of payments, or a sum equivalent to payments, such transfers of a specific sum shall be made upon the effective date of this act, and all others shall be made quarterly unless otherwise provided; except, that at the close of a fiscal year, the amount equivalent to payments in a continuing account shall be construed to mean the amount of such appropriation.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates established in accordance with section twenty-eight of chapter seven of the General Laws.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed eight cents a mile.

All use of state-owned motor vehicles shall be subject to regulations to be promulgated and enforced by the commission on administration and finance; provided, however, that no state-owned motor vehicle shall be used for providing transportation for state officers or employees between their domiciles and places of employment nor shall any expense be incurred for the garaging of such vehicles except when specifically authorized by said commission.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the division of personnel and standardization, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent position, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, notwithstanding any special or general act to the contrary; provided, that no vacancy occurring in any classified permanent position included in said schedules of permanent positions may be filled in any manner except upon approval as required by rules and regulations established under the provisions of paragraph six of section forty-five of chapter thirty of the General Laws; and, provided further, that no part of sums appropriated in section two shall be available for the payment of overtime service to any employee of the commonwealth without the prior written approval of such overtime by the commission on administration and finance, upon recommendation of the director of the division of personnel and standardization, except where such overtime service is essential to replace the service of an employee necessary for the care of patients or inmates in institutions operated by the commonwealth.

SECTION 6A. Notwithstanding the provisions of paragraph (5) and (5A) of section forty-six of chapter thirty of the General Laws, the director of the division of personnel and standardization shall not approve the recruitment of any person at a rate above the minimum of the grade if such proposed employee has been in the service of the commonwealth within a twelve-month period prior to the date of the proposed recruitment.

No replacement of any temporary position made permanent in the fiscal year nineteen hundred and sixty-one shall be permitted and no part of the sums appropriated in section two of this act shall be available for the payment of any additional temporary position if there is a vacant permanent position within the schematic list in the service of the agency for which the temporary position is to be used, except upon a written certification approved by the commission on administration and finance that an emergency exists requiring the establishment of the position. This paragraph shall not apply to the filling of temporary positions of nurses and doctors, nor to the filling of a position under the provisions of section twenty-four B of chapter thirty of the General Laws, nor to correct an inequity under section forty-nine of said chapter thirty.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and sixty-one shall be available for the payment of such other forms of compensation as may be due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. All federal subventions and grants available to the commonwealth under any act of congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth; provided, however, that applications for such subventions and grants, and for transfers within such subventions and grants, shall be subject to the approval of the commission on administration and finance. All federal subventions and grants received by the commonwealth may be expended without specific appropriation if such expenditures are otherwise in accordance with law.

SECTION 9. Notwithstanding the provisions of section fifty-one of chapter thirty of the General Laws, or any other provision of law, the state purchasing agent is hereby authorized during the fiscal year nineteen hundred and sixty-one to incur liabilities and incidental expenses for the purchase of supplies, as provided by said section fifty-one, including material to be disposed of as surplus, so called, by the federal government through agencies of the federal government, in an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose, and the comptroller may certify for payment such incidental expenses and liabilities so incurred to an amount not exceeding three hundred and fifty thousand dollars, in addition to any amount heretofore provided for the purpose.

SECTION 10. No agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for any document printed, mimeographed or prepared in any other way, whether for outside or interdepartmental circulation, unless publication of such document shall have been approved by the state purchasing agent, and the state purchasing agent is hereby authorized and directed to require such agencies to summarize and consolidate such documents when feasible, and each document authorized to be printed which is four pages or more in length shall state on its face the estimated cost per copy, including the cost of paper, printing and binding. Notwithstanding any special or general law, complete original manuscripts of annual reports of state agencies, whenever printed in full or in summarized or consolidated form or in case such report is not printed, shall be filed with the secretary of the commonwealth. Except as otherwise provided by law, agencies selling documents shall do so at not less than the stated estimated cost; provided, however, that such agencies may dispose of excess copies of documents no longer current as provided by rules and regulations of the commission on administration and finance.

SECTION 11. Effective as of the beginning of the fiscal year nineteen hundred and sixty-one, each officer and employee whose position is classified under the provisions of chapter thirty of the General Laws who is in the same class to which he was allocated on October first,

nineteen hundred and fifty-six, but because of provisions in prior appropriation acts is receiving a limited rate and not the rate set forth for the step-in-range of the job group in the salary schedule to which he is entitled by said allocation, shall be paid the rate to which he is entitled by said allocation without such limitation for service rendered on and after June twenty-sixth, nineteen hundred and sixty.

SECTION 12. Notwithstanding the provisions of paragraph (1) of section forty-six of chapter thirty of the General Laws, a salary differential is hereby authorized to be paid, in accordance with rules and regulations to be established by the director of the division of personnel and standardization, with the approval of the commission on administration and finance, to employees in the nursing services who are employed on evening or night tours of duty, and the establishment of such rules and regulations shall not be subject to chapter thirty A of the General Laws.

SECTION 13. The surplus property agency in the department of education is hereby authorized to expend during the fiscal year nineteen hundred and sixty-one for the purposes of the surplus property agency fund, in addition to amounts available in said fund, an amount not exceeding fifty thousand dollars; provided, however, that no expenditure or commitment shall be incurred from the amount of the aforesaid fifty thousand dollar authorization in excess of amounts approved therefrom by the commission on administration and finance, at the written request of the surplus property agency; and, provided, further, that any amounts expended or commitments incurred under this authorization shall be paid or provided for from receipts of said surplus property agency fund prior to the close of the fiscal year.

SECTION 14. Notwithstanding the provisions of section ten A of chapter eight of the General Laws, no lease negotiated as provided therein, payable from state funds, shall take effect until an appropriation has been made specifically for and adequate to meet the costs for the fiscal year for which said lease may be executed. Renewal of rentals may be continued at existing rates pending appropriation if the general court has not provided otherwise.

SECTION 15. In order that the borrowing of funds in anticipation of receipts may be kept at a minimum, every department, board, commission or agency shall, before scheduling for payment or otherwise providing for the disbursement of public funds from any sum available for expenditure or distribution for the fiscal year nineteen hundred and sixty-one, submit for approval by a board consisting of the budget commissioner, or his designated representative, the commissioner of corporations and taxation, or his designated representative, and the state treasurer, or his designated representative, the proposed date of payment or distribution of such funds if the combined total thereof, as prepared by any such single agency, exceeds one million dollars on any one day, notwithstanding any special or general law regulating the disbursement of public funds by the commonwealth. Said board may require any agency to notify it of the anticipated receipt of revenue from any source, including federal subventions and grants.

SECTION 16. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and sixty-one, for the payment of classified personal services, the fiscal year shall be from July first, nineteen hundred and sixty through June twenty-fourth, nineteen hundred and sixty-one. Classified personal services for June twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth, nineteen hundred and sixty-one, shall be charged to the next fiscal year.

SECTION 17. Notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws, the budget commissioner is hereby directed to limit the transfer of funds between subsidiary accounts, established as provided in section twenty-seven of said chapter twenty-nine, to those transfers required to meet unforeseen emergencies where funds otherwise are not available to protect the public interest. The budget commissioner shall file forthwith, on the approval of any such transfer, a copy of the authorization with the House and Senate committees on Ways and Means.

SECTION 18. Except as otherwise provided in section thirteen of chapter seventy-five of the General Laws, no agency of the commonwealth receiving an appropriation under section two of this act shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title '03 Services — Non-employees' unless the rate of compensation for such services shall have been approved by the commission on administration and finance upon the recommendation of the director of the division of personnel and standardization. The said director shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the House and Senate committees on Ways and Means.

SECTION 19. For the purpose of allocating charges for engineering services rendered during fiscal nineteen hundred and sixty-one as a part of the direct cost of the projects for which they were incurred, the comptroller is hereby directed to transfer to Water System Bond Issue Accounts 9104-06 and/or 9104-07 from the following items such amounts as may be certified to him by the commissioner of the metropolitan district commission as chargeable to said items for personal services rendered by the personnel of the construction division upon the projects provided for in said items:

8329-00	9104-05	9107-33
8602-91	9107-01	9107-34
9102-01	9107-02	9107-35
9103-01	9107-21	9107-36
9103-02	9107-22	9107-39
9103-03	9107-23	9114-01
9103-04	9107-25	9117-01
9104-03	9107-26	9118-01
9104-04	9107-31	

SECTION 20. The effective date of the appropriation accounts, subsidiary accounts and authorizations in section two of this act shall



be July first, nineteen hundred and sixty. However, beginning June first, nineteen hundred and sixty, obligations may be incurred against these appropriation accounts or subsidiary accounts, if any, thereunder, for items to be delivered or for services to be rendered on and after July first, nineteen hundred and sixty; provided, they are in accordance with law and the amounts thereof do not exceed the amount of the appropriation account or subsidiary account. Where the allotment of an appropriation account or subsidiary account is a condition precedent to expenditure, the obligations shall not exceed the amount allotted for said appropriation account or subsidiary account. The certified copies of the schedules as provided for in section twenty-seven of chapter twenty-nine of the General Laws shall be filed with the comptroller and the budget commissioner to permit the effective operation of this section on June first, nineteen hundred and sixty. Where the allotment of an appropriation account or subsidiary account is required by law, allotments shall be made to permit the effective operation of this section on June first, nineteen hundred and sixty.

SECTION 21. The budget commissioner is hereby directed to send a copy of sections three to eighteen, inclusive, of this act to each departmental, divisional and institutional head immediately following passage of this act.

SECTION 22. Sections one to nineteen of this act shall take effect July first, nineteen hundred and sixty; sections twenty and twenty-one shall take effect upon the passage of this act.

*Approved June 30, 1960.*

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**Chap. 508.** AN ACT DESIGNATING THE BRIDGE ON THE FALL RIVER EXPRESSWAY OVER POND STREET IN THE TOWN OF AVON AS THE CHIEF PETTY OFFICER GEORGE D. NICHOLS BRIDGE.

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

SECTION 1. The bridge on the Fall River Expressway over Pond street in the town of Avon shall be known and designated as the Chief Petty Officer George D. Nichols bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved July 5, 1960.*

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**Chap. 509.** AN ACT DESIGNATING THE BRIDGE ON THE FALL RIVER EXPRESSWAY OVER SOUTH STREET IN THE TOWN OF AVON AS THE PRIVATE JAMES W. FEENER BRIDGE.

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

SECTION 1. The bridge on the Fall River Expressway over South street in the town of Avon shall be known and designated as the Private James W. Feener bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved July 5, 1960.*

**Chap. 510.** AN ACT DESIGNATING A CERTAIN BRIDGE OVER THE SOUTH-EAST EXPRESSWAY IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON AS THE JOHN T. MARR BRIDGE.

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

SECTION 1. The bridge over the Southeast Expressway now known as the Savin Hill Avenue bridge in the Dorchester district of the city of Boston, shall be designated and known as the John T. Marr bridge in memory of Private First Class John T. Marr of said Dorchester district who died on July twenty-fifth, nineteen hundred and fifty-three in Korea as a result of wounds received in the line of duty. The department of public works is hereby authorized and directed to place a suitable marker on the said bridge bearing said designation.

SECTION 2. This act shall take effect upon its passage.

*Approved July 5, 1960.*

**Chap. 511.** AN ACT DESIGNATING THE BRIDGE ON THE FALL RIVER EXPRESSWAY OVER PAGE STREET IN THE TOWN OF STOUGHTON AS THE SEAMAN SECOND CLASS WILLIAM H. BISSETT, JR. BRIDGE.

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

SECTION 1. The bridge on the Fall River Expressway over Page street in the town of Stoughton shall be known and designated as the Seaman Second Class William H. Bissett, Jr., bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved July 5, 1960.*

**Chap. 512.** AN ACT NAMING CERTAIN BRIDGES ON OR OVER ROUTE 128 IN THE TOWN OF BRAINTREE.

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

SECTION 1. The following bridges on or over state highway route 128 in the town of Braintree shall hereafter be known and designated as follows:—The three level bridge at the intersection of the Southeast Expressway and route 128, the Private First Class Norman H. Pinola bridge; the bridge on Washington street, Capen's bridge; the bridge at the corner of Pearl and Liberty streets, the Veterans' Memorial bridge; the two bridges on Union street, the Sergeant Anthony Francis Carderople bridge and the Lieutenant Carl W. Staples bridge, respectively; the bridge on Elm street, the Corporal Edward J. Henebury bridge; and the bridge on Granite street, the Braintree Legion Memorial bridge. Suitable markers bearing said designations shall be erected and maintained on said bridges by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved July 5, 1960.*

**Chap. 513.** AN ACT FURTHER EXTENDING THE TIME FOR THE WITHDRAWAL OF ADDITIONAL DEDUCTIONS PAID INTO THE ANNUITY SAVINGS FUND OF CONTRIBUTORY RETIREMENT SYSTEMS.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to allow forthwith certain public employees to withdraw pension deductions voluntarily paid into the annuity savings fund of contributory retirement systems, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

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

Section 2 of chapter 656 of the acts of 1954, as amended by chapter 409 of the acts of 1956, is hereby further amended by striking out, in line 6, the word "fifty-seven" and inserting in place thereof the word:—sixty-one,—so as to read as follows:—*Section 2.* Withdrawal of additional deductions under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, as amended by section one, shall be made upon written application to the board made prior to January first, nineteen hundred and sixty-one.

*Approved July 5, 1960.*

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**Chap. 514.** AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO MAKE A NEW DIVISION OF ITS TERRITORY INTO SIX WARDS.

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

SECTION 1. The city of Newburyport may, in December, nineteen hundred and sixty, make a new division of its territory into six wards. Except as otherwise provided herein, the provisions of sections one to five, inclusive, of chapter fifty-four of the General Laws shall be applicable to said new division.

SECTION 2. Any member of the city council who is a candidate for election to said council at the first municipal election following said new division shall, for the purposes of ballot information and of arrangement of names on the ballot under sections forty-one and forty-two, respectively, of said chapter fifty-four, be deemed to be an elected incumbent of and a candidate for re-election to such office.

SECTION 3. This act shall take effect upon its passage.

*Approved July 5, 1960.*

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**Chap. 515.** AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ESTABLISH A PARKING AREA IN THE CITY OF REVERE.

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

SECTION 1. The metropolitan district commission is hereby authorized and directed to take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, a certain parcel of land located on Ocean avenue in the city of Revere, containing approximately fourteen acres of land, owned by the Revere Housing Authority and referred to as the Ocean Avenue Redevelopment Project, U R Mass. 1-1, for the purpose of

constructing and thereafter maintaining and operating thereon a public parking area. The said commission may, in lieu of maintaining and operating said public parking area, enter into a contract or lease for the maintenance and operation of said area; provided, however, that no such contract or lease shall be entered into until or unless a notice inviting proposals therefor shall have been posted, not less than one week prior to the time specified in such notice for the opening of said proposals, in a conspicuous place on or near the premises of said commission and shall have remained so posted until the time so specified, and, unless such a notice shall also have been published at least once not less than two weeks prior to the time so specified in a daily newspaper published in the city of Boston and a weekly newspaper published in the city of Revere. Proposals for any such contract or lease shall be in writing and shall be opened in public at a time and place specified in the posted or published notice, and after being so opened shall be open to public inspection. Any such contract or lease shall be awarded to the highest responsible bidder.

SECTION 2. This act shall take effect upon its passage.

*Approved July 5, 1960.*

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**Chap. 516.** AN ACT AUTHORIZING THE CITY OF CHICOPEE TO CONVEY CERTAIN LAND IN THE COOLEY BROOK AREA IN SAID CITY TO THE COMMONWEALTH AND AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO HOLD AND DEVELOP SAID LAND FOR PARK AND RECREATIONAL PURPOSES.

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

SECTION 1. The mayor of the city of Chicopee, with the approval of the board of water commissioners of said city, is hereby authorized on behalf of said city to convey, without consideration, to the commonwealth a certain parcel of land held by said city for water purposes, located in the Cooley Brook area in said city, bounded and described as follows:—Beginning at a stone bound in the westerly line of Old Wood Road, so-called, said stone bound also marking the northeasterly corner of land of one Lafond; thence northerly along the said westerly line of Old Wood Road, two hundred and fifty-four (254) feet to a stone bound; thence continuing northerly along the westerly line of Old Wood Road by an interior angle of  $201^{\circ} 50'$ , three hundred and seventy-three and  $15/100$  (373.15) feet to a stone bound; thence continuing northerly along the westerly line of Old Wood Road by an interior angle of  $174^{\circ} 38'$ , two hundred and eighty-nine and  $84/100$  (289.84) feet to a stone bound; thence northerly along the westerly line of Old Wood Road by an interior angle of  $184^{\circ} 56'$ , five hundred and seven and  $53/100$  (507.53) feet to a stone bound; thence continuing northerly along the westerly line of Old Wood Road by an interior angle  $195^{\circ} 43'$ , one hundred and twenty-six (126) feet to a stone bound; thence easterly by an interior angle of  $252^{\circ} 56'$  across Old Wood Road and along the northerly line of land of Paul T. Golden and John B. Golden, one thousand two hundred and thirteen and  $90/100$  (1213.90) feet to a stone bound, in the westerly line of Pendleton Avenue; thence northerly by an interior angle  $101^{\circ} 11'$  across Pendleton Avenue, fifty-four (54) feet to a stone bound in the easterly line of Pendleton Avenue; thence northeasterly along land

of the grantor, two thousand six hundred and fifty (2,650) feet, more or less, to the land of the United States of America; thence north  $45^{\circ}$  west along the land of the United States of America, one thousand two hundred and forty-three and  $72/100$  (1,243.72) feet to a point; thence south  $81^{\circ} 11' 48''$  west and along the land of the United States of America, one thousand nine hundred and eight and  $63/100$  (1,908.63) feet to a point; thence south  $48^{\circ} 14' 04''$  west and along the land of the United States of America, one hundred and seventy-nine and  $86/100$  (179.86) feet to a point; thence south  $34^{\circ} 12'$  west and along the land of the United States of America, six hundred and forty (640) feet to a point; thence south  $16^{\circ} 11' 45''$  west and along the land of the United States of America, four hundred and twenty and  $59/100$  (420.59) feet to a point; thence south  $34^{\circ} 12'$  west and along the land of the United States of America, seven hundred (700) feet to a point; thence south  $39^{\circ} 32' 21''$  west and along the land of the United States of America, one thousand and seventy-four and  $66/100$  (1,074.66) feet to a point; thence south  $17^{\circ} 22' 43''$  west and along the land of the United States of America, four hundred and forty-nine and  $22/100$  (449.22) feet to a point; thence south  $34^{\circ} 12'$  west and along the land of the United States of America, four hundred and seventy (470) feet to a point; thence south  $63^{\circ} 56' 42''$  west and along the land of the United States of America, three hundred and twenty-two and  $49/100$  (322.49) feet to a point; thence south  $34^{\circ} 12'$  west and along the land of the United States of America, six hundred and fifty-seven and  $18/100$  (657.18) feet to a point; thence south  $11^{\circ} 19' 29''$  west and along the land of the United States of America, four hundred and twenty-one and  $36/100$  (421.36) feet to a point; thence south  $34^{\circ} 12'$  west and along the land of the United States of America, eight hundred and sixty (860) feet, more or less, to Cooley Brook; thence along Cooley Brook, which is a line of land of the United States of America, eight hundred and fifty (850) feet, more or less, to a point; thence south  $76^{\circ} 38' 05''$  west, nine hundred and sixteen and  $19/100$  (916.19) feet, more or less, to a point; thence north  $61^{\circ} 35' 51''$  west and along the land of the United States of America, one thousand one hundred and seventy-seven and  $57/100$  (1,177.57) feet to a point; thence northwesterly by an exterior angle of  $174^{\circ} 44' 51''$  and along the land of the United States of America, nine hundred and thirty-seven and  $67/100$  (937.67) feet to a point; thence northwesterly and along the land of the United States of America, five hundred and sixty (560) feet, more or less, to a point; thence southwesterly and along the land of the United States of America and along other land of the grantor, seven hundred and forty-five and  $84/100$  (745.84) feet to a stone bound; thence southwesterly and along other land of the grantor and by an interior angle of  $206^{\circ} 33'$ , two hundred and twenty-seven and  $73/100$  (227.73) feet to a point; thence southeasterly and along other land of the grantor and by an interior angle of  $124^{\circ} 18'$ , two hundred and eighteen (218) feet to a point; thence southwesterly and along other land of the grantor and by an interior angle of  $209^{\circ} 50'$ , six hundred and three and  $84/100$  (603.84) feet to a stone bound; thence southwesterly and along other land of the grantor and by an interior angle of  $227^{\circ} 17'$ , five hundred and five and  $75/100$  (505.75) feet and along other land of the grantor to a stone bound; thence southeasterly and along other land of the

grantor and by an interior angle of  $54^{\circ} 59'$ , four hundred and three and  $03/100$  (403.03) feet to a stone bound, marking the northwesterly corner of land of one Murphy; thence southeasterly and along the northerly line of land of said Murphy and by an interior angle of  $190^{\circ} 14'$ , four hundred and eighty-three and  $73/100$  (483.73) feet to a stone bound; thence southwesterly and along the easterly line of land of said Murphy and by an interior angle of  $234^{\circ} 25'$ , four hundred and twenty and  $09/100$  (420.09) feet to a stone bound; thence southeasterly and along land of said Murphy and by an interior angle of  $100^{\circ} 46'$ , two hundred and thirty-four and  $98/100$  (234.98) feet to a stone bound; thence easterly and along the northerly line of land of said Murphy, by an interior angle of  $152^{\circ} 53'$ , one hundred (100) feet to a stone bound; thence continuing easterly and along the northerly line of land of said Murphy and by an interior angle of  $179^{\circ} 56'$ , eight hundred and twenty-three and  $80/100$  (823.80) feet to an iron pin; marking the northeasterly corner of land of said Murphy; thence southerly and along the easterly line of land of said Murphy and by an interior angle of  $250^{\circ} 01'$ , ninety and  $48/100$  (90.48) feet to an iron pin; thence continuing southerly and along the easterly line of land of said Murphy and by an interior angle of  $189^{\circ} 22'$ , one hundred and thirty-five (135) feet to a stone bound, marking the northwesterly corner of land of the Massachusetts Industrial Park; thence easterly and along the northerly line of the Massachusetts Industrial Park, six hundred and thirty-one and  $93/100$  (631.93) feet; thence continuing easterly and along the northerly line of the Massachusetts Industrial Park, one thousand and ninety-two and  $60/100$  (1,092.60) feet to a point; thence continuing easterly and along the northerly line of the Massachusetts Industrial Park, one thousand five hundred and forty-six and  $12/100$  (1,546.12) feet to the land of one Donnellan; thence northerly and along the land of said Donnellan and other land of the grantor, four hundred and thirty-seven and  $39/100$  (437.39) feet to a point; thence continuing northerly by an interior angle of  $180^{\circ} 26'$  and along other land of the grantor, four hundred and seventy and  $49/100$  (470.49) feet to a point; thence continuing northerly and along other land of the grantor and by an interior angle of  $180^{\circ} 11'$ , two hundred and two and  $90/100$  (202.90) feet to a point; thence easterly by an interior angle of  $266^{\circ} 32'$  and along other land of the grantor, one thousand one hundred and twenty (1,120) feet, more or less, to a point; thence northeasterly and along other land of the grantor, eight hundred and fifty (850) feet, more or less, to a stone bound, marking the southwest corner of land of one Luiz; thence northerly and along the westerly line of land of said Luiz, nine hundred and sixty-one and  $60/100$  (961.60) feet to a stone bound, marking the northwesterly corner of land of said Luiz; thence easterly at right angles to the last described course and along the northerly line of land of said Luiz, seven hundred and one and  $62/100$  (701.62) feet to a stone bound in the westerly line of other land of said Luiz; thence northerly by an interior angle of  $89^{\circ} 01'$  and along the westerly line of other land of said Luiz, five hundred and twenty-four and  $20/100$  (524.20) feet to a stone bound, marking the northwesterly corner of other land of said Luiz; thence easterly by an interior angle of  $269^{\circ} 59'$  and along the northerly line of other land of said Luiz and the northerly line of said Lafond, eight hundred and

forty-three and 66/100 (843.66) feet to the point of beginning; excepting therefrom easements to the electric light department and the water department of the city of Chicopee, as shown on a plan entitled "Plan of Land in the City of Chicopee, Mass., for Proposed State Park, Scale 1" = 400 ft., dated April, 1960".

Subject to easements of record in the Hampden County registry of deeds from the City of Chicopee to the United States of America.

The deed conveying said land to the commonwealth shall be approved as to form by the attorney general.

SECTION 2. The department of natural resources is hereby authorized on behalf of the commonwealth to accept from the city of Chicopee the parcel of land described in section one, and thereafter said department shall have the care and control of said parcel and shall develop the same for park and recreational purposes.

SECTION 3. Section one of this act shall take effect upon its acceptance by the board of aldermen of the city of Chicopee.

*Approved July 5, 1960.*

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**Chap. 517.** AN ACT ESTABLISHING A CONSERVATION PROGRAM FOR CITIES AND TOWNS.

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

Chapter 132A of the General Laws is hereby amended by adding the following section:—*Section 11.* The commissioner shall establish a program to assist the cities and towns, which have established conservation commissions under section eight C of chapter forty, in acquiring lands and in planning or designing suitable public outdoor facilities as described in sections two B and two D. He may, from funds appropriated to carry out the provisions of section three, reimburse any such city or town for any money expended by it in establishing an approved project under said program in such amount as he shall determine to be equitable in consideration of anticipated benefits from such project, but in no event shall the amount of such reimbursement exceed fifty per cent of the cost of such project. No reimbursement shall be made hereunder to a city or town unless a project application is filed by such city or town with the commissioner setting forth such plans and information as the commissioner may require and approved by him, nor until such city or town shall have voted to expend from its conservation fund, under clause fifty-one of section five of chapter forty, an amount equal to the total cost of the project, nor until the project has been completed, to the satisfaction of the commissioner, in accordance with said approved plans.

*Approved July 5, 1960.*

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**Chap. 518.** AN ACT AUTHORIZING THE TRANSFER OF A CERTAIN PARCEL OF PARK LAND IN THE CITY OF NEW BEDFORD FROM THE BOARD OF PARK COMMISSIONERS TO THE BOARD OF HEALTH OF SAID CITY FOR A HEALTH CENTER.

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

The city council of the city of New Bedford, with the approval of its mayor, may, upon the approval of the board of park commissioners

of said city, transfer the care, custody, management and control of a certain parcel of park land in said city to the board of health for the purpose of enabling said board to construct a health center thereon. Said park land is bounded and described as follows:—

Beginning at the southeast corner of Ashley Boulevard and Brooklawn street; thence easterly in the south line of Brooklawn street a distance of three hundred fifty-five and 6/100 (355.06) feet to a point; thence southerly in a line parallel to Ashley Boulevard a distance of five hundred feet to a point; thence westerly in a line parallel to Brooklawn street a distance of three hundred fifty-five and 6/100 (355.06) feet to a point in the east line of Ashley Boulevard; thence northerly in said east line of Ashley Boulevard a distance of five hundred feet to point of beginning; containing six hundred and forty-two and seventy-nine hundredths square rods, being a portion of Brooklawn Park in said city.

*Approved July 5, 1960.*

**Chap. 519.** AN ACT AUTHORIZING HAZEL PADDOCK TO BRING SUIT AGAINST THE TOWN OF BROOKLINE.

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

Hazel Paddock of Brookline may maintain a suit against the town of Brookline under the provisions of section fifteen of chapter eighty-four of the General Laws for an injury which she received from a fall on a sidewalk at 73 Monmouth street in said town on or about December twenty-third, nineteen hundred and fifty-eight, notwithstanding the fact that she failed to give the notice required by sections eighteen and nineteen of chapter eighty-four of the General Laws.

*Approved July 5, 1960.*

**Chap. 520.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO LAY OUT AND CONSTRUCT AN ACCESS OR CONNECTING ROAD FROM ROUTE 114 IN THE CITY OF LAWRENCE TO THE RAYTHEON MISSILE PLANT IN THE TOWN OF ANDOVER.

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

The department of public works is hereby authorized and directed to lay out and construct an access or connecting road from state highway route 114 in the Den Rock area of the city of Lawrence to the Raytheon missile plant in the town of Andover.

*Approved July 5, 1960.*

**Chap. 521.** AN ACT RELATIVE TO THE CONTRIBUTION BY THE COMMISSIONERS ON UNIFORM STATE LAWS TOWARD THE EXPENSES OF THE CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS.

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

SECTION 1. Section 28 of chapter 6 of the General Laws, as most recently amended by chapter 456 of the acts of 1953, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—They may make a contribution each



year toward the expenses of the conference of commissioners on uniform state laws, to be paid from the appropriation for the expenses of the commissioners.

SECTION 2. The contribution toward the expenses of the conference of commissioners on uniform state laws of one thousand dollars in the fiscal year nineteen hundred and fifty-seven by the commissioners on uniform state laws is hereby confirmed and validated, notwithstanding the fact that such contribution exceeded the amount authorized by statute. *Approved July 5, 1960.*

**Chap. 522.** AN ACT TO INCREASE THE MEMBERSHIP ON THE MASSACHUSETTS HIGHWAY SAFETY COMMITTEE.

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

SECTION 1. Section 1 of chapter 90A of the General Laws, as amended by chapter 425 of the acts of 1954, is hereby further amended by striking out, in lines 10 to 12, inclusive, the words "five members to be appointed by the governor, one of whom shall be a representative of a safety organization" and inserting in place thereof the words:—seven members to be appointed by the governor, three of whom shall be representatives of safety councils accredited by the National Safety Council.

SECTION 2. Notwithstanding the provisions of section one the appointive members presently serving on the Massachusetts Highway Safety Committee shall continue to serve until the expiration of the term for which they were appointed. *Approved July 5, 1960.*

**Chap. 523.** AN ACT RELATIVE TO THE ELIGIBILITY OF BLIND PERSONS FOR AN ANNUAL GRANT UPON BEING RELIEVED OF EMPLOYMENT IN A WORKSHOP FOR THE BLIND.

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

Chapter 669 of the acts of 1957 is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* Any blind person who, on or after the effective date of this act, is employed in a workshop for the training and employment of blind persons, established under section fourteen of chapter sixty-nine of the General Laws, shall, upon completing not less than twenty years of employment in such a workshop and upon attaining age sixty-five, be relieved of such employment, and may, at his request, upon completing thirty years of employment in such a workshop before attaining age sixty-five, be relieved of such employment.

*Approved July 5, 1960.*

**Chap. 524.** AN ACT RELATIVE TO THE DISCHARGE OF CERTAIN SEX OFFENDERS.

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

The second paragraph of section 129 of chapter 127 of the General Laws, as appearing in section 66 of chapter 770 of the acts of 1955, is hereby amended by striking out the last sentence and inserting in

place thereof the following sentence:—A prisoner released on parole from a correctional institution of the commonwealth who has faithfully observed all the rules of his parole, and has not been returned to prison for the violation of his parole, shall be entitled to have the term of his imprisonment reduced by a deduction from the maximum term for which he may be held under the sentence or sentences, but only for that period of the sentence or sentences during which he was actually confined, and in such case, the parole board shall notify the commissioner of correction who shall issue a certificate of final discharge and release from further supervision upon the date which has been determined by such a deduction from the maximum term of his sentence or sentences; provided, however, that when any person serving a sentence imposed for a violation of section thirteen B, twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B of chapter two hundred and sixty-five, or section seventeen, thirty-five, or thirty-five A of chapter two hundred and seventy-two or for an attempt to commit any crime referred to in said sections is released in accordance with the provisions hereof, he shall not be given any certificate of discharge hereunder, but shall be released on parole and shall be subject to the provisions of law governing parole until the expiration of the term of imprisonment to which he has been sentenced.

*Approved July 5, 1960.*

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**Chap. 525.** AN ACT PROVIDING THAT CERTAIN EMPLOYEES OF THE MASSACHUSETTS PORT AUTHORITY BE ALLOWED TO COUNT AS CREDITABLE SERVICE THE PERIOD OF THEIR EMPLOYMENT BY THE MYSTIC RIVER BRIDGE AUTHORITY FOR PURPOSES OF RETIREMENT.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain employees of the Massachusetts Port Authority be allowed creditable service under the retirement law for the total period of their prior employment by the Mystic River Bridge Authority, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The third paragraph of section 22 of chapter 465 of the acts of 1956, as appearing in section 10 of chapter 599 of the acts of 1958, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:—Employees of the Mystic River Bridge Authority upon becoming members of the state retirement system shall be allowed as creditable prior service the total period of their prior employment by the said Authority.

SECTION 2. No person who was an employee of the Mystic River Bridge Authority on the date of the acquisition of said Authority by the Massachusetts Port Authority, shall be excluded from membership in the state employees retirement system if he was under the maximum age for his group on said date.

*Approved July 6, 1960.*

**Chap. 526.** AN ACT INCREASING THE SALARY OF THE PRESIDENT OF THE UNIVERSITY OF MASSACHUSETTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to enable forthwith the Commonwealth of Massachusetts to be in a better position in obtaining a capable president of the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

The first paragraph of section 13 of chapter 75 of the General Laws, as appearing in chapter 556 of the acts of 1956, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—The president shall receive a salary of not less than twenty thousand dollars nor more than twenty-five thousand dollars, the amount to be determined by the trustees.

*Approved July 6, 1960.*

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**Chap. 527.** AN ACT ESTABLISHING A COMMISSION TO ASSIST IN THE PLANNING, PROMOTION AND DEVELOPMENT OF THE SIXTH WORLD PARACHUTING CHAMPIONSHIP MEETING TO BE HELD AT ORANGE IN THE YEAR NINETEEN HUNDRED AND SIXTY-TWO.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a Sport Parachuting Commission for the purpose of extending to the parachutists of the world at the World Parachuting Championship in Bulgaria being held in July of this year, the official invitation of the commonwealth to hold the Sixth World Parachuting Championship at the Orange Municipal Airport in the year nineteen hundred and sixty-two, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public welfare and convenience.

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

SECTION 1. There is hereby established in the department of commerce, but not subject to its control, a Sport Parachuting Commission, hereinafter referred to as the commission, consisting of the director of the Massachusetts aeronautics commission and the manager of the municipal airport of the town of Orange, *ex officio*, and three persons, who shall be residents of the commonwealth, to be appointed by the governor, with the advice and consent of the council. The governor shall designate the chairman of the commission. The members of the commission shall not be compensated for their services, but shall be reimbursed for all necessary expenses incurred in the performance of their duties.

SECTION 2. The commission shall prepare plans for the proper conduct and observance of the Sixth World Parachuting Championship, to be held at the municipal airport of the town of Orange in the year nineteen hundred and sixty-two, shall develop and promote said championship meeting, and do all things necessary to efficiently administer the same. The commission shall consult with the advisory

board, established hereunder, in all matters relating to the planning, preparation and conducting of said championship meeting.

The commission shall meet at the call of the chairman, and may, subject to appropriation, appoint and remove a secretary and such other assistants and employees as may be necessary, who shall not be subject to the provisions of the civil service laws. The board shall establish the compensation of such assistants and employees.

SECTION 3. The commission is hereby authorized to co-operate with and accept aid from the federal government or any agency thereof, in connection with the planning, financing and administration of the Sixth World Parachuting Championship, and to avail itself of such aid and co-operation as will enable it to carry out the duties conferred upon it and to conduct successfully said championship meeting.

The commission, subject to appropriation, may incur such expenses, including expenses for construction, expenses for rentals and purchase of goods, wares and merchandise, and expenses for advertising, as it deems necessary in connection with the arrangement and the conduct of said championship meeting.

SECTION 4. There is hereby established a parachuting championship advisory board, to consist of ten persons to be appointed by the governor. The governor shall designate one of said appointees as chairman of the board. Said advisory board shall advise the commission on matters pertaining to the planning, preparation and operation of the Sixth World Parachuting Championship.

SECTION 5. The commission shall make in December of each year a report of all its activities, including a complete operating and financial statement, to the governor and to the general court.

SECTION 6. This act shall cease to be effective on December thirty-first, nineteen hundred and sixty-two, and the commission and advisory board established hereunder shall be abolished as of said date.

*Approved July 6, 1960.*

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**Chap. 528.** AN ACT RELATIVE TO THE FEDERAL HIGHWAY PROGRAM.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to make available without delay certain federal funds for highway construction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. To provide for supplementing funds previously made available for the accelerated highway program and to make available certain federal funds to be received on account of the allocation to the commonwealth for the fiscal year nineteen hundred and sixty-one, there is hereby authorized to be expended by the department of public works without further appropriation an amount not to exceed eighty-six million dollars, to be in addition to the amounts made available by chapter thirty-two of the acts of nineteen hundred and fifty-eight; provided, that the amount authorized by this act shall be made available subject to the same conditions and for the same purposes as funds authorized in said chapter thirty-two.

SECTION 2. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not less than twenty-eight million dollars, for projects in the four following named areas, and not less than seven million dollars of said sum shall be expended in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections, and not less than seven million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county, excluding any bridges across said river with their approaches and connections, and not less than seven million dollars in the area comprising Essex, Middlesex and Norfolk counties, including Route 128 therein, and not less than seven million dollars in the area comprising Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 3. For the purpose of facilitating payments under the accelerated highway program, and in anticipation of the receipt of federal funds for the purpose, the state treasurer may borrow from time to time on the credit of the commonwealth, such sums of money as may be necessary for the purpose of meeting payments authorized under the accelerated highway program, and may issue and renew from time to time, notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, that the total amount of such notes, authorized to be issued by this section and by section seven of chapter thirty-two of the acts of nineteen hundred and fifty-eight, outstanding at any one time shall not exceed fifty million dollars. All interest payments and payments on account of principal of such obligations shall be paid from the Highway Fund; provided, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

*Approved July 6, 1960.*

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**Chap. 529.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF WORCESTER COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Worcester county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

WORCESTER COUNTY.

Item		
1.	For interest on county debt .....	\$56,510 00
2.	For reduction of county debt .....	135,000 00
3.	For county commissioners, salaries and expenses	31,592 00
4.	For transportation and expenses of county and acting commissioners .....	2,501 00
5.	For clerk of courts, salaries and expenses .....	153,819 98
6.	For county treasurer, salaries and expenses ....	42,716 23
7.	For sheriff, salary and expenses .....	10,260 00
8.	For registries of deeds, salaries and expenses ...	293,322 25
8a.	For registry of probate, salaries and expenses ..	13,568 00
9.	For law libraries, salaries and expenses .....	33,942 34
10.	For highways, including state highways, bridges and land damages .....	655,131 59
11.	For examination of dams .....	1,850 00
12.	For criminal costs in superior court .....	135,958 95
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	296,978 20
14.	For district courts, salaries and expenses .....	567,624 58
15.	For medical examiners and commitments of in- sane .....	85,285 00
16.	For jail and house of correction, maintenance and operation .....	330,976 98
18.	For court houses and registry buildings, mainte- nance and operation .....	242,046 58
19.	For construction of county buildings and/or pur- chase of land .....	15,000 00
20.	For agricultural school or county aid to agricul- ture, maintenance and operation .....	99,368 14
21.	For state reservation, maintenance and operation, Mount Wachusett .....	35,070 50
21a.	For state reservation, maintenance and operation, Purgatory Chasm .....	15,459 50
24.	For non-contributory pensions .....	40,495 00
25.	For contributory retirement system and super- visory expenses .....	72,978 00
26.	For miscellaneous and contingent expenses .....	23,513 36
27.	For unpaid bills of previous years .....	7,000 00
28.	For reserve fund .....	40,000 00
28a.	For reserve for salary adjustments .....	84,763 00
29.	For bindery department .....	12,875 50
30.	For forest fire patrol .....	3,000 00
31.	For radio system for fire protection .....	4,300 00
32.	For Dutch elm disease .....	10,000 00
34.	For soil conservation .....	250 00
39.	For group insurance .....	40,072 00

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Total Amount of Appropriations ..... \$3,593,228 68

Less Estimated amount available for Reduction of County Tax .....	\$711,672 55
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And the county commissioners of Worcester County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$2,881,556 13

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Worcester county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved July 6, 1960.*

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**Chap. 530.** AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF MIDDLESEX COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

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

SECTION 1. To provide for the maintenance of Middlesex county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt



requirements, and to meet certain requirements of law, the following sums for the several purposes and subject to the conditions specified in section two are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof for the year nineteen hundred and sixty:—

## MIDDLESEX COUNTY.

Item		
1.	For interest on county debt .....	\$26,664 44
2.	For reduction of county debt .....	48,954 13
3.	For county commissioners, salaries and expenses .....	61,048 42
4.	For transportation and expenses of county and acting commissioners .....	2,000 00
5.	For clerk of courts, salaries and expenses .....	285,872 06
6.	For county treasurer, salaries and expenses ....	86,125 92
7.	For sheriff, salary and expenses .....	10,100 00
8.	For registry of deeds, salaries and expenses ....	827,447 90
8a.	For registry of probate, salaries and expenses ..	53,476 00
9.	For law library, salaries and expenses .....	44,857 25
10.	For highways, including state highways, bridges and land damages .....	876,617 72
11.	For examination of dams .....	2,000 00
12.	For criminal costs in superior court .....	413,568 69
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	583,886 14
14.	For district courts, salaries and expenses .....	1,369,510 57
15.	For medical examiners and commitments of insane .....	96,400 00
16.	For jail and house of correction, maintenance and operation .....	1,296,133 25
17.	For training school .....	303,610 74
18.	For court houses and registry buildings, maintenance and operation .....	530,705 55
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	106,587 25
21.	For state reservation, maintenance and operation, Walden Pond .....	127,243 72
24.	For non-contributory pensions .....	108,000 00
25.	For contributory retirement system and supervisory expenses .....	155,703 00
26.	For miscellaneous and contingent expenses ....	32,775 01
27.	For unpaid bills of previous years .....	42,917 35
28.	For reserve fund .....	65,000 00
28a.	For reserve for salary adjustments .....	225,000 00
30.	For forest fire patrol .....	2,500 00
34.	For soil conservation .....	1,000 00
39.	For group insurance .....	84,650 00
Total Amount of Appropriations .....		\$7,870,355 11

Less Estimated amount available for Reduction of County Tax .....	\$1,810,731 68
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And the county commissioners of Middlesex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ... \$6,059,623 43

SECTION 2. Sums appropriated in section one are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with the county commissioners and the county treasurer of Middlesex county a certification of the amounts above appropriated as set forth in the approved schedules for said county. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing appropriation for a function, a main group, a class or a sub-class.

Transfers within an appropriation from a main group to another main group may be made upon written request of the authorized official of the organization unit with the written approval of said county commissioners, and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by the authorized official of the organization unit whenever in his opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated in section one for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated in section one shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners with the approval of the director of accounts.

SECTION 3. No expense incurred for mid-day meals by county officers and employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those county officers and employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that county officers and employees in attendance at meetings and conferences called by or for any group or class on a statewide basis shall be so reimbursed.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

SECTION 4. The allowance to county officers and employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed eight cents a mile, except in cases where a higher allowance is specifically provided by statute; provided, that in the case of commitments of the insane the justice of the court ordering the commitment may order a higher rate. No expenditures shall be made for travel outside the commonwealth for attendance at conferences or conventions.

SECTION 5. Any provision of general or special law to the contrary notwithstanding, any county officer or employee whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

SECTION 6. This act shall take effect upon its passage.

*Approved July 6, 1960.*

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**Chap. 531.** AN ACT AUTHORIZING THE TOWN OF LUNENBURG TO APPROPRIATE MONEY FROM ITS STABILIZATION FUND AT A SPECIAL TOWN MEETING.

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

SECTION 1. Notwithstanding the provisions of section five B of chapter forty of the General Laws or of any other law to the contrary, the town of Lunenburg may by a two thirds vote of a special town meeting, called for the purpose, in the current year appropriate from its stabilization fund a sum not to exceed one hundred thousand dol-

lars for the purpose of defraying part of the cost of the construction of an addition to the Junior-Senior high school in said town.

SECTION 2. This act shall take effect upon its passage.

*Approved July 6, 1960.*

**Chap. 532.** AN ACT NAMING CERTAIN BRIDGES ON OR OVER ROUTE 128 IN THE TOWN OF WEYMOUTH.

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

SECTION 1. The following bridges on or over state highway route 128 in the town of Weymouth shall hereafter be known and designated as follows:—The bridge on Middle street, the Lieutenant James F. Dwyer bridge; the bridge on Pleasant street, the Private Henry W. O'Leary bridge; the bridge on Main street, the Seaman First Class George L. Barker bridge; the bridge on Front street, the Staff Sergeant Louis J. Belcastro bridge; and the bridge on Summer street, the Corporal William C. Garrity bridge. Suitable markers bearing said designations shall be erected and maintained on said bridges by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved July 6, 1960.*

**Chap. 533.** AN ACT DESIGNATING THE BRIDGE OVER THE SOUTHEAST EXPRESSWAY ON STEDMAN STREET IN THE CITY OF QUINCY AS THE SOOREN M. ALEMIAN BRIDGE.

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

SECTION 1. The bridge over the Southeast Expressway on Stedman street in the city of Quincy shall be known and designated as the Sooren M. Alemian bridge, in commemoration of Private First Class Sooren M. Alemian who was killed in action in World War II while a member of the United States Army. A suitable marker bearing said designation shall be attached to said bridge by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved July 6, 1960.*

**Chap. 534.** AN ACT PROVIDING THAT CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE FOR PERSONS IN THE SERVICE OF THE COMMONWEALTH AND THEIR DEPENDENTS BE EXTENDED TO CERTAIN EMPLOYEES OF THE NATIONAL GUARD.

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

Section 2 of chapter 32A of the General Laws is hereby amended by striking out paragraph (b), as most recently amended by section 1 of chapter 558 of the acts of 1958, and inserting in place thereof the following paragraph:—(b) "Employee", any person in the service of the commonwealth, which shall include a person employed by the National Guard as a technician, and a person who is an employee of a mosquito control project, a local housing authority or a redevelopment authority, whether such person be employed, appointed or elected by popular vote; provided the duties of such person require that his

time be devoted to the service of the commonwealth during the regular work week of permanent employees, except that persons elected by popular vote, other than those serving as members of mosquito control projects, local housing authorities and redevelopment authorities, will be considered employees during the entire term for which they are elected regardless of the hours devoted to the service of the commonwealth. By way of illustration but not limitation, a person appointed or elected by popular vote shall include employees of the general court, state officials, constitutional officers and members of the general court, but shall in no event be construed to include members of the judiciary paid in whole or in part from other than state funds, seasonal employees or emergency employees. A determination by the commission that a person is eligible for participation in the plan of insurance shall be final and shall be binding on all parties.

*Approved July 6, 1960.*

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**Chap. 535.** AN ACT REGULATING MEMBERSHIP IN CONTRIBUTORY RETIREMENT SYSTEMS.

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

Subdivision (3) of section 3 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 695 of the acts of 1955, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Notwithstanding his filing of notice and waiver under paragraph (b) of subdivision (2) of this section, any employee who, having or having had the right to become a member, failed to become or elected not to become a member, may apply for and be admitted to membership if under the maximum age for his group on the date of his application; provided, that during his present period of service he had previously been eligible for membership; and any employee who, having had the right to become a member of any retirement system established under the provisions of this chapter, or under corresponding provisions of earlier laws or any special law, failed to become or elected not to become a member, may apply for and be admitted to membership if under the maximum age for his group on the date of his application.

*Approved July 6, 1960.*

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**Chap. 536.** AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF YOUTH HONOR DAY.

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

Chapter 6 of the General Laws is hereby amended by inserting after section 15F the following new section:—*Section 15G.* The governor shall annually issue a proclamation setting apart the thirty-first day of October as Youth Honor Day and recommending that it be observed by the people with appropriate exercises and activities in the schools and elsewhere in recognition of the honorable and outstanding achievements of youthful citizens, and as a reminder to these young citizens that they prepare for their responsibilities and obligations as the future leaders of the state and the nation.

*Approved July 6, 1960.*

**Chap. 537.** AN ACT PROVIDING FOR A BRANCH OFFICE OF THE REGISTRY OF MOTOR VEHICLES IN THE CITY OF WESTFIELD.

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

The registrar of motor vehicles is hereby authorized and directed to establish and maintain in the city of Westfield a branch office of the registry of motor vehicles.

*Approved July 6, 1960.*

**Chap. 538.** AN ACT PROVIDING FOR AN INCREASE IN SALARIES FOR THE MAYOR AND BOARD OF ALDERMEN IN THE CITY OF CHELSEA.

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

SECTION 1. Notwithstanding the provisions of the city charter, or of any general or special law to the contrary, the annual salary of the mayor of the city of Chelsea shall be seventy-five hundred dollars.

SECTION 2. Notwithstanding the provisions of the city charter, or of any general or special law to the contrary, the annual salary of each alderman in the city of Chelsea shall be twelve hundred dollars.

SECTION 3. Section one of this act shall be submitted for acceptance to the registered voters of the city of Chelsea at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election:—"Shall the salary of the mayor of the city of Chelsea be increased to \$7,500?" If a majority of the votes cast in answer to said question is in the affirmative, section one shall take effect on January first, nineteen hundred and sixty-one, but not otherwise.

SECTION 4. Section two of this act shall be submitted for acceptance to the registered voters of the city of Chelsea at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election:—"Shall the salary of each alderman in the city of Chelsea be increased to \$1,200?" If a majority of the votes cast in answer to said question is in the affirmative, section two shall take effect on January first, nineteen hundred and sixty-one, but not otherwise.

*Approved July 6, 1960.*

**Chap. 539.** AN ACT REPEALING THE PROVISIONS OF LAW RELATIVE TO REIMBURSEMENT OF CITIES AND TOWNS BY THE COMMONWEALTH FOR CERTAIN TONSIL AND ADENOID OPERATIONS.

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

Section 20 of chapter 122 of the General Laws, as appearing in section 8 of chapter 613 of the acts of 1958, is hereby amended by striking out the seventh sentence.

*Approved July 6, 1960.*

**Chap. 540.** AN ACT AUTHORIZING THE ARMORY COMMISSION TO CONVEY CERTAIN LAND WITH THE BUILDINGS THEREON SITUATED IN THE TOWN OF FRAMINGHAM TO SAID TOWN.

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

SECTION 1. The armory commission, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of

the governor and council, to convey to the town of Framingham for a nominal consideration for municipal purposes, by a deed approved as to form by the attorney general, all the right, title, interest and estate of the commonwealth in and to a certain parcel of land with the buildings thereon located in said town and bounded and described as follows:—

Beginning at the intersection of the northerly location line of Ordway Street with the easterly location line of Union Avenue; thence proceeding along the northerly location line of Ordway Street N 71° 27' E ten (10.00) feet to the southwest corner of this parcel; thence turning and running N 10° 28' W ninety-nine and seventeen one-hundredths (99.17) feet on a line parallel to the easterly location line of Union Street; then N 71° 27' E two hundred five and sixty-seven one-hundredths (205.67) feet by land now or formerly of Grace Congregational Church; thence S 10° 28' E ninety-nine and seventeen one-hundredths (99.17) feet by land now or formerly of John M. Merriam; thence S 71° 27' W two hundred five and sixty-seven one-hundredths (205.67) feet along the northerly location line of the afore-mentioned Ordway Street to the southwest corner of this parcel, the same containing approximately twenty thousand three hundred ninety-six (20,396) square feet of land.

SECTION 2. The parcel of land described in section one of this act shall revert to the commonwealth at such time as it ceases to be used for the purposes described in said section one.

*Approved July 6, 1960.*

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**Chap. 541.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BRIDGE ACROSS THE MYSTIC RIVER IN THE CITY OF MEDFORD.

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

The department of public works is hereby authorized to construct a bridge across the Mystic river on proposed Interstate Route 93 in the city of Medford. Subject to the laws of the United States, said bridge may be constructed without a draw.

*Approved July 6, 1960.*

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**Chap. 542.** AN ACT INCREASING THE COMMONWEALTH'S GUARANTEE AND ANNUAL CONTRIBUTIONS FOR THE HOUSING OF ELDERLY PERSONS.

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

Chapter 121 of the General Laws is hereby amended by striking out section 26VV, as most recently amended by chapter 591 of the acts of 1958, and inserting in place thereof the following section:—*Section 26VV.* The commonwealth, acting by and through the state housing board, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of bonds and notes, or either bonds or notes, of the housing authority issued to finance the cost of a project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income. The amount of bonds and notes, or bonds or

notes, guaranteed by the commonwealth under this section shall not exceed seventy million dollars. Each contract for state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed one million, seven hundred and fifty thousand dollars. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the state housing board to the state comptroller. The provisions of sections twenty-six NN and twenty-six OO shall, so far as apt, be applicable to contracts for state financial assistance under this section.

In addition to said annual contribution, the commonwealth shall, upon approval and certification by the state housing board to the state comptroller, pay an additional annual contribution of one and one-half per cent of the completion cost during any fiscal year over and above the annual contribution of two and one-half per cent of the completion cost permitted under the first paragraph of this section and under sections twenty-six NN and twenty-six OO for any project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income; provided, said project or projects have been determined to be complete and eligible to receive such annual contributions by said board; and provided, further, that the chairman of said board finds that the combined revenue and subsidy of such projects is insufficient to meet the cost of operation and debt service. The additional annual contributions authorized under this paragraph shall not in any one year exceed one million, fifty thousand dollars, over and above the one million, seven hundred and fifty thousand dollars authorized under the first paragraph.

*Approved July 6, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, JULY 20, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 542 of the Acts of 1960, entitled "An Act Increasing the Commonwealth's Guarantee and Annual Contributions for the Housing of Elderly Persons," and the enactment of which received my approval on July 6, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay the construction of housing units for the elderly in many communities immediately in need of such housing.

Very truly yours,  
FOSTER FURCOLO,  
*Governor of the Commonwealth.*



OFFICE OF THE SECRETARY, BOSTON, JULY 20, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by his Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and ten minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and forty-two of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 543.** AN ACT CREATING THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE AND PROVIDING FOR THE CONSOLIDATION THEREIN OF THE NEW BEDFORD INSTITUTE OF TECHNOLOGY AND THE BRADFORD DURFEE TECHNICAL INSTITUTE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay an engineering and technological institute to assist in the diversification of industries in southeastern Massachusetts and in the strengthening of the present industries in that area, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

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

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 19, as most recently amended by section 3 of chapter 347 of the acts of 1957, and inserting in place thereof the following section:—*Section 19.* The trustees of the University of Massachusetts, the board of commissioners of the Massachusetts Maritime Academy, the trustees of the Bradford Durfee College of Technology, the trustees of the Lowell Technological Institute of Massachusetts, the trustees of the New Bedford Institute of Technology and the trustees of the Southeastern Massachusetts Technological Institute shall serve in the department.

SECTION 2. Said chapter 15 is hereby further amended by inserting after section 21, under the caption SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE, the following section:—*Section 21A.* There shall be a board of trustees for the Southeastern Massachusetts Technological Institute consisting of fifteen members to be appointed by the governor with the advice and consent of the council and the commissioner of education as an ex officio member. Of the trustees first appointed, three shall be selected from the board of trustees of the New Bedford Institute of Technology and three from the board of trustees of the Bradford Durfee College of Technology. Of the fifteen trustees originally appointed, six shall be appointed for a term of three years, five for a term of two years and four for a term of one year. The successor of each such trustee shall be appointed for a term of three years and until his successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term.

SECTION 3. The General Laws are hereby amended by inserting after chapter 75A the following chapter:—

CHAPTER 75B.

SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE.

*Section 1.* The Southeastern Massachusetts Technological Institute hereafter referred to as the institute, shall be maintained by the commonwealth for the purpose of giving instruction in the theory and practical arts of engineering and science, the liberal arts, and other appropriate curricula which shall be established from time to time to include such scientific, technological, and other studies as may be deemed desirable by the board of trustees of said institute.

*Section 2.* The institute may have a common seal which may be altered by the board of trustees.

*Section 3.* All accounts for construction and maintenance and for expenditures under special appropriations shall be approved by the trustees, or, if the trustees shall so vote, by the president or by some other designated alternate, or a member of the board of trustees, and shall be filed with the comptroller. Copies of the payrolls and bills shall be kept at the institute.

*Section 4.* All receipts from student activities shall be retained by the trustees in a revolving fund or funds and shall be expended as the trustees shall direct in furthering the activities from which the receipts were derived; provided, that the foregoing shall not authorize any action in contravention of the requirements of section 1 of Article LXIII of the Amendments to the Constitution. The said fund or funds shall be subject to annual audit by the state auditor.

*Section 5.* A complete accounting of receipts and expenditures shall be made to the governor annually. Monthly statements of receipts and expenditures shall be made to the comptroller by the president or his designated alternate, who shall keep complete records and files of payrolls and bills in his office. The term "receipts" as herein used shall include all federal grants received by the trustees.

*Section 6.* The trustees shall determine the time and place of their meetings and the manner of giving notice thereof.

*Section 7.* The trustees shall make all rules, regulations, and by-laws consistent with law, with reasonable penalties, for the government of the institute.

*Section 8.* The trustees shall administer property held in accordance with special trusts, and shall also administer grants or devises of land and gifts or bequests of personal or real property made to the commonwealth for the use of the institute, and shall execute certain trusts, investing the proceeds thereof in notes or bonds or property secured by sufficient mortgages or other securities.

*Section 9.* The trustees shall, on behalf of the commonwealth, manage and administer the property, real and personal, belonging to the commonwealth and occupied or used by the institute, and shall keep in repair, houses, buildings, and equipment so used or occupied.

*Section 10.* The trustees shall annually make a report for the institute, which, with appendices, may be printed in six parts, as follows:—

1. The report of the trustees.
2. The report of the president and other officers of administration.
3. The catalog of the institute.

4. The report of the director of the research foundation and its other officers.

5. The detailed reports of the evening division and other divisions or agencies of the institute.

6. The resources of the institute, its courses and methods of instruction, the number of its teachers and students during the preceding school year, and the number of its graduates.

*Section 11.* The trustees may confer such appropriate degrees as they shall determine and prescribe.

*Section 12.* The trustees shall elect the president, the necessary professors, tutors, instructors, teachers and other officers and assistants of the institute and shall define the duties and tenure of office in accordance with the appropriate laws of the commonwealth.

*Section 13.* The trustees may insure the buildings of the institute and their contents in such amounts as they deem sufficient.

*Section 14.* The trustees may fix the rates of tuition to be charged by the institute, but the yearly tuition for day school students who are non-residents of the commonwealth shall not be less than one hundred and fifty dollars.

*Section 15.* The trustees may establish a division to be called the Evening Division, Southeastern Massachusetts Technological Institute, to be conducted under their direction, and in which shall be given such evening instruction in the theory and practical arts of engineering and science, the liberal arts, and other subjects as they deem appropriate.

*Section 16.* Subject to section seventeen, the trustees may, in the name of and for the commonwealth, lease to any professor, instructor, teacher or employee of said institute, or to any society, association or fraternity established thereat, land on the campus of the institute, owned by the commonwealth, for the erection and maintenance of suitable dwellings thereon, at the sole expense of the lessee and for the lessee's use and occupancy. Not more than one half an acre shall be so leased to any one such person or organization. Such leases shall contain such written terms, conditions, restrictions and reservations as the parties agree upon.

*Section 17.* No lease under section sixteen shall become operative until it is approved by the governor and council.

*Section 18.* The trustees shall make just and reasonable provision for the employment of students at the institute for manual labor and certain skilled labor consistent with the institute's needs.

*Section 19.* The institute may establish and manage, under such regulations as the board of trustees may from time to time prescribe, the Southeastern Massachusetts Technological Research Foundation, hereinafter called the research foundation, for the purpose of promoting research at the institute by obtaining, administering or disposing of patents or inventions resulting from such research or otherwise and devoting the income therefrom to further research, beneficial to the institute and to the commonwealth. The research foundation may (1) receive and hold in separate custody gifts, bequests and devises of real or personal property; (2) receive and hold in separate custody compensation or reimbursement resulting from inventions, patents, contractual or other research, the conducting of tests for outside agencies or other funds that may be acceptable to the foundation;

(3) disburse funds so acquired for purposes of instruction, research, tests, inventions, discovery, development or engineering consistent herewith; (4) obtain, administer and dispose of patents, assignments, grants, licenses or other rights and hold the same in separate custody; (5) make assignments, grants, licenses, or other disposal, equitably in the public interest, of any rights in or to inventions, discoveries, patent applications or patents owned, acquired or controlled by it, and to charge therefor and collect and to incorporate in funds in the custody of the research foundation reasonable compensation in such form as the board of trustees may determine; and (6) execute contracts with employees or others for the purpose of carrying out the provisions hereof and permitting such employees or others to share in the net proceeds of such contracts as the board of trustees shall determine.

The foregoing shall not authorize any action in contravention of the requirements of section 1 of Article LXIII of the Amendments to the Constitution. The funds of the research foundation shall be subject to annual audit by the state auditor. No activities, specified in the foregoing, shall be undertaken by the research foundation which in the opinion of the board of trustees will be likely to interfere with the regular, efficient and proper exercise of the functions of said institute.

In conducting contractual or other research, tests or similar activities, the research foundation shall give preference to citizens of and to corporations organized under the laws of the commonwealth.

The board of trustees shall prescribe and enforce such regulations as it may deem necessary, with regard to the ownership of inventions developed with the use of facilities of the institute by students, research fellows, staff members, faculty or other persons, the transfer of such inventions, or patent applications or patents resulting therefrom, to the research foundation, the amount of the respective shares of the inventor, the institute, and the research foundation in the proceeds therefrom, and the arbitration of any and all disagreements involving the same.

*Section 20.* The director of the research foundation may from time to time publish in reports, bulletins, special circulars or otherwise, the results of special studies or research or analysis of general interest and value to the industries represented at or interested in the institute.

SECTION 4. The board of trustees for the Southeastern Massachusetts Technological Institute may acquire, in the name of the commonwealth, by gift, devise, purchase or the exercise of the right of eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws, a suitable site subject to the approval of the governor and council for the campus of the Southeastern Massachusetts Technological Institute in an area most accessible to the major population centers of the region.

SECTION 5. Said board of trustees shall have the power, subject to appropriation and the provisions of sections thirty A to thirty J of chapter seven of the General Laws to prepare plans and specifications and to award contracts for the construction of necessary class rooms and library, laboratory, dormitory, administration and other buildings at the site of the campus.

SECTION 6. To provide for the orderly consolidation and integration of Bradford Durfee College of Technology and New Bedford In-

stitute of Technology into the Southeastern Massachusetts Technological Institute the board of trustees of said technological institute shall file with the governor a "first stage certificate" in which it shall certify in writing that it has acquired the campus site and completed the plans and specifications for the structures to be placed thereon. Upon the completion of the structures said board shall file with the governor a "final stage certificate", in which it shall certify in writing that said structures have been completed.

SECTION 7. Upon the filing of the final stage certificate, the board of trustees of the Southeastern Massachusetts Technological Institute shall be vested with all the powers, rights and privileges and shall be subject to all the duties of the trustees of Bradford Durfee College of Technology and New Bedford Institute of Technology. The Bradford Durfee College of Technology and New Bedford Institute of Technology shall thereby be consolidated into the Southeastern Massachusetts Technological Institute which shall be deemed for all purposes a continuation of the Bradford Durfee College of Technology and New Bedford Institute of Technology. The said trustees of Bradford Durfee College of Technology and New Bedford Institute of Technology shall transfer to the board of trustees of the Southeastern Massachusetts Technological Institute all property, real or personal and all rights which they hold by reason of their office as said trustees and they shall execute any deeds, contracts and assignments and institute any legal proceedings necessary to transfer such property and rights.

SECTION 8. Upon the filing of the final stage certificate, the Research Foundation of New Bedford Institute of Technology shall transfer by deed, assignment, or otherwise, all real or personal property and all rights of whatever nature or description, of which it has title or custody or to the benefit of which it is entitled, to the Southeastern Massachusetts Technological Institute Research Foundation. The Research Foundation of New Bedford Institute of Technology shall thereby be consolidated into the Southeastern Massachusetts Technological Institute Research Foundation which shall be deemed for all purposes a continuation of the Research Foundation of New Bedford Institute of Technology, and which shall be vested with all the powers, rights and privileges and shall be subject to the duties and obligations of the Research Foundation of New Bedford Institute of Technology. The Research Foundation of New Bedford Institute of Technology and the board of trustees of New Bedford Institute of Technology shall execute any deeds, contracts or assignments and shall institute any legal proceedings necessary to transfer such property and rights.

SECTION 9. Upon the filing of the final stage certificate, the professional staffs and employees of Bradford Durfee College of Technology and New Bedford Institute of Technology shall be transferred to the Southeastern Massachusetts Technological Institute without loss or impairment of tenure, status, retirement or civil service rights.

SECTION 10. Upon the filing of the final stage certificate, the phrases, "New Bedford Textile Institute", "New Bedford Institute of Textiles and Technology", "New Bedford Institute of Technology", "Bradford-Durfee Institute of Technology of Fall River", "Bradford Durfee College of Technology" or any words connoting

the same when used in any statute, ordinance, by-law, rule or regulation shall mean the Southeastern Massachusetts Technological Institute.

*Approved July 7, 1960.*

**Chap. 544.** AN ACT REDEFINING THE WORD "VETERAN".

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to immediately redefine the word "veteran", therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Clause Forty-third of section 7 of chapter 4 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 299 of the acts of 1960, and inserting in place thereof the following paragraph:—

"Veteran" shall mean any person, male or female, including a nurse, (a) whose last discharge or release from his wartime service, as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than ninety days active service, at least one day of which was for wartime service, provided that any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete ninety days of active service.

SECTION 2. This act shall take effect on July tenth, nineteen hundred and sixty.

*Approved July 8, 1960.*

**Chap. 545.** AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF TUBERCULOSIS HOSPITALS IN CERTAIN COUNTIES.

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

SECTION 1. The trustees of the Bristol county tuberculosis hospital and the county commissioners of the other counties hereinafter specified are hereby authorized to expend for the year nineteen hundred and sixty the sums set forth in this act for the care, maintenance and repair of the county tuberculosis hospitals within their respective counties, and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws.

The sums set forth are based upon detailed schedules approved by the joint committee on counties, copies of which are deposited with the director of accounts.

Said director shall file with said trustees and said county commissioners and with the county treasurer a certification of the amounts set forth in the approved schedules for such hospitals. Except as provided by this act or except as otherwise provided by law, no liability may be incurred and no expenditure shall be made in excess of the amount available in an existing main group, a class or a sub-class.

Transfers from a main group to another main group may be made upon written request of said trustees or said county commissioners with the written approval of the director of accounts and copies of said request and approval shall be filed with the county treasurer; provided, however, that no transfer shall be made from the main groups "personal services" or "equipment" to another main group nor shall any transfer be made from any other main group into the main groups "personal services" or "equipment".

Transfers within an appropriation between classes and between sub-classes within a main group may be made by said trustees or said county commissioners whenever in their opinion public necessity and convenience so requires; provided, however, that no transfer shall be made within the classes of the main groups "personal services" or "equipment".

Amounts included for permanent positions in sums appropriated herein for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on counties, and, except as otherwise shown by the files of said committee, a copy of which shall be deposited with the county personnel board, no part of sums so appropriated shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent positions, notwithstanding any special or general law to the contrary; except that an attendant who becomes a licensed practical nurse may be paid an increased salary rate on account of such promotion, subject to approval by the county personnel board.

Moneys appropriated under this act for the purchase of equipment shall be expended for the purposes specified in the schedules as approved by the joint committee on counties and for no other purpose.

No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of said trustees and said county commissioners with the approval of the director of accounts.

No moneys appropriated under this act shall be expended by county officers or employees for telephone service furnished to such officers or employees at places other than regular county offices.

Any provision of general or special law to the contrary notwithstanding, any county officer or employee of a tuberculosis hospital whose salary rate on July first, nineteen hundred and fifty-seven, was limited to an increase in rate of one thousand dollars shall receive an increase in salary rate of not more than one step in his salary grade, if he has not attained the maximum for such grade, effective on his anniversary date or on July first, nineteen hundred and sixty, in accordance with the approved list filed with the county personnel board by the joint committee on counties.

BRISTOL COUNTY.

Item		
1.	For personal services .....	\$255,646 32
2.	For contractual services .....	33,450 00
3.	For supplies and materials .....	95,900 00
4.	For current charges and obligations .....	28,180 05
5.	For equipment .....	10,751 00
6.	For structures and improvements .....	700 00
8.	For debt and interest .....	11,000 00
10.	For unpaid bills of previous years .....	250 00
11.	For reserve fund .....	2,500 00
11a.	For reserve for salary adjustments .....	20,412 50
12.	For group insurance .....	3,700 00
	For total expenditures .....	\$462,489 87

ESSEX COUNTY.

Item		
1.	For personal services .....	\$772,810 98
2.	For contractual services .....	52,785 00
3.	For supplies and materials .....	241,840 00
4.	For current charges and obligations .....	85,111 22
5.	For equipment .....	10,321 00
8.	For debt and interest .....	33,324 74
10.	For unpaid bills of previous years .....	2,000 00
11.	For reserve fund .....	10,000 00
11a.	For reserve for salary adjustments .....	64,402 10
12.	For group insurance .....	16,000 00
14.	For accident insurance .....	2,000 00
	For total expenditures .....	\$1,290,595 04

MIDDLESEX COUNTY.

Item		
1.	For personal services .....	\$988,427 76
2.	For contractual services .....	77,405 00
3.	For supplies and materials .....	285,705 00
4.	For current charges and obligations .....	72,161 97
5.	For equipment .....	50,131 00
7.	For land and nonstructural .....	6,450 00
8.	For debt and interest .....	33,000 00
10.	For unpaid bills of previous years .....	1,000 00
11.	For reserve fund .....	10,000 00
11a.	For reserve for salary adjustments .....	80,788 50
12.	For group insurance .....	24,000 00
	For total expenditures .....	\$1,629,069 23



## NORFOLK COUNTY.

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Item	
1. For personal services .....	\$572,881 76
2. For contractual services .....	44,900 00
3. For supplies and materials .....	207,000 00
4. For current charges and obligations .....	31,486 73
5. For equipment .....	5,005 00
8. For debt and interest .....	15,000 00
11. For reserve fund .....	10,000 00
11a. For reserve for salary adjustments .....	46,215 00
12. For group insurance .....	10,000 00
For total expenditures .....	<hr/> \$942,488 49

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## PLYMOUTH COUNTY.

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Item	
1. For personal services .....	\$454,189 53
2. For contractual services .....	43,013 00
3. For supplies and materials .....	154,617 00
4. For current charges and obligations .....	41,276 80
5. For equipment .....	20,831 40
7. For land and nonstructural .....	1,000 00
8. For debt and interest .....	15,000 00
10. For unpaid bills of previous years .....	850 00
11. For reserve fund .....	10,000 00
11a. For reserve for salary adjustments .....	31,297 50
12. For group insurance .....	8,509 92
For total expenditures .....	<hr/> \$780,585 15

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## WORCESTER COUNTY.

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Item	
1. For personal services .....	\$598,530 63
2. For contractual services .....	52,288 00
3. For supplies and materials .....	193,123 00
4. For current charges and obligations .....	43,443 17
5. For equipment .....	10,769 90
8. For debt and interest .....	20,259 32
10. For unpaid bills of previous years .....	428 54
11. For reserve fund .....	5,000 00
11a. For reserve for salary adjustments .....	51,869 00
12. For group insurance .....	13,760 90
For total expenditures .....	<hr/> \$989,472 46

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SECTION 2. This act shall take effect upon its passage.

*Approved July 8, 1960.*

**Chap. 546.** AN ACT VALIDATING CERTAIN ACTION TAKEN BY THE TOWN OF LUDLOW AT THE ANNUAL TOWN MEETING HELD IN THE CURRENT YEAR.

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

SECTION 1. The votes of the town of Ludlow taken under Articles 64 and 65 of the warrant for the annual town meeting in the current year are hereby validated and confirmed, anything in chapter three hundred and forty-one of the acts of nineteen hundred and seventeen to the contrary notwithstanding, and said town is authorized to pay such portion of the cost of the sewerage projects voted by it under such articles as is specified in such votes.

SECTION 2. This act shall take effect upon its passage.

*Approved July 8, 1960.*

**Chap. 547.** AN ACT PROVIDING FOR THE FURNISHING OF WORK CLOTHES TO CERTAIN EMPLOYEES OF THE SEWERAGE DIVISION OF THE METROPOLITAN DISTRICT COMMISSION.

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

Chapter 28 of the General Laws is hereby amended by inserting after section 4 the following section:—*Section 4A.* The commissioner, with the approval of the commission on administration and finance, shall prescribe work clothes of standard pattern to be furnished at the expense of the commonwealth for the use, while on duty, of such employees of the sewerage division as may be designated by the commissioner.

*Approved July 8, 1960.*

**Chap. 548.** AN ACT RELATIVE TO THE COMPUTATION OF THE CORPORATION EXCISE AND FURTHER MODIFYING THE CORPORATION EXCISE LAW.

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

SECTION 1. Paragraph 3 of section 30 of chapter 63 of the General Laws, as most recently amended by section 1 of chapter 679 of the acts of 1958, is hereby further amended by striking out subdivision (b), and inserting in place thereof the following subdivision:—(b) The cost of securities, the income of which, if any, if received by a natural person resident in this commonwealth, would not be liable to taxation, except shares in national banks and voluntary associations, trusts and partnerships, and which were held at all times during the taxable year and that proportion of the cost of such of said securities as were not held at all times during the taxable year which the number of days in the taxable year during which such securities were held bears to the number of days in the taxable year.

SECTION 2. Said paragraph 3 of said section 30 of said chapter 63, as so amended, is hereby further amended by striking out subdivision (d) and inserting in place thereof the following subdivision:—(d) If, on the last day of the taxable year, any portion of its cash and accounts receivable, excluding notes, is attributable to an office outside

the commonwealth, such proportion of its cash and accounts receivable, excluding notes, as its net income attributable to business carried on outside the commonwealth bears to its total net income allocable under the provisions of section thirty-eight of this chapter, to the extent that such proportion fairly represents, in the judgment of the commissioner, the amount which is properly allocable to such office outside the commonwealth.

SECTION 3. Paragraph 4 of said section 30 of said chapter 63, as most recently amended by section 2 of said chapter 679 of the acts of 1958, is hereby further amended by striking out subdivision (b) and inserting in place thereof the following subdivision:—(b) The cost of securities held in the commonwealth, the income of which, if any, if received by a natural person resident therein, would not be liable to taxation, except shares in national banks, voluntary associations, trusts and partnerships, and which were held at all times during the taxable year and that proportion of the cost of such of said securities as were not held at all times during the taxable year which the number of days in the taxable year during which such securities were held bears to the number of days in the taxable year.

The proportion of intangible assets employed within the commonwealth shall be such proportion of the total intangible assets of the corporation on the last day of the taxable year as its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight of this chapter, bears to its total net income allocable under said section, to the extent that such proportion fairly represents the amount of its intangible assets employed within the commonwealth.

SECTION 4. Said chapter 63 is hereby further amended by striking out section 32, as most recently amended by section 1 of chapter 406 of the acts of 1958, and inserting in place thereof the following section:—*Section 32.* Except as provided in section thirty-eight B, every domestic business corporation shall pay, on account of each taxable year, the excise provided in subsection (a), (b), (c) or (d) of this section, whichever is the greater. Liability for such excise shall be incurred by corporate existence at any time within such taxable year. In the case of a corporation whose taxable year is a period of less than twelve calendar months the portion of the amount determined under clause (1) of subsection (a) and the amount determined under subsection (b) shall be multiplied by a fraction whose numerator is the number of months included in the taxable year and whose denominator is twelve.

(a) An amount equal to the sum of—

(1) Five dollars per thousand upon the value of its corporate excess as defined in paragraph 3 of section thirty, or five dollars per thousand upon the value of such of its tangible property situated in the commonwealth on the last day of such taxable year as is not subject to local taxation nor taxable under section sixty-seven, whichever is higher; and

(2) Two and one half per cent of its net income determined to be taxable in accordance with the provisions of this chapter. If two or more domestic corporations participated in the filing of a consolidated return of income to the federal government, the portion of the excise

computed under this clause may, at their option, be assessed upon their combined net income, in which case the excise shall be assessed to all said corporations and collected from any one or more of them.

(b) An amount equal to one twentieth of one per cent of the fair value of its capital stock on the last day of such taxable year.

(c) In the case of a corporation deriving its profits principally from the ownership, sale, rental or use of real or tangible personal property, an amount equal to one twentieth of one per cent of its gross receipts assignable to this commonwealth as defined in paragraph 6 of section thirty-eight.

(d) Twenty-five dollars.

SECTION 5. Section 32A of said chapter 63 is hereby repealed.

SECTION 6. Section 34 of said chapter 63 is hereby repealed.

SECTION 7. Said chapter 63 is hereby further amended by striking out section 39, as most recently amended by section 2 of said chapter 406 of the acts of 1958, and inserting in place thereof the following section:—*Section 39.* Except as otherwise provided herein, every foreign corporation shall pay, on account of each taxable year, with respect to carrying on or doing business in the commonwealth, the excise provided in subsection (a), (b), (c) or (d) of this section, whichever is the greater. Liability for such excise shall be incurred by corporate activity within the commonwealth at any time within the taxable year. In the case of a corporation whose taxable year is a period of less than twelve calendar months, the portion of the amount determined under clause (1) of subsection (a) and the amount determined under subsection (b) shall be multiplied by a fraction whose numerator is the number of months included in the taxable year and whose denominator is twelve.

(a) An amount equal to the sum of—

(1) Five dollars per thousand upon the value of its corporate excess employed within the commonwealth, as defined in paragraph 4 of section thirty, or five dollars per thousand upon the value of such of its tangible personal property situated in the commonwealth on the last day of such taxable year as is not subject to local taxation, whichever is higher; and

(2) Two and one half per cent of its net income determined to be taxable in accordance with the provisions of this chapter. If two or more foreign corporations doing business in this commonwealth participated in the filing of a consolidated return of income to the federal government, the portion of the excise computed under this clause may, at their option, be assessed upon their combined net income, in which case the excise imposed by this section shall be assessed to all said corporations and may be collected from any one or more of them.

(b) An amount equal to one twentieth of one per cent of such proportion of the fair value of its capital stock on the last day of such taxable year as its net income attributable to business carried on within the commonwealth, as determined under the provisions of section thirty-eight, bears to its total net income allocable under said section.

(c) In the case of a corporation deriving its profits principally from the ownership, sale, rental or use of real estate or tangible personal

property, an amount equal to one twentieth of one per cent of its gross receipts assignable to this commonwealth as defined in paragraph 6 of section thirty-eight.

(d) Twenty-five dollars.

SECTION 8. Section 39C of said chapter 63 is hereby repealed.

SECTION 9. Section 44 of said chapter 63 is hereby further amended by striking out the first sentence, as appearing in section 7 of chapter 362 of the acts of 1936, and inserting in place thereof the following sentence:—The commissioner shall determine, from the returns required by this chapter and from any other available information, and shall assess, the excise provided by sections thirty to fifty-two, inclusive, of this chapter; provided, however, that he shall not be required to assess the tax provided by subsection (d) of section thirty-two upon any corporation with respect to which he may apply to the supreme judicial court for dissolution pursuant to the provisions of section fifty A of chapter one hundred and fifty-five, or to assess the tax provided by subsection (d) of section thirty-nine on any foreign corporation which he determines to be in default of the obligations assumed by it upon its registration to do business in this commonwealth in accordance with the pertinent provisions of law relating to such registration.

SECTION 10. Chapter 31 of the acts of 1959 is hereby amended by striking out section 1 and inserting in place thereof the following section:—*Section 1.* There is hereby imposed upon all domestic manufacturing corporations, foreign manufacturing corporations, domestic business corporations and foreign corporations, as defined in chapter sixty-three of the General Laws, as amended, in addition to the taxes levied under the provisions of sections thirty to fifty-one, inclusive, of said chapter sixty-three and all acts in amendment thereof and in addition thereto, and in addition to the taxes imposed upon such corporations under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one, an additional excise tax equal to three per cent of the net income of each such corporation determined to be taxable in accordance with the provisions of said chapter sixty-three; provided, that the tax imposed by this section shall not apply to corporations taxable under subsection (d) of section thirty-two, subsection (d) of section thirty-nine or section thirty-eight B of said chapter sixty-three. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-three upon corporations taxable hereunder shall apply to the additional taxes herein imposed. This section shall apply only to taxes levied in or on account of the calendar year nineteen hundred and sixty and the months of January and February, nineteen hundred and sixty-one. The surtaxes imposed under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one shall apply to the taxes imposed by this section.

SECTION 11. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and sixty.

*Approved July 8, 1960.*

**Chap. 549.** AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO IMPROVE THE APPEARANCE OF THE PROPERTY ADJACENT TO BUNKER HILL MONUMENT.

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

The metropolitan district commission is hereby authorized and directed to improve the appearance of the property adjacent to Bunker Hill Monument in the Charlestown district of the city of Boston by reconstructing the approaches, banks, plazas, necessary fences and walks, and by doing such resurfacing and planting as may be necessary.

*Approved July 8, 1960.*

**Chap. 550.** AN ACT DESIGNATING A PORTION OF THE STATE HIGHWAY IN BOSTON ADJACENT TO THE PULASKI SKYWAY AS GENERAL CASIMIR PULASKI SQUARE.

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

SECTION 1. That portion of the state highway in the city of Boston adjacent to the General Casimir Pulaski skyway and which is bounded southerly by Power street and easterly by Boston street shall be designated and known as General Casimir Pulaski square, in recognition of General Pulaski's illustrious service in the war for American independence. A suitable marker or markers bearing said designation shall be placed thereat by the department of public works.

SECTION 2. The department of public works is hereby authorized and directed to permit the General Casimir Pulaski Skyway Committee to erect a monument at a suitable and convenient place in the area designated in section one; provided, however, that said monument is first approved by the art commission.

*Approved July 8, 1960.*

**Chap. 551.** AN ACT DESIGNATING A CERTAIN PLAYGROUND IN THE JAMAICA PLAIN DISTRICT OF THE CITY OF BOSTON AS THE PFC THOMAS J. McDEVITT PLAYGROUND.

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

The playground now under construction on Lamartine street and Boylston street in the Jamaica Plain district of the city of Boston by the metropolitan district commission, shall, upon its completion, be known and designated as the PFC Thomas J. McDevitt Playground in honor of Thomas J. McDevitt, a member of the United States Army who was killed in action in Guam in World War II, and a suitable marker bearing said designation shall be erected thereon by said commission.

*Approved July 8, 1960.*

**Chap. 552.** AN ACT DESIGNATING A CERTAIN PLAYGROUND IN THE JAMAICA PLAIN DISTRICT OF THE CITY OF BOSTON AS THE PFC CHESTER A. PAGEL PLAYGROUND.

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

The playground now under construction on Hyde Park avenue in the Jamaica Plain district of the city of Boston by the metropolitan district commission, shall, upon its completion, be known and desig-

nated as the PFC Chester A. Pagel Playground in honor of Chester A. Pagel, a member of the United States Army who was killed in action in Sicily in World War II, and a suitable marker bearing said designation shall be erected thereon by said commission.

*Approved July 8, 1960.*

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**Chap. 553.** AN ACT TO CLARIFY THE STATUTORY FORMULA ALLOCATING NET INCOME UNDER THE CORPORATION EXCISE LAW.

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

Paragraph 2 of section 38 of chapter 63 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out subdivision (c) and inserting in place thereof the following subdivision:—

(c) Of the remaining third, such portion shall be attributed to business carried on within the commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the corporation's gross receipts from business assignable to this commonwealth as hereinafter provided, and whose denominator is the amount of the corporation's gross receipts from its total sales, rents and royalties. There shall not be included in either the numerator or the denominator of said fraction, gross receipts allocated under the provisions of section thirty-seven or section forty-one of this chapter.

*Approved July 8, 1960.*

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**Chap. 554.** AN ACT RELATIVE TO THE TAXATION OF INCOME FROM THE TRANSFER OF CERTAIN INTANGIBLE PROPERTY.

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

SECTION 1. The first paragraph of subsection (c) of section 5 of chapter 62 of the General Laws, as most recently amended by section 2 of chapter 556 of the acts of 1959, is hereby further amended by adding at the end the following sentence:—A transfer of intangible personal property consisting of all substantial rights to a patent or copyright, or an undivided interest therein which includes a part of all such rights, by the inventor or author of the subject of such patent or copyright, shall not be considered the sale or exchange of such property where payments in consideration of such transfer are contingent on and measured by the productivity, use or disposition of the property transferred.

SECTION 2. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and fifty-nine.

*Approved July 8, 1960.*

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**Chap. 555.** AN ACT DESIGNATING A CERTAIN PLAYGROUND IN THE JAMAICA PLAIN DISTRICT OF THE CITY OF BOSTON AS THE CORPORAL JOSEPH E. JOHNSON PLAYGROUND.

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

The playground now under construction by the metropolitan district commission at Lamartine and Green streets in the Jamaica Plain

district of the city of Boston shall, upon its completion, be known and designated as the Corporal Joseph E. Johnson Playground, in honor of Corporal Joseph E. Johnson, a member of the United States Army who was killed in action in North Africa in World War II, and a suitable marker bearing said designation shall be erected at said playground by said commission.

*Approved July 8, 1960.*

**Chap. 556.** AN ACT RELATIVE TO THE ALLOWANCE OF CERTAIN PAID TAXES AS DEDUCTIONS IN COMPUTING NET INCOME FOR INCOME TAX PURPOSES.

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

SECTION 1. Section 6 of chapter 62 of the General Laws is hereby amended by striking out clause (c), as most recently amended by section 1 of chapter 448 of the acts of 1957, and inserting in place thereof the following clause:—

(c) All taxes paid within the year to the United States or dependency thereof, to any other nation, to any province of the Dominion of Canada, or to any state, county, city, town or district, with respect to the profession, employment, trade or business, or the property held or used in connection therewith, but not including assessments for bet-terments; provided, however, that—(1) in the case of taxes imposed by the United States with respect to income from the profession, employment, trade or business, the amount deductible shall be an amount equal to the tax due under the applicable provisions of the Federal Internal Revenue Code of nineteen hundred and fifty-four on account of such income received or accrued within the taxable year, increased by the amount of any deficiency in such tax with respect to income from such sources for a prior taxable year actually paid within the taxable year and decreased by the amount of any refund of such tax for a prior taxable year received during the taxable year, provided that such deficiency or refund has not been taken into account in computing the taxpayer's liability under this chapter for such prior taxable year; and (2) in the case of taxes imposed by the commonwealth with respect to income from the profession, employment, trade or business, the amount deductible shall be an amount equal to the tax due under the applicable provisions of this chapter, and any act in amendment thereof or in addition thereto, on account of such income received or accrued within the last preceding taxable year, increased by any additional amount of such tax with respect to income from such sources for a prior taxable year actually paid within the taxable year and decreased by the amount of any abatement of such tax for a prior taxable year received during the taxable year, provided that such additional amount or abatement has not been taken into account in computing the taxpayer's liability for such prior taxable year.

“Taxes” as used in this clause shall not include interest or penalties.

SECTION 2. This act shall take effect with respect to taxable years commencing after December thirty-first, nineteen hundred and fifty-nine.

*Approved July 8, 1960.*



**Chap. 557.** AN ACT CLARIFYING THE TAXATION OF INCOME FROM PROFESSIONS, EMPLOYMENT, TRADE OR BUSINESS, AND TRANSACTIONS ENTERED INTO FOR PROFIT.

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

The first paragraph of section 6 of chapter 62 of the General Laws, as most recently amended by section 5 of chapter 677 of the acts of 1957, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The business income taxable under subsection (b) of section five and subsection (c) of section five A shall be the net income from the profession, employment, trade or business, and from transactions entered into for profit, except the net income derived from intangible personal property which is taxed or exempted under a section or subsection of this chapter, other than subsection (b) of section five or subsection (c) of section five A.

*Approved July 8, 1960.*

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**Chap. 558.** AN ACT RELATIVE TO THE PAYMENT OF TAXES BY INSURANCE COMPANIES AND CERTAIN INSURANCE AND SAVINGS BANKS.

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

SECTION 1. Chapter 63 of the General Laws is hereby amended by striking out section 18, as most recently amended by section 1 of chapter 515 of the acts of 1954, and inserting in place thereof the following section:—*Section 18.* Every savings and insurance bank authorized to do business under chapter one hundred and seventy-eight shall annually pay an excise of two per cent upon all new and renewal premiums received by it during the twelve months ending October thirty-first of the year for which the excise is due and payable on all policies issued by it, or assumed by it under the provisions of section twenty-five of chapter one hundred and seventy-eight.

The word “premiums”, as used in this section, shall include all amounts received as consideration for life insurance policies, annuity contracts, total and permanent disability or accidental death benefits, and shall include dividends applied to purchase additional insurance or to shorten the premium paying period. In determining the amount of the excise payable hereunder, there shall be deducted, to the extent that they are properly allocable to premiums taxable hereunder, (a) all premiums returned to policyholders during the said twelve months but not including cash surrender values, and (b) dividends which during said twelve months have been paid or credited to policyholders or applied to purchase additional insurance or to shorten the premium paying period.

Every savings and insurance bank shall annually, on or before November twenty-fifth, make a return to the commissioner, on oath of its president or treasurer, in such form and containing such information as the commissioner, with the approval of the state tax commission, may deem necessary for the determination of the tax due under this section. For cause, the commissioner may extend the time within which any such statement may be filed, but not to a date later than March first next following.

The excise provided by this section shall be due and payable to the

commissioner on or before November twenty-fifth. Liability for said excise shall be incurred by reason of the transaction of business at any time within the twelve months ending October thirty-first of the year in which the excise is due and payable.

The books, papers and accounts of every savings and insurance bank shall be open at all times to inspection and examination by the commissioner, or his duly authorized representatives, for the purpose of verifying the accuracy of such returns.

The excise provided by this section may be recovered in contract by the commissioner in the name of the commonwealth and every savings and insurance bank shall be liable, upon an information, to an injunction restraining it from the further prosecution of its business until all excises due with costs and interest are fully paid.

If any savings and insurance bank reinsures all of its outstanding insurance policies and annuity contracts as provided in section twenty-five of chapter one hundred and seventy-eight, it shall forthwith make a return to the commissioner, on oath of its president or treasurer, in such form and containing such information as the commissioner, with the approval of the state tax commission, may deem necessary for the determination of the excise due under this section. The amount of such excise shall be an amount proportionate to such part of its then current fiscal year as had expired at the close of business on the day next preceding the effective date of such reinsurance.

SECTION 2. Section 2 of chapter 486 of the acts of 1948 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—All the provisions of chapter sixty-three applicable to the excise imposed by said section eighteen shall apply to the excise payable under the authority of this section upon the basis of net value and to any bank liable to said excise.

SECTION 3. Section 3 of said chapter 486 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—All the provisions of chapter sixty-three applicable to the excise imposed by said section eighteen shall, except as herein modified, apply to the excise payable under the authority of this section upon the basis of net value and to any bank liable to said excise.

SECTION 4. Chapter 63 of the General Laws is hereby amended by striking out section 20, as most recently amended by chapter 575 of the acts of 1958, and inserting in place thereof the following section:—*Section 20.* Every life insurance company, as defined by section one hundred and eighteen of chapter one hundred and seventy-five, authorized to transact business in the commonwealth shall annually pay an excise of two per cent upon all new and renewal premiums received during the preceding calendar year for all policies allocable to this commonwealth, as hereinafter provided. In the case of a foreign life insurance company, the policy shall be deemed to be allocable to this commonwealth if the insured is a resident of the commonwealth at the time of payment of the premium therefor. In the case of a domestic life insurance company, the policy shall be deemed to be allocable to this commonwealth unless the insured at the time of payment of the premium therefor is a resident of a state or country to which such company actually pays an insurance excise.

The word "premiums" as used in this section shall include all amounts received as consideration for life insurance policies without

deduction for amounts paid to other companies for reinsurance and shall include dividends applied to purchase additional insurance or to shorten the premium paying period. In the case of domestic life insurance companies only, it shall include amounts received as consideration for annuity contracts; provided, however, that such amounts shall not be deemed to be allocable to this commonwealth if the annuitant at the time of payment thereof is a resident of a state or country to which such company actually pays an excise based upon life insurance premiums whether or not such company pays thereto an excise tax based upon annuity considerations. In determining the amount of the excise payable hereunder there shall be deducted, to the extent that they are properly allocable to premiums taxable hereunder, (a) all premiums returned to policyholders during said preceding calendar year but not including cash surrender values, and (b) dividends which during said year have been paid or credited to policyholders or applied to purchase additional insurance or to shorten the premium paying period.

All premiums received by any life insurance company for contingencies of any character insured against by such company under authority of clause sixth of section forty-seven of chapter one hundred and seventy-five shall be excluded, except as hereinafter provided, from taxation under this section and shall be taxable under sections twenty-two and twenty-three of this chapter. All premiums received by any such company for provisions for total and permanent disability or accidental death benefit incorporated in policies or contracts under section twenty-four of said chapter one hundred and seventy-five or any supplemental policies issued under said section twenty-four shall be taxable under this section.

Every life insurance company shall annually, on or before March fifteenth, make a return to the commissioner on oath of its president or secretary and its actuary, in such form and containing such information as the commissioner, with the approval of the state tax commission, may deem necessary for the determination of the tax due under this section and under section twenty-one.

SECTION 5. Section 2 of chapter 531 of the acts of 1943 is hereby amended by striking out the last sentence, as amended by section 1 of chapter 587 of the acts of 1948, and inserting in place thereof the following sentence:—All the provisions of chapter sixty-three applicable to the excise imposed by said section twenty shall apply to the excise payable under the authority of this section upon the basis of net value, and to any life insurance company liable to said excise, provided, however, that the return is filed and the excise due under this section is paid on or before March fifteenth.

SECTION 6. Section 3 of said chapter 531 is hereby amended by striking out the last sentence, as amended by section 2 of said chapter 587, and inserting in place thereof the following sentence:—All the provisions of chapter sixty-three applicable to the excise imposed by said section twenty shall, except as herein modified, apply to the excise payable under the authority of this section upon the basis of net value, and to any life insurance company liable to said excise, provided, however, that the return is filed and the excise due under this section is paid on or before March fifteenth.

SECTION 7. Section 25 of chapter 63 of the General Laws is hereby further amended by striking out the first paragraph, as amended by section 4 of chapter 721 of the acts of 1945, and inserting in place thereof the following paragraph:—Every insurance company liable to taxation under section twenty-two or twenty-three shall annually, on or before March fifteenth, make a return to the commissioner, on oath of its secretary or other officer having knowledge of the facts, in such form and containing such information as the commissioner, with the approval of the state tax commission, may deem necessary for the determination of the excise thereby imposed.

SECTION 8. Said chapter 63 is hereby further amended by striking out section 27, as amended by section 4 of chapter 387 of the acts of 1946, and inserting in place thereof the following section:—*Section 27.* All provisions of this chapter relative to the assessment, collection, abatement, verification and administration of taxes, including penalties, applicable to domestic business corporations, as defined in section thirty, shall, so far as pertinent, be applicable to taxes imposed by sections eighteen, twenty to twenty-three, inclusive, and twenty-nine A; by sections two and three of chapter four hundred and eighty-six of the acts of nineteen hundred and forty-eight; and by sections two and three of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three.

SECTION 9. Said chapter 63 is hereby further amended by striking out section 28, as most recently amended by section 55 of chapter 654 of the acts of 1953, and inserting in place thereof the following section:—*Section 28.* Every insurance company liable to taxation under sections twenty to twenty-three, inclusive, and twenty-nine A shall pay to the commissioner at the time fixed for filing its return under the applicable section the amount of the excise thereby imposed.

Liability for the taxes imposed by sections twenty to twenty-three, inclusive, and twenty-nine A, or by sections two and three of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three shall be incurred by reason of the transaction of business at any time within the calendar year preceding that in which the return is required to be filed.

SECTION 10. Section 29 of said chapter 63, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Every domestic or foreign insurance company shall be liable for the full amount of all taxes assessed under this chapter upon it or its agents, which, with interest as provided in this chapter, may be recovered in contract by the commissioner in the name of the commonwealth.

SECTION 11. Section 29A of said chapter 63, inserted by section 6 of chapter 387 of the acts of 1946, is hereby amended by striking out subsection (7) and inserting in place thereof the following subsection:—

(7) Every insurance company liable to taxation under this section shall annually, on or before the fifteenth day of May, make a return to the commissioner, on oath of its secretary or other officer having knowledge of the facts, setting forth the underwriting profit or loss, ascertained as hereinbefore provided, for the taxable year or years

required by the pertinent paragraph of subsection (6), in such form and containing such other information as the commissioner may deem necessary for the determination of the excise imposed by this section.

SECTION 12. This act shall apply to returns due and taxes payable after December thirty-first, nineteen hundred and sixty.

*Approved July 8, 1960.*

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**Chap. 559.** AN ACT DESIGNATING THE RECREATION AREA ON TREASURE ISLAND, SO CALLED, ON MORRISSEY BOULEVARD IN THE CITY OF QUINCY AS THE WILLIAM R. CADDY MEMORIAL PARK.

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

The recreation area on Treasure island, so called, on William T. Morrissey Boulevard in the city of Quincy shall be known and designated as the William R. Caddy Memorial Park, in memory of William R. Caddy, who, as a member of the marine forces of the United States, was killed in action in World War II and was awarded posthumously the Congressional Medal of Honor. A suitable tablet or marker bearing such designation shall be placed thereon by the metropolitan district commission.

*Approved July 8, 1960.*

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**Chap. 560.** AN ACT AUTHORIZING THE TOWN OF BOURNE TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF DENTAL CLINICS IN ITS PUBLIC SCHOOLS BY ITS SCHOOL COMMITTEE.

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

SECTION 1. Notwithstanding any provision of section fifty of chapter one hundred and eleven of the General Laws or any other general law or any special law to the contrary, the town of Bourne may, by vote of said town at an annual or special town meeting called for the purpose, provide that appropriations made for the purpose of the operation and maintenance of dental clinics in the public schools of said town shall be expended under the direction of the school committee of said town and that said clinics shall be conducted subject to such rules and regulations as said committee may establish.

SECTION 2. This act shall take effect upon its passage.

*Approved August 1, 1960.*

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**Chap. 561.** AN ACT ALLOWING CITIES AND TOWNS TO ENTER INTO COLLECTIVE BARGAINING AGREEMENTS.

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

Chapter 40 of the General Laws is hereby amended by inserting after section 4B the following section:—*Section 4C.* Upon acceptance of this section as hereinafter provided, any city or town may engage in collective bargaining with labor organizations representing its employees, except police officers, and may enter into collective bargaining agreements with such organizations. This section shall take effect when accepted in a city having a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such city; and in a town, by a majority vote at an annual town meeting.

*Approved August 1, 1960.*

**Chap. 562.** AN ACT AUTHORIZING LIFE INSURANCE COMPANIES TO ASSIGN LIFE POLICIES AND ANNUITY CONTRACTS ISSUED IN CONNECTION WITH CERTAIN PENSION, PROFIT-SHARING, AND RETIREMENT PLANS, TO A SEPARATE ACCOUNT, FOR THE PURPOSE OF ALLOCATING THERETO INVESTMENT RETURNS AND ASSET GAINS AND LOSSES.

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

Chapter 175 of the General Laws is hereby amended by inserting after section 132E, inserted by section 1 of chapter 313 of the acts of 1945, the following section:—*Section 132F.* Any life company may, by written agreements, hereinafter called “funding agreements”, with the holders of “pension contracts”, as hereinafter defined, assign, wholly or in part, such contracts and the funds received thereunder, to a single separate investment account, independent of its general investment account, for the purposes of allocating investment returns and asset gains and losses. Within the single separate investment account hereinafter called “separate account”, such classes of investments may be established as the life company may determine.

“Pension contracts” for the purpose of this section shall mean life policies and annuity contracts, whether on the group or individual basis, issued in connection with a pension, profit-sharing, or retirement plan which meets the requirements for the tax treatment specified in sections 402(a), 402(c), 402(d), or 403(a) of the Internal Revenue Code of 1954, as such sections may now or hereafter be in force; and shall include such contracts assigned wholly or in part to the separate account after their dates of issue, and agreements reinsuring pension contracts issued by other insurers or reinsuring retirement systems established by law.

Pension contracts shall provide for the payment of a periodic retirement benefit which is guaranteed as to amount and duration. Pension contracts may also provide for the payment of an additional periodic retirement benefit which is not guaranteed as to amount or duration, but such additional benefit shall not vary in amount in direct proportion to the investment results of any or all investments in the separate account and, with respect to any retiring individual, shall not exceed at retirement an amount equal to the guaranteed benefit.

A portion of the separate account at least equal to the life company’s reserve liability with respect to (i) benefits guaranteed as to amount and duration, and (ii) funds guaranteed as to principal amount or stated rate of interest, under pension contracts assigned to the separate account, shall be invested in accordance with the requirements applicable to the life company’s general investment account. The portion of the assets of the separate account which are allocated to a specific funding agreement with respect to such benefits and funds shall be likewise so invested. Assets in the separate account which exceed the aforesaid requirements shall not be deemed to be a part of the reserve mentioned in section sixty-three and may be invested, wholly or partly, in common stocks or in any other manner, subject to the limitations prescribed by section sixty-six, and to the additional limitation that not more than five per cent of such assets shall be invested in the common stocks or other shares of any corporation or other institution, if, at the time the investment is made, such

assets carried in the separate account exceed one million dollars. No investment in the separate account or in the life company's general investment account shall be transferred by sale or substitution or otherwise from either account to the other. For the purposes of this paragraph, the life company's assets and liabilities relating to the separate account shall be valued and computed as provided in section twenty-five and shall be included in its other assets and liabilities in the annual statement required by said section twenty-five.

*Approved August 4, 1960.*

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**Chap. 563.** AN ACT RELATIVE TO THE SALARY OF THE PRESIDENT OF LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS.

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

The last sentence of section 12 of chapter 75A of the General Laws, added by section 41A of chapter 730 of the acts of 1955 is hereby amended by striking out the word "twelve" and inserting in place thereof the word:—sixteen,—so as to read as follows:—The president shall be paid an annual salary of sixteen thousand dollars.

*Approved August 4, 1960.*

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**Chap. 564.** AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SWIMMING POOL BEING CONSTRUCTED ON RINDGE AVENUE IN THE CITY OF CAMBRIDGE AS THE FRANCIS J. MCCREHAN SWIMMING POOL.

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

SECTION 1. The swimming pool being constructed on Rindge avenue in the city of Cambridge by the metropolitan district commission shall, upon completion, be known and designated as the Francis J. McCrehan swimming pool. A suitable tablet or marker bearing said designation shall be erected and maintained at said swimming pool by said commission.

SECTION 2. This act shall take effect upon its passage.

*Approved August 5, 1960.*

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**Chap. 565.** AN ACT ESTABLISHING THE MASSACHUSETTS DEFENDERS COMMITTEE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain persons accused of crime shall be provided with legal counsel notwithstanding their inability to pay therefor, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 221 of the General Laws is hereby amended by inserting after section 34C under the caption MASSACHUSETTS DEFENDERS COMMITTEE the following section:—*Section 34D.* There shall be a Massachusetts defenders committee consisting of eleven persons to be appointed by the judicial council. Upon completion of a term of a member of said committee his successor shall be ap-

pointed for a term of four years. Vacancies shall be filled by the judicial council for the unexpired term. Members of said committee may be removed by the judicial council. No member of the committee shall receive any compensation for his services but each member shall be reimbursed for actual traveling expenses incurred by him in attending the committee meetings.

The committee shall provide counsel at any stage of a criminal proceeding, other than capital, in any court of the commonwealth provided the laws of the commonwealth or the rules of the supreme judicial court require that the defendant in such proceeding be represented by counsel, and provided, further, that such defendant is unable to obtain counsel by reason of his inability to pay.

Said committee may accept gifts, grants or contributions from any source, whether public or private, and may expend the same with the approval of the judicial council.

The committee shall adopt such rules and regulations as may be necessary for the conduct of its affairs and may from time to time amend or revise the same. Said rules and amendments thereof shall be subject to the approval of the judicial council. The committee shall appoint an executive secretary who shall carry out such duties as the committee may authorize, including the certification of payments under section twenty of chapter twenty-nine. Said committee shall also appoint such professional, clerical and other assistants as may be necessary to carry out its duties, and shall provide suitable accommodations throughout the commonwealth. The counsel and other employees appointed by the committee shall not be subject to the provisions of chapter thirty-one.

SECTION 2. Of the eleven members initially appointed to the Massachusetts defenders committee established by section thirty-four D of chapter two hundred and twenty-one of the General Laws, as appearing in section one of this act, three members shall be appointed for terms of four years, three for terms of three years, three for terms of two years and two for terms of one year. Upon the expiration of their respective terms their successors shall be appointed as provided in said section thirty-four D.

*Approved August 5, 1960.*

**Chap. 566.** AN ACT AUTHORIZING THE TOWN OF MARBLEHEAD TO BORROW MONEY FOR THE EXTENSION OF MUNICIPAL WHARVES.

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

SECTION 1. For the purpose of constructing an extension to the State street and former Boston Yacht Club wharves in the town of Marblehead, the said town may borrow, from time to time, such sums of money as may be necessary, not exceeding in the aggregate one hundred and fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Marblehead Wharf Loan, Act of 1960. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

*Approved August 5, 1960.*



**Chap. 567.** AN ACT ABOLISHING THE MASSACHUSETTS BOARD OF EDUCATIONAL TELEVISION AND ESTABLISHING IN THE DEPARTMENT OF EDUCATION AN EXECUTIVE COMMITTEE FOR EDUCATIONAL TELEVISION.

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

SECTION 1. Chapter 71 of the General Laws is hereby amended by striking out section 13F, inserted by chapter 709 of the acts of 1957, and inserting in place thereof the four following sections:—*Section 13F.* The course of study in elementary and high schools may include instruction by means of educational programs broadcast through the facilities of television stations. The cost of such programs may be shared by cities and towns within viewing range of such television stations and the school committee of each such city or town may include within its budget such funds not to exceed one dollar per pupil enrolled in public elementary and high schools in such city or town, for the payment thereof as it may deem advisable. Other educational agencies may participate in this program by a financial contribution. The board of education, with the advice of the commissioner, shall appoint a committee to co-ordinate and administer such programs. Said committee shall be known as the executive committee for educational television, in this section and sections thirteen G to thirteen I, inclusive, called the committee. The committee shall consist of twelve members, of whom at least seven shall be representatives of contributing school systems. As the term of office of a member expires his successor shall be appointed in like manner for a term of four years. The members of the committee shall serve without compensation, except that they may be reimbursed for their necessary expenses actually incurred in the performance of their duties.

*Section 13G.* Subject to the approval of the board of education, the executive committee for educational television shall act in matters pertaining to educational television. Said committee may adopt rules for the conduct of its business. A majority of the members shall constitute a quorum for the transaction of business. Said committee shall recommend to said board of education the appointment of such professional personnel as is necessary to carry on the work of the committee, and may recommend the appointment of such clerical, engineering, legal, or other assistants as it deems necessary, provided, however, that no obligation shall be incurred for the payment of salaries or other compensation to any such employee, except from available funds appropriated to the board of education by the general court or from such other funds as may be held in trust by the said committee.

*Section 13H.* The committee may establish and manage under such regulations as it may from time to time prescribe, a trust fund to be known as the Educational Television Program Fund. All funds received from school committees, organizations, or individuals for the purposes of sections thirteen F to thirteen I, inclusive, shall be credited to said Fund and shall be deposited in the state treasury and may be expended by the committee for such purposes without appropriation; provided, that no obligation shall be incurred for any expenditure in excess of sums available therefor.

The committee shall cause accurate accounts to be kept at all times of all receipts and expenditures of funds received by it, and shall

make a report of the same annually in December to the board of education.

*Section 13I.* In order to carry out its duties, said committee, from time to time and within the limits of appropriation therefor and of available trust funds, may—

(a) Acquire, construct, hold, lease and dispose of real and personal property;

(b) Prepare programs, enter into agreements providing for the furnishing of programs, and the disposition thereof within and without the commonwealth, equipment, assistance and personnel; purchase broadcast time; and enter into other contracts;

(c) Obtain assistance from, and co-operate with others, including, without restriction, institutions of learning and groups interested in television broadcasting;

(d) Hold and administer real and personal property, and money given, whether outright or in trust; and

(e) Do all acts and things necessary or convenient to carry out the purposes for which the committee is created.

Said committee shall not provide or sponsor any program which advertises a commercial product or service, or any program wherein any denominational religious doctrine is inculcated, or any programs founding, maintaining or aiding any church, religious denomination or society, providing that nothing in this section shall be construed as preventing the furtherance of belief in a Supreme Being, nor shall any programs designed to aid any political party or candidate for public office be permitted.

SECTION 2. Chapter six hundred and sixty-two of the acts of nineteen hundred and fifty-three is hereby repealed and the Massachusetts Board of Educational Television is hereby abolished.

SECTION 3. In making the initial appointments to the executive committee for educational television under section thirteen F of chapter seventy-one of the General Laws, as appearing in section one of this act, three members of said committee shall be appointed to serve for terms of four years, three for three years, three for two years and three for one year. Upon the expiration of the term of each such member his successor shall be appointed in the manner and for the term prescribed by said section thirteen F.

*Approved August 5, 1960.*

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**Chap. 568.** AN ACT RELATIVE TO ISSUING OF BOTH PARTICIPATING AND NON-PARTICIPATING POLICIES BY DOMESTIC STOCK COMPANIES.

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

SECTION 1. The first paragraph of section 140 of chapter 175 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:—Except as provided in this section, every domestic life company heretofore or hereafter organized, anything in its charter or its certificate of incorporation or special act to the contrary notwithstanding, shall provide in every participating policy of life or endowment insurance hereafter issued that the proportion of the divisible surplus of the company contributed by said

policy shall be ascertained and distributed annually, and not otherwise, except as hereinafter provided, beginning not later than the end of the third policy year; but such distribution shall not be made contingent upon the payment of any further premium except that if dividends are allowed on an anniversary of the policy preceding the third, such dividends may be made subject to the payment of the succeeding year's premium. Every such company shall on December thirty-first of each year or as soon thereafter as practicable, after providing from the funds attributable to its participating business for the reserve required by sections nine and eleven and all other liabilities attributable to such business, including dividends declared upon the capital stock, if any, and such sum as may be held on account of existing deferred dividend policies, and providing also for a contingency reserve not in excess of the limit prescribed in the following section, apportion its remaining funds attributable to such business upon the contribution to surplus plan, as dividends, to all other policies entitled to share therein.

SECTION 2. Said chapter 175 is hereby further amended by striking out section 141, as so appearing, and inserting in place thereof the following section:—*Section 141.* Any domestic life company may from its surplus funds or profits attributable to its participating business accumulate and hold, or hold if already accumulated, as a safety fund, an amount not in excess of twelve per cent of its reserve for such business or one hundred thousand dollars, whichever is greater, and, in addition thereto any surplus that may have been contributed by the holders of the guaranty stock of the company, or which has been accumulated for the retirement of said guaranty stock and the margin of the market value of its securities over their book value, provided that in cases where the existing surplus or safety fund, exclusive of all accumulations held on account of existing deferred dividend policies, exceeds the limit above designated, the company shall be entitled to retain said surplus or safety fund, but shall not be entitled to add thereto so long as it exceeds said limit, and provided that for cause shown, the commissioner may at any time and from time to time permit any company to accumulate and maintain a safety fund in excess of the limit above mentioned, for a prescribed period not exceeding one year in any one permission, by filing in his office a decision stating his reasons therefor, and causing the same to be published in his next annual report.

This section shall not apply to any company issuing only non-participating policies.

SECTION 3. Said chapter 175 is hereby further amended by striking out section 149, as amended by chapter 318 of the acts of 1954, and inserting in place thereof the following section:—*Section 149.* No domestic mutual life company shall issue any policies of life or endowment insurance which do not by their terms give to the holders thereof full right to participate in the accumulations of said company as provided in section one hundred and forty and no domestic stock life company shall issue any participating policies of life or endowment insurance which do not by their terms give to the holders thereof full right to participate in the accumulations of said company attributable to such business as provided in section one hundred and forty.

Every domestic stock life company issuing both participating and non-participating policies shall file with the commissioner each year to-

gether with its annual statement for the year a separation of accounts between participating and non-participating policies, with statements of the bases upon which the separations were made.

A domestic life company issuing policies on the non-participating plan may provide therein that, in addition to the rate of interest guaranteed by the company to be paid on deferred payments of the proceeds, excess interest may be paid thereon at such rate as the company may annually declare; and the inclusion in any non-participating policy of such provision shall not be construed to make the policy participating.

This section shall not apply to accident or health, annuity or pure endowment contracts or to policies of reinsurance.

*Approved August 5, 1960.*

**Chap. 569.** AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF NATICK TO AMVETS POST #79, NATICK, INC.

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

SECTION 1. The department of natural resources is hereby authorized and directed to convey, in the name and on behalf of the commonwealth, to AMVETS Post #79, Natick, Inc., for the purpose of enabling said post to establish a headquarters thereon, a certain parcel of land, under the control of said department, situated in the town of Natick, and described as 5.91 acres W.D. on Sheet No. 8 entitled, "Commonwealth of Massachusetts, Metropolitan Water Works, Lake Cochituate, Land Plans, Scale 100 feet to an inch, October, 1910," on file with said department. Said parcel of land is bounded on the north, east and south by Lake Cochituate and on the west by the Saxonville branch of the Boston & Albany Railroad.

SECTION 2. The title to the land described in section one shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purpose set forth in said section. In the event that said land is not used for the purpose set forth in section one within two years of the passage of this act, the title to said land shall revert to and revest in the commonwealth.

*Approved August 5, 1960.*

**Chap. 570.** AN ACT RELATIVE TO THE TERM OF OFFICE OF THE COMMISSIONER OF BANKS.

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

Notwithstanding the provisions of any general or special law to the contrary, the present commissioner of banks shall serve a full term of five years from the date on which he was appointed.

*Approved August 5, 1960.*

**Chap. 571.** AN ACT PROVIDING FOR THE REIMBURSEMENT OF ONE RETIREMENT SYSTEM BY ANOTHER FOR SURVIVORS' ALLOWANCES.

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

Paragraph (c) of subdivision (8) of section 3 of chapter 32 of the

General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following sentence:—Whenever any retired member or beneficiary receives a pension or survivor's allowance from a system pertaining to one governmental unit in a case where a portion of such pension or survivor's allowance is attributable to service in a second governmental unit to which another system pertains, the first governmental unit shall be reimbursed in full, in accordance with the provisions of this paragraph, by the second governmental unit for such portion of the pension as shall be computed by the actuary.

*Approved August 5, 1960.*

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**Chap. 572.** AN ACT DESIGNATING A CERTAIN PLAYGROUND IN THE JAMAICA PLAIN DISTRICT OF THE CITY OF BOSTON AS THE SGT. JOHN A. MCCARTHY, JR. PLAYGROUND.

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

If and when a playground is constructed on South and Bussey streets and adjacent to the railroad in the Jamaica Plain district of the city of Boston by the metropolitan district commission, it shall be designated as the Sgt. John A. McCarthy, Jr. Playground in honor of John A. McCarthy, Jr., a member of the United States Army who died as a result of injuries received in action in Korea, and a suitable marker bearing said designation shall be erected thereon by said commission.

*Approved August 5, 1960.*

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**Chap. 573.** AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL CERTAIN LAND OF THE COMMONWEALTH IN THE CITY OF BOSTON TO THE ITALIAN CATHOLIC CEMETERY ASSOCIATION.

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

SECTION 1. The commissioner of mental health in the name and on behalf of the commonwealth is hereby authorized and directed to sell to the Italian Catholic Cemetery Association, a corporation having an usual place of business in the city of Boston, a certain parcel of land, to be used by said corporation for cemetery purposes, located in the West Roxbury district of said city and bounded and described as follows:—Northwesterly by Canterbury street; northeasterly by land of the commonwealth of Massachusetts, under the jurisdiction of the division of youth service, southeasterly by American Legion Highway; and southwesterly by Walk Hill street; containing approximately twelve and one half acres, including a portion of Stony brook and a forty foot easement for sewer purposes.

SECTION 2. The jurisdiction in and over the land described in section one shall revert to and revest in the commonwealth whenever such land shall cease to be used for the purposes set forth in said section one. In the event that said land is not used for said purposes within three years of the effective date of this act, it shall revert to and revest in the commonwealth.

*Approved August 5, 1960.*

**Chap. 574.** AN ACT AUTHORIZING THE GILBERTVILLE WATER DISTRICT TO BORROW MONEY FOR PURCHASING CERTAIN REAL ESTATE FOR OFFICE AND STORAGE PURPOSES.

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

SECTION 1. For the purpose of purchasing from the New York Central System approximately twelve thousand nine hundred square feet of land in that section of the town of Hardwick known as Gilbertville together with the abandoned passenger station and freight house located thereon for office and storage purposes, the Gilbertville Water District may appropriate the sum of eight hundred dollars from available funds in its treasury, and may borrow the sum of four thousand dollars and issue bonds or notes therefor which shall bear on their face the words, Gilbertville Water District Public Building Loan, Act of 1960, and shall be payable in not more than four years from the date of issue. Indebtedness incurred under this act shall be within the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

*Approved August 12, 1960.*

**Chap. 575.** AN ACT PROVIDING FOR APPOINTMENT OF COURT OFFICERS FOR THE PROBATE COURT FOR THE COUNTY OF NORFOLK.

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

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 30, as most recently amended by section 1 of chapter 378 of the acts of 1955, and inserting in place thereof the following section:—*Section 30.* The judges of probate for the counties of Suffolk and Middlesex may appoint three officers, the judges of probate for the counties of Essex and Norfolk may appoint two officers, the judge of probate for Plymouth county and the judges of probate for Worcester county may appoint an officer to attend the sessions of the probate court and court of insolvency of their respective counties. Such officers may be removed at the pleasure of the judge or judges of probate of their respective counties, and the said judge or judges may fill any vacancy caused by removal or otherwise. Each court officer appointed hereunder for Suffolk, Middlesex, Worcester, Essex or Norfolk county shall give bond with sufficient sureties approved by a judge of his court for the faithful performance of his duties, in the sum of one thousand dollars, payable to the treasurer of Suffolk county or to Middlesex, Worcester, Essex or Norfolk county, as the case may be. The court officer for Plymouth county shall, if required by the court, give a bond payable to Plymouth county for the faithful performance of his duties, with sureties satisfactory to the court. Each officer appointed hereunder shall serve the orders, precepts and processes issued by the probate court for which he is appointed or by a judge thereof; and, except in Plymouth county, shall at the expense of his county be furnished with a uniform such

as the court shall order, which he shall wear while in attendance on said court. The salary of the officer appointed hereunder to serve in the probate court and court of insolvency of Worcester county shall be fixed by the judges of said court in a sum not to exceed eighteen hundred dollars to be paid by said county. Each court officer in attendance upon the probate court in Essex county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court.

SECTION 2. This act shall take effect upon its passage.

*Approved August 12, 1960.*

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**Chap. 576.** AN ACT PROVIDING FOR THE INVESTMENT OF FUNDS RECEIVED BY THE BOSTON METROPOLITAN DISTRICT PRIOR TO THEIR APPLICATION TO PAY DEBTS OF THE DISTRICT.

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

SECTION 1. Section 11 of chapter 383 of the acts of 1929 is hereby amended by adding at the end the following paragraph:—

Whenever, through receipt of payment of principal on a bond or note held by the district or through issuance of a refunding bond or note prior to the maturity of the obligation of the district to be refunded, the district shall have funds available to pay principal thereafter coming due on one or more of its obligations, the trustees of the district may invest and reinvest such funds in the manner provided in the preceding paragraph. The net income from such investments, adjusted to amortize all discounts, premiums and expenses in connection therewith, shall annually on December first be paid to the Metropolitan Transit Authority. The provisions of this paragraph are in addition to those of any law now or hereafter in effect, and shall not limit nor restrict any such law, nor limit nor restrict the obligation of the district with respect to payment of funds to the Metropolitan Transit Authority under any such law.

SECTION 2. This act shall take effect upon its passage.

*Approved August 12, 1960.*

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**Chap. 577.** AN ACT RESTORING CERTAIN RIGHTS UNDER THE STATE RETIREMENT LAW TO THE WIDOW OF ANDREW E. WATERS.

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

Notwithstanding any provision of law to the contrary, Irene M. Waters of Boston, widow of Andrew E. Waters, who was a former employee of the division of registry of motor vehicles and a veteran eligible for retirement under section fifty-eight of chapter thirty-two of the General Laws, and who died on August eighth, nineteen hundred and fifty-eight and prior to making application for such retirement, shall be entitled to the rights granted a surviving spouse of a veteran under the provisions of section fifty-eight B of said chapter thirty-two.

*Approved August 12, 1960.*

**Chap. 578.** AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO DREDGE A PORTION OF GLOUCESTER HARBOR AND AUTHORIZING THE CITY OF GLOUCESTER TO BORROW MONEY TO PAY A PROPORTIONATE PART THEREOF.

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

SECTION 1. The department of public works, acting by its division of waterways, is hereby authorized and directed to dredge an approach channel, mooring basin and turn-around area in the vicinity of the state fish pier in Gloucester harbor. No work shall be begun until the city of Gloucester has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the state treasury by said city a sum equal to one fourth of the estimated cost of such work, which, together with such sum as is equal to three fourths of the estimated cost of such work, as may be hereafter appropriated by the commonwealth, shall constitute a fund for the work herein authorized; provided, that the total cost of such work shall not exceed five hundred thousand dollars; and provided, further, that if any of the aforesaid fund remains after the completion of such work one fourth of such remainder shall be repaid to said city.

SECTION 2. For the purpose of meeting the payments required to be made by it under section one of this act, the city of Gloucester may, from time to time, within a period of five years from the passage of this act, borrow a sum not exceeding, in the aggregate, one hundred and twenty-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Gloucester Harbor Improvement Loan, Act of 1960. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit provided by chapter forty-four of the General Laws and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

*Approved August 12, 1960.*

**Chap. 579.** AN ACT DESIGNATING THE BRIDGE OVER THE FALL RIVER EXPRESSWAY ON LINDELOF AVENUE IN THE TOWN OF STOUGHTON AS THE SGT. KARL W. BUSCHENFELDT, JR. BRIDGE.

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

The bridge over the Fall River expressway on Lindelof avenue in the town of Stoughton shall be known and designated as the Sgt. Karl W. Buschenfeldt, Jr. bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works.

*Approved August 12, 1960.*



**Chap. 580.** AN ACT RELATIVE TO THE FEE FOR EXAMINATIONS FOR LICENSES TO OPERATE MOTOR VEHICLES.

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

Subdivision (7) of section 33 of chapter 90 of the General Laws, as appearing in section 1 of chapter 571 of the acts of 1959, is hereby amended by striking out the eleventh paragraph and inserting in place thereof the following paragraph:—

For each examination given to an applicant for a license to operate motor vehicles, three dollars. *Approved August 12, 1960.*

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**Chap. 581.** AN ACT RELATIVE TO THE REBATES OF REGISTRATION FEES ON MOTOR VEHICLES.

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

Section 2 of chapter 90 of the General Laws is hereby amended by striking out the sixth paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—

A person who, before the first day of July in any year, for any reason other than suspension or revocation surrenders his number plates and registration certificate and does not apply for registration of another vehicle but who, on or before the first day of August in the same year, files in the office of the registrar a written application for a rebate shall be entitled to a rebate of one half the fee paid in excess of fifteen dollars for the registration of a vehicle of which the plates and registration certificate have been surrendered as aforesaid; provided, that no such rebate shall be paid except upon a certificate, filed with the comptroller, setting forth the facts, and signed by the registrar or his authorized agent; and provided, also, that the rebate shall be paid out of the fees received for the registration of motor vehicles and trailers without specific appropriation. The registrar, at his discretion, may assign to the vehicle of any person who surrenders his registration certificate as herein provided, and who desires to register another vehicle, the register number of the vehicle described in the surrendered certificate. *Approved August 12, 1960.*

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**Chap. 582.** AN ACT REPEALING THE PROVISIONS OF LAW RELATING TO REBATES OF FEES FOR MOTOR VEHICLE OPERATORS' LICENSES.

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

Section 8 of chapter 90 of the General Laws, as most recently amended by chapter 307 of the acts of 1958, is hereby further amended by striking out the last paragraph. *Approved August 12, 1960.*

**Chap. 583.** AN ACT PROVIDING THAT BENEFITS PAYABLE TO CERTAIN WIDOWS AND CHILDREN UNDER THE FEDERAL SOCIAL SECURITY ACT SHALL NOT REDUCE BENEFITS PAYABLE UNDER THE CONTRIBUTORY RETIREMENT LAW.

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

Section 12B of chapter 32 of the General Laws is hereby amended by striking out the last paragraph, as appearing in section 2 of chapter 515 of the acts of 1959.

*Approved August 12, 1960.*

**Chap. 584.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO CLEAR THE WEEDS AND OTHER GROWTH FROM BARTLETT POND IN THE TOWN OF PLYMOUTH.

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

The department of public health is hereby authorized and directed to clear the weeds and other growth from the bottom of Bartlett pond, located in the White Horse beach section in the town of Plymouth. Said department may expend for said purpose such sums as may be appropriated therefor.

*Approved August 12, 1960.*

**Chap. 585.** AN ACT INCREASING THE SALARY OF THE COMMISSIONER OF EDUCATION.

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

Section 1B of chapter 15 of the General Laws is hereby amended by striking out the second sentence, as amended by section 22 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence:—The commissioner shall receive a salary of not less than twenty thousand dollars nor more than twenty-five thousand dollars, the amount to be determined by the board.

*Approved August 12, 1960.*

**Chap. 586.** AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF BROOKLINE OF THE QUESTION OF INCREASING THE WEEKLY WAGE OF CERTAIN FIRE DEPARTMENT EMPLOYEES BY A RECLASSIFICATION WITHIN THE STRUCTURE OF THE CLASSIFICATION PLAN AND THE PAY PLAN TO GRADES THREE ABOVE THOSE PRESENTLY HELD BY SUCH EMPLOYEES.

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

SECTION 1. The officers and members of the fire department of the town of Brookline shall receive such weekly wage as shall from time to time be fixed by the annual town meeting; provided, however, that a deputy chief shall not be in a grade lower than Grade XXI, and shall not receive a weekly wage of less than one hundred and sixty-three dollars; nor a captain in a grade lower than Grade XIX, and shall not receive a weekly wage of less than one hundred and fifty dollars and fifty cents; nor a lieutenant in a grade lower than Grade XVI, and shall not receive a weekly wage of less than one hundred

and twenty-six dollars and fifty cents, plus three dollars; nor a fire fighter (aide) in a grade lower than Grade XIII, and shall not receive a weekly wage of less than one hundred and eight dollars and fifty cents, plus four dollars; nor a fire fighter in a grade lower than Grade XIII, and shall not receive a weekly wage of less than one hundred and eight dollars and fifty cents; nor a fire alarm operator in a grade lower than Grade XIII, and shall not receive a weekly wage of less than one hundred and eight dollars and fifty cents.

SECTION 2. If a petition is obtained, signed and filed, and signatures of petitioners thereon certified, and a certificate transmitted to the state secretary, as provided in this section, there shall be printed on the official ballot to be used in the town of Brookline at the biennial state election in the current year the following question:—"Shall fire fighters Grade X (\$97.50), fire fighters (aide) Grade X (\$97.50 plus \$4.00), fire alarm operators Grade X (\$97.50), fire lieutenants Grade XIII (\$108.50 plus \$3.00), fire captain Grade XVI (\$126.50), deputy fire chief Grade XVIII (\$141.50), be reallocated to three grades above their present grade, which shall be fire fighter Grade XIII (\$108.50), fire fighters (aide) (\$108.50 plus \$4.00), fire alarm operator Grade XIII (\$108.50), fire lieutenant Grade XVI (\$126.50 plus \$3.00), fire captain Grade XIX (\$150.50), deputy fire chief Grade XXI (\$163.00)?"

(a) A petition for the printing of such question as aforesaid shall be issued only if, after the effective date of this section, ten or more registered voters of the town appear together at the office of the town clerk, and in the presence of a justice of the peace subscribe, in substantially the following form, a request for the issuance of such petition:—

THE COMMONWEALTH OF MASSACHUSETTS.

TOWN OF BROOKLINE.

REQUEST FOR ISSUANCE OF PETITION FOR PRINTING OF QUESTION ON BALLOT.

Each of the undersigned hereby declares under the pains and penalties of perjury on the.....day of.....1960:—

1. That he is a registered voter of the town of Brookline residing at the street and number, and in the precinct, set against his name.

2. That he desires to have printed on the official ballot to be used in the town of Brookline at the biennial state election to be held in the current year the following question:

*(Here insert the question set forth above in this section.)*

3. That he hereby requests the issuance of a petition for the printing of said question on said ballot.

The undersigned do hereby appoint each of the following persons:—*(here insert name and address of one or more persons)* as their duly authorized agents to receive the petition hereby requested.

Signature of Petitioner	Residence on January 1, 1960	Precinct	Present Residence
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Signed by the subscribers appearing together at the office of the Town Clerk of the town of Brookline on this.....day of.....1960, in the presence of

.....  
Justice of the Peace.

(b) If a request is so subscribed the town clerk shall forthwith transmit the same to the board of registrars of voters, who shall check

each name on such request and shall certify thereon the number of signatures so checked which are the names of registered voters of the town, and if such request contains at least ten names certified pursuant to this paragraph the board shall forthwith transmit to the town clerk said request, with a certificate so stipulating.

The town clerk shall issue, not later than five o'clock in the afternoon of the tenth day after the receipt of such request, to any one of the persons specified in such request, petition sheets, substantially in the form of nomination papers for nomination of candidates for town office, to a number containing spaces for signatures equal in number to at least one half of the number of persons registered to vote in the town at the last annual town election preceding the filing of such request.

Each petition sheet shall be in substantially the following form:—

THE COMMONWEALTH OF MASSACHUSETTS.

TOWN OF BROOKLINE.

PETITION FOR THE PRINTING OF A CERTAIN QUESTION ON THE BALLOT TO BE USED  
IN THE TOWN OF BROOKLINE AT THE STATE ELECTION TO BE HELD ON  
NOVEMBER 8, 1960.

TO THE TOWN CLERK:

We, the undersigned, registered voters of the town of Brookline, hereby petition that there be printed on the official ballot to be used in the town of Brookline at the biennial state election to be held on Tuesday, November 8, 1960, the following question:—

*(Here insert the question set forth in the first paragraph of this section.)*

Signatures of Petitioners (To be signed in person with name as registered)	Residence January 1, 1960 (If registered after above date, residence when registered)	Precinct	Present Residence
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THE COMMONWEALTH OF MASSACHUSETTS.

Norfolk, ss.

BROOKLINE,

1960.

The undersigned, being the circulator or circulators of this sheet, severally certify, under the pains and penalties of perjury, that the persons whose names are written upon the lines the numbers of which appear opposite our signatures below, signed the same in person.

NAMES AND ADDRESSES OF PERSONS  
CIRCULATING THIS SHEET

NUMBERS OF LINES UPON WHICH  
APPEAR SIGNATURES AS TO WHICH  
CERTIFICATION IS HEREBY MADE

NAME

ADDRESS

*(Add here or at some other convenient place on petition sheet the following)—*

This petition sheet filed by

.....  
*(Signature of Filer)*

.....  
*(Number, Street, Town)*

Each petition sheet shall, before issuance, be prepared by the registrars of voters by making the insertion required by the foregoing form. No petition sheet shall be valid unless prepared and issued by the town clerk.

(c) A petition for the printing of said question as aforesaid shall be signed by registered voters of the town to a number equal at least to five per cent of the persons registered to vote in the town at the

biennial state election next preceding the filing of the petition. Every voter signing such a petition shall sign in person, with his name as registered, and shall state his residence on January first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence. The signature of any petitioner which is not certified by the circulator of the sheet as provided in the form set forth in paragraph (b) shall not be counted in determining the number of petitioners. If the name of any voter appears as petitioner on the same petition more than once, it shall be deemed to appear but once.

(d) The separate sheets of a petition for the printing of said question as aforesaid shall be filed all together with the board of registrars of voters at or before five o'clock in the afternoon of August twenty-sixth in the current year. Every sheet of such petition shall be signed by the person filing such petition who, if he is other than the person appointed to receive the petition upon the issuance thereof, shall add to his signature his place of residence, giving street and number, if any; and the board of registrars of voters shall require satisfactory identification of such person. Such petition shall, when filed, be a matter of public record; but such petition shall not be open to public inspection until the signatures thereon have been certified.

(e) Upon the filing of a petition for the printing of said question as aforesaid the board of registrars of voters shall check each name to be certified by it on such petition and shall certify thereon the number of signatures so checked which are the names of registered voters of the town; provided, however, that said board shall not certify a greater number of names than required by paragraph (c) with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same petition. A petition not containing names certified pursuant to this paragraph, to the number required by said paragraph (c), shall be invalid. The board shall complete the certification required by this paragraph at or before five o'clock in the afternoon of August thirtieth in the current year.

(f) A petition for the printing of said question as aforesaid which has been filed and is in apparent conformity with law shall be deemed to be valid unless written objection thereto is made by a registered voter of the town. Such objection shall be filed with the board of registrars at or before five o'clock in the afternoon of September seventh in the current year. Any general or special law to the contrary notwithstanding, objections filed with the said board shall forthwith be considered by the board, which shall not later than September thirteenth in the current year render its decision on such objections stating its finding as to the validity of the petition. In all matters relating to such objections, said board shall have the powers and perform the duties prescribed for such boards with respect to objections to nomination papers, under the provisions of section twelve of chapter fifty-three of the General Laws; and the decision of said board shall be final except that it shall be subject to judicial review under section fourteen of chapter thirty A of the General Laws. Certifica-

tion pursuant to paragraph (e) shall not preclude a voter from filing objections to the validity of such petition.

(g) If such petition is either deemed or found to be valid under paragraph (f), the board shall transmit to the state secretary not later than five o'clock in the afternoon of September twenty-seventh in the current year a certificate of the filing of a petition in conformity with this section, of the certification of signatures of petitioners thereon to the number required by paragraph (c) and of the deeming or finding of such petition to be valid under paragraph (f).

SECTION 3. Section two of this act shall take effect upon its passage. Section one of this act shall take effect on the first Wednesday of January, nineteen hundred and sixty-one, if the aforesaid question is printed on the official ballot to be used in the town of Brookline at the biennial state election in the current year and a majority of votes cast in answer to such question at such election is in the affirmative.

*Approved August 15, 1960.*

**Chap. 587.** AN ACT RELATIVE TO THE USE OF NEW WARDS AND CERTAIN PRECINCTS THEREOF IN THE CITY OF NEWTON IN NOMINATING AND ELECTING REPRESENTATIVES TO THE GENERAL COURT.

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

SECTION 1. Notwithstanding any provision of section four of chapter fifty-four of the General Laws or of chapter five hundred and thirty-two of the acts of nineteen hundred and fifty-four to the contrary, the eight wards into which the city of Newton was redivided by the board of aldermen of said city in the year nineteen hundred and fifty-four, hereinafter referred to as new wards, shall be used for all primaries and elections held in said city and for such purposes election officers shall be appointed and voting lists shall be prepared, and all other things required by law shall, except as hereinafter provided, be done in accordance with said new wards.

SECTION 2. The fourth and fifth Middlesex representative districts shall, until the next decennial apportionment, conformably with the constitution, be as follows, the territories comprising said districts remaining the same, respectively, as at the time of their formation:—

*Fourth Middlesex.*—In the city of Newton, new ward one except precinct five thereof as hereinafter provided for, new wards two and three, precinct five of new ward four as hereinafter provided for, and new ward seven except precinct four thereof, as hereinafter provided for.

*Fifth Middlesex.*—In the city of Newton, said precinct five of new ward one, new ward four except said precinct five thereof, new wards five and six, said precinct four of new ward seven, and new ward eight.

That part of said new ward one which is bounded by Centre street, Commonwealth avenue, Morton street, and Mill street shall constitute precinct five thereof.

That part of said new ward four which is bounded by River street, Sheridan street, Derby street, Parmenter street, and the Waltham line shall constitute precinct five thereof.

That part of said new ward seven which is bounded by Centre

street, Cotton street, Waverly avenue, Montrose street and its extension, and the division line between said new wards six and seven shall constitute precinct four thereof.

For the purposes of nominating and electing representatives and of submitting questions of public policy to the voters in a representative district all things shall be done in said representative districts as if said new wards and said precincts thereof had existed and had constituted the basis for determining representative districts at the time of the formation of said fourth and fifth Middlesex representative districts, respectively.

SECTION 3. No division of said city into precincts under the provisions of section two of chapter fifty-four of the General Laws shall affect or change the precincts established by section two of this act.

SECTION 4. The members of the ward committees in said city elected at the presidential primaries in the year nineteen hundred and sixty shall, until the next election of ward committees therein and notwithstanding any existing limitation upon the number of members of such committees, be members of the ward committees for the new wards in which they respectively resided at the time of their election. Vacancies in any ward committee resulting from the operation of this section shall be filled in accordance with section six of chapter fifty-two of the General Laws.

SECTION 5. This act shall take effect upon its passage.

*Approved August 18, 1960.*

**Chap. 588.** AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-ONE TO PROVIDE FUNDS FOR THE MEDICAL EDUCATION OF CERTAIN STUDENTS.

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

SECTION 1. To provide for the medical education of certain students as authorized by the New England board of higher education, the sum set forth in section two of this act is hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, and the conditions pertaining to appropriations in chapter five hundred and seven of the acts of nineteen hundred and sixty.

SECTION 2.

**GENERAL FUND**

**STATE PURPOSES APPROPRIATIONS.**

**Boards and Commissions serving under Governor and Council.**

*New England Board of Higher Education.*

Item		
0476-02	For payments to medical or dental schools on acceptance of certain Massachusetts students, as authorized by chapter five hundred and eighty-nine of the acts of nineteen hundred and fifty-four	<b>\$175,000 00</b>

SECTION 3. This act shall take effect upon its passage.

*Approved August 18, 1960.*

**Chap. 589.** AN ACT AUTHORIZING THE TOWN OF MARION TO ASSESS BETTERMENTS FOR PUBLIC IMPROVEMENTS ON A CERTAIN PUBLIC WAY IN SAID TOWN.

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

SECTION 1. Notwithstanding the provisions of sections one and two of chapter eighty of the General Laws, assessments for betterments may be validly made by the town of Marion for the construction of a sewer extension on Lewis street, a public way in said town, as voted at the annual town meeting of nineteen hundred and sixty, which construction will be completed during the calendar year nineteen hundred and sixty.

SECTION 2. This act shall take effect upon its passage.

*Approved August 22, 1960.*

**Chap. 590.** AN ACT RELATIVE TO THE USE OF MONEY ACCUMULATED BY CERTAIN INMATES OF THE CORRECTIONAL INSTITUTIONS OF THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the superintendents of state correctional institutions to expend money earned by certain inmates for their use, thereby promoting their morale, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace, safety and convenience.

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

Section 48A of chapter 127 of the General Laws, as most recently amended by section 18 of chapter 777 of the acts of 1957, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The superintendent of any correctional institution may expend one half of the money so earned by any inmate on behalf of the inmate for articles for the use of the inmate; provided, however, that in the case of an inmate who is a defective delinquent or a sexually dangerous person or who is serving a life term, the superintendent may so expend any part or all of such money. The remainder of the moneys so earned, after deducting amounts expended on behalf of the inmate as aforesaid, shall be accumulated to the credit of the inmate and shall be deposited by the superintendent as trustee in a bank approved by the state treasurer and paid to the inmate upon his release from such institution in such instalments and at such times as may be described in such rules and regulations.

*Approved August 22, 1960.*

**Chap. 591.** AN ACT RELATIVE TO THE VALIDITY OF THE ACTS AND PROCEEDINGS OF CERTAIN ANNUAL TOWN MEETINGS AND ELECTIONS OF THE TOWN OF WEST STOCKBRIDGE.

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

SECTION 1. Notwithstanding the fact that the annual town meetings and elections in the town of West Stockbridge in the years nineteen hundred and fifty-seven to nineteen hundred and sixty, inclusive,



were not held on the days established therefor by a by-law of said town, but were held on days on which the town, in the year nineteen hundred and fifty-six, voted that such meetings and elections be held, no action taken by said town at said meetings and elections, nor any act or proceeding in pursuance thereof shall be deemed invalid because of such fact.

SECTION 2. This act shall take effect upon its passage.

*Approved August 22, 1960.*

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**Chap. 592.** AN ACT EXTENDING CERTAIN PROVISIONS OF THE MUNICIPAL FINANCE LAW AND CERTAIN OTHER LAWS RELATIVE TO TOWNS AND OFFICERS THEREOF TO CERTAIN DISTRICTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that certain provisions of the municipal finance law and certain other laws be applicable to certain districts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 40 of the General Laws is hereby amended by striking out section 4B, as amended by chapter 678 of the acts of 1951, and inserting in place thereof the following section:—*Section 4B.* Unless otherwise provided by by-law or special law in towns and fire, water, light, and improvement districts, no contract for the purchase of equipment, supplies or materials, the actual or estimated cost of which amounts to one thousand dollars or more, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded unless proposals for the same have been invited by advertisement in at least one newspaper published in the town or district, or, if there is no such newspaper, in a newspaper published in the county, such publication to be at least one week before the time specified for the opening of said proposals. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve to the town or district the right to reject any or all such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provisions of this section. Materials purchased by any town, under specifications of the state department of public works, and at prices established by said department of public works, pursuant to advertising and bidding for such purpose, in connection with work to be performed under the provisions of chapter eighty-one or chapter ninety, shall not be subject to the requirements of this section. The provisions of this section shall apply to regional school districts.

SECTION 2. Chapter 41 of the General Laws is hereby amended by striking out section 109, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 109.* A town or fire, water, light, and improvement district officer may resign his office by filing a resignation thereof in the office of the town or district clerk, and such resignation shall be effective forthwith unless a time certain is specified therein when it shall take effect. If a person removes from a town or district, he shall thereby vacate any town or district office held by him.

SECTION 3. Chapter 44 of the General Laws is hereby amended by striking out section 53, as so appearing, and inserting in place thereof the following section:—*Section 53.* All moneys received by any town or fire, water, light, and improvement district officer or department, except as otherwise provided by special acts and except fees provided for by statute, shall be paid by such officer or department upon their receipt into the town or district treasury. Any sums so paid into the town or district treasury shall not later be used by such officer or department without a specific appropriation thereof, except that sums allotted to towns for highway purposes by the commonwealth or a county which shall be used only for the purposes specified by the officials making the allotment or to meet temporary loans issued in anticipation of such allotment as provided in section six or six A, shall be available therefor without any appropriation.

SECTION 4. Section 55 of said chapter 44 is hereby amended by striking out, in line 1, as appearing in chapter 103 of the acts of 1953, the words "or town" and inserting in place thereof the words:— , town, or fire, water, light, improvement or regional school district.

SECTION 5. Section 64 of said chapter 44, inserted by chapter 179 of the acts of 1941, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

This section shall not apply to cities but shall apply to fire, water, light, and improvement districts.

SECTION 6. Section 8 of said chapter 44 is hereby amended by striking out the last paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—

Debts for purposes mentioned in clauses (3), (4), (5), (6), (7) and (7A) of this section shall not be authorized to an amount exceeding ten per cent of the last preceding assessed valuation of the city or town.

*Approved August 22, 1960.*

**Chap. 593.** AN ACT RELATIVE TO THE VALUATION OF CERTAIN LANDS OWNED AND USED BY THE UNIVERSITY OF MASSACHUSETTS IN THE TOWNS OF AMHERST AND HADLEY.

*Whereas,* The deferred operation of this act would tend to defeat its purpose which is in part to provide forthwith for reimbursement to the towns of Amherst and Hadley by the commonwealth of an amount in lieu of taxes in the years nineteen hundred and sixty and nineteen hundred and sixty-one for land owned by the commonwealth and used for the purposes of the University of Massachusetts in said towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The first sentence of section 13 of chapter 58 of the General Laws, as amended by section 1 of chapter 701 of the acts of 1956, is hereby further amended by inserting after the word "forest", in line 8, the words:— , the University of Massachusetts,—so as to read as follows:—In nineteen hundred and fifty-seven, and in every fifth year thereafter, the commission shall, between January first and June first, determine as of January first the fair cash value of all

land in every town owned by the commonwealth and used for the purposes of a fish hatchery, game preserve or wild life sanctuary, a state military camp ground, the Soldiers' Home in Massachusetts, the Soldiers' Home in Holyoke, a state forest, the University of Massachusetts, or a public institution under the department of correction, the department of education, the department of mental health, the department of public health, the department of public welfare, or the youth service board, and of all land owned by the commonwealth and under the care and control of the department of natural resources or the division of public beaches in the department of public works and used for recreational or conservation purposes; and of all land held by county commissioners for hospital purposes under sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven.

SECTION 2. Notwithstanding the provisions of section thirteen of chapter fifty-eight of the General Laws, the state tax commission shall, in the current year, determine as of January first the fair cash value of all land owned by the commonwealth and used for the purposes of the University of Massachusetts in the towns of Amherst and Hadley in the manner provided by said section. Not later than November first in the current year, and not later than August first in the year nineteen hundred and sixty-one, the commissioner shall deliver to the state treasurer a statement as to the value of land owned by the commonwealth and used for the purposes of said University in said towns. Not later than November twentieth in the current year and in the year nineteen hundred and sixty-one, the state treasurer shall reimburse said towns an amount in lieu of taxes upon the value of such land so reported to him by the commission to be determined by multiplying each thousand dollars of valuation or fractional part thereof by the rate provided under section fifty-eight of chapter sixty-three of the General Laws.

*Approved August 22, 1960.*

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**Chap. 594.** AN ACT DESIGNATING A PORTION OF ROUTE 57 WITHIN THE TOWN OF AGAWAM AS THE HENRY E. BODURTHA HIGHWAY.

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

The relocated portion of the state highway known as Route 57 in the town of Agawam shall be known and designated as the Henry E. Bodurtha Highway, in memory of Henry E. Bodurtha who served for many years as town clerk of said town, and suitable markers bearing said designation shall be erected and maintained thereon by the department of public works.

*Approved August 22, 1960.*

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**Chap. 595.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT A BRIDGE IN THE TOWN OF RUSSELL.

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

The department of public works is hereby authorized and directed to reconstruct the existing bridge over the Westfield river connecting Main street and Montgomery road in the town of Russell under the provisions of chapter ninety of the General Laws, and to expend such sums as may be appropriated therefor, together with any money which

the town or county may appropriate therefor, not exceeding, however, one hundred thousand dollars in the aggregate.

No part of the cost of such reconstruction shall be chargeable to the New York Central Railroad.

*Approved August 22, 1960.*

**Chap. 596.** AN ACT DIRECTING THE BOARD OF SCHOOLHOUSE STRUCTURAL STANDARDS AND THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH STANDARDS FOR THE CONSTRUCTION OF PUBLIC AND PRIVATE SCHOOLHOUSES.

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

SECTION 1. The board of schoolhouse structural standards, established under section one of chapter six hundred and seventy-five of the acts of nineteen hundred and fifty-five, shall make and may from time to time alter, amend and repeal rules and regulations relating to structural safety and prevention of fire in connection with the construction, reconstruction, and alteration or remodeling of all public and private schoolhouses and relating to the standards of materials to be used therein, setting forth alternatives to the materials and to the type or method of construction. Such rules and regulations shall be in accordance with generally accepted engineering practice, and shall be designed to provide reasonable uniform requirements of safety in relation to the preservation of life and the prevention of fire. In issuing a certificate of approval for the erection or alteration of a schoolhouse under section fifteen of chapter one hundred and forty-three of the General Laws, a supervisor of plans shall, in addition to any other requirements of said chapter, determine that the plans and specifications required to be filed under said section fifteen conform to the rules and regulations made under this section; or if a specification of requirements for the erection or alteration of a schoolhouse is issued under said section fifteen, such specification shall, in addition to any other requirements of said chapter, require that the aforesaid plans and specifications conform to such rules and regulations.

SECTION 2. The first sentence of section 15 of chapter 143 of the General Laws, as most recently amended by section 2 of chapter 446 of the acts of 1959, is hereby further amended by inserting after the word "building", in line 3, the words:—, a public or private school.

SECTION 3. Said chapter 143 is hereby further amended by inserting after said section 15 the following section:—*Section 15A.* The commissioner shall make and may from time to time alter, amend and repeal rules and regulations relating to structural safety and prevention of fire in connection with the construction, reconstruction, and alteration or remodeling of all public and private schoolhouses and relating to the standards of materials to be used therein, setting forth alternatives to the materials and to the type or method of construction. Such rules and regulations shall be in accordance with generally accepted engineering practice, and shall be designed to provide reasonable uniform requirements of safety in relation to the preservation of life and the prevention of fire. In issuing a certificate of approval for the erection or alteration of a schoolhouse under section fifteen, a supervisor of plans shall, in addition to any other requirements of this chapter, determine that the plans and specifications required to

be filed under said section fifteen conform to the rules and regulations made under this section; or if a specification of requirements for the erection or alteration of a schoolhouse is issued under said section fifteen, such specification shall, in addition to any other requirements of this chapter, require that the aforesaid plans and specifications conform to such rules and regulations.

SECTION 4. Section one shall become inoperative on November thirteenth, nineteen hundred and sixty-one, and section three shall thereupon take effect.

*Approved August 22, 1960.*

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**Chap. 597.** AN ACT FURTHER REGULATING THE PROCURING OF INSURANCE BY SPECIAL INSURANCE BROKERS FROM UNLICENSED INSURANCE COMPANIES.

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

Section 168 of chapter 175 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by chapter 130 of the acts of 1951, and inserting in place thereof the following two sentences:—Before the person named in such license shall procure any insurance in such companies on any such property or interest, he shall in every case execute, and within five days thereafter file with the commissioner, an affidavit, which shall have force and effect for one year only from the date of said affidavit, that he is unable to procure, in companies admitted to do business in the commonwealth, the amount of insurance necessary to protect said property or interests, and that he will procure insurance under such license only after he has procured insurance in companies admitted to do business as aforesaid to the full amount which said companies are willing to write on said property or interests; but such licensed person shall not be required to file such affidavit if one relative to the same property or interests has been filed within the preceding twelve months by any broker licensed under this section, nor to offer any portion of such insurance to any company not possessed of net cash assets of at least two hundred thousand dollars, nor to one which has within the preceding twelve months been in an impaired condition, nor shall such licensed person procure any such insurance on said property or interests from any foreign company not authorized to transact business in the commonwealth unless (a) such company is possessed of net cash assets of at least three hundred thousand dollars computed on the basis fixed by sections ten to twelve, inclusive, and on the form prescribed by section twenty-five, and has satisfied the commissioner that its officers and directors are of good repute and competent to manage an insurance company and that the management of the company is carrying out its insurance contracts in good faith and has filed with the commissioner an examination report of the affairs of the company completed within the previous three years and made by the proper supervisory official of its home state, and has made a deposit of not less than four hundred thousand dollars with the state treasurer or with the proper board or officer of some other state of the United States in accordance with the terms and conditions hereinafter specified, or (b) such company has filed a financial statement on a form satisfactory to the commissioner and conforms to and main-

tains the financial requirements specified in subdivision (d) of the second paragraph of section twenty. Such deposit shall be made in exclusive trust for the benefit and security of all its policyholders in the United States including obligees of bonds executed by such company as surety, and when made with the state treasurer may be made in the securities and subject to the limitations specified in sections sixty-three and sixty-six, or in cash or in such other securities as the commissioner may approve, provided that bonds need not be accepted by the state treasurer unless in registered form and of denominations satisfactory to him, and shall not be returned to the company until it has ceased to transact business in the commonwealth nor until the commissioner is satisfied that the company is under no obligation to such policyholders or obligees in the United States for whose benefit such deposit was made, nor until he has given his written consent to such return; provided, that the commissioner may, in any case, authorize in writing the return to the company of any excess of any deposit made under this section over the amount required thereby, if he is satisfied that such return will not be prejudicial to the interests of such policyholders or obligees.

*Approved August 22, 1960.*

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**Chap. 598.** AN ACT FURTHER REGULATING PROVISIONAL APPOINTMENTS UNDER THE CIVIL SERVICE LAW.

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

Section 15 of chapter 31 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 41 of the acts of 1951, and inserting in place thereof the following paragraph:—No person shall be appointed or promoted to any position in the classified civil service except upon requisition by the appointing officer and upon certification by the director from an eligible list prepared in accordance with this chapter and the rules made thereunder. If there is no such list, or if the director is unable to comply with a requisition, he may, subject to section twenty-five, authorize a provisional appointment. Such a provisional appointment may be authorized to fill a permanent position for a period of not more than one year; but no person shall be certified for more than one such provisional appointment. Authorization to make a provisional appointment shall be void if not exercised within two weeks from the date thereof. The director shall forthwith conduct an examination and establish an eligible list for such a position. A provisional appointment to fill a permanent position shall be terminated by the director within fourteen days after the establishment of an eligible list for such position, and it may be terminated by the director at any time.

*Approved August 22, 1960.*

**Chap. 599.** AN ACT PROVIDING FOR THE INCINERATION OF CERTAIN REFUSE AND GARBAGE COLLECTED IN THE TOWNS OF COHASSET, HINGHAM, HULL AND WEYMOUTH OR ANY TWO OR MORE CONTIGUOUS TOWNS OF SAID GROUP AND CREATING THE SOUTH SHORE INCINERATOR AUTHORITY AND DEFINING ITS POWERS AND DUTIES.

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

SECTION 1. In order to eliminate the nuisances attendant upon the dumping of refuse and garbage produced in the towns of Cohasset, Hingham, Hull and Weymouth or any two or more contiguous towns of said group there is hereby created a public body politic and corporate to be known as the South Shore Incinerator Authority. Said authority is hereby authorized and directed to acquire such land within those towns which have accepted the provisions of this act as it may deem necessary and to construct, maintain and operate thereon a refuse disposal incinerator of sufficient size to provide adequate disposal facilities for all combustible refuse and garbage produced in those towns which have accepted the provisions of this act. After the construction of such incinerator is completed, no refuse or garbage produced in those towns which have accepted the provisions of this act shall, unless it is incombustible refuse, be deposited at any dump within the commonwealth except in case of emergency.

Said authority is hereby constituted a public instrumentality; and the performance by it of the duties imposed and the exercise by it of the powers conferred by this act shall be deemed and held to be the performance of essential governmental functions. Said authority shall be deemed to be an instrumentality within the meaning of chapter one hundred and eighteen C of the General Laws; but chapter thirty-one of the General Laws, and rules made thereunder, shall not apply to any officer, agent or employee of said authority.

SECTION 2. The authority created by section one of this act shall consist of the selectmen of those towns which have accepted the provisions of this act each of whom shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of his duties. A majority of the total number of selectmen of the towns comprising said authority shall constitute a quorum and the affirmative vote of such majority shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

The authority shall from time to time elect a secretary-treasurer who shall execute a surety bond in such penal sum as the authority shall from time to time determine, such bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the commonwealth as surety, to be approved by the attorney general and filed in the office of the state secretary. The premium on such bond shall be paid by the authority.

SECTION 3. The authority is hereby authorized and empowered—

(a) To adopt by-laws for the regulation of its affairs and the conduct of its business;

(b) To adopt an official seal and alter the same at pleasure;

(c) To sue and be sued, and to plead and be impleaded, in its own name;

(d) To acquire in the name of the authority by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws, or any alternative method now or hereafter provided by general law, in so far as such provisions may be applicable, so much land within those towns which have accepted the provisions of this act, as it may deem necessary for the carrying out the provisions of this act;

(e) To construct, maintain and operate on the land so acquired a refuse disposal incinerator of sufficient size to provide adequate disposal facilities for all combustible refuse and garbage produced in the towns which have accepted the provisions of this act;

(f) To dispose of within those towns which have accepted the provisions of this act the ash and residue from said incinerator in accordance with modern sanitary engineering practise and in such manner as it shall adjudge most advantageous;

(g) To establish rules and regulations, and fix policies, for the operation of said incinerator and the reception thereof of refuse and garbage;

(h) To receive at said incinerator and incinerate therein combustible refuse and garbage originating in said towns which have accepted the provisions of this act when brought to said incinerator by the metropolitan district commission or by said towns or their agents or contractors and to fix and revise from time to time and charge and collect fees for such reception and incineration.

(i) To receive at said incinerator and incinerate therein whenever the full capacity of said incinerator is not required for the incineration of combustible refuse and garbage originating in said towns combustible refuse and garbage originating in other towns or cities and to charge and collect fees from such other towns and cities at rates not less than the rates to the towns which have accepted the provisions of this act;

(j) To receive and accept from any federal agency grants for or in aid of the construction of said incinerator and to receive and accept contributions of money, property, labor or other things of value, from any source, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(k) To lease, sell or otherwise dispose of any real or personal property, or any interest therein, which it shall determine to be no longer needed for the purposes of this act and to invest from time to time in obligations of the government of the United States or of the commonwealth any portions of its working capital fund which it shall judge temporarily unnecessary for the purposes of said fund; and

(l) To make all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ a plant superintendent and such other employees and agents, including engineering and financial experts, attorneys and accountants, as may be necessary in its judgment, to fix their compensation and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 4. The provisions of sections twenty-six to twenty-seven



D, inclusive, and sections forty-four A to forty-four K, inclusive, of chapter one hundred and forty-nine of the General Laws, shall apply to all such construction by the authority.

SECTION 5. To provide for the expenses of constructing said incinerator and of making any major alteration thereto or any major repair thereof, and for the establishment of a working capital fund, the authority may from time to time borrow from the towns which have accepted the provisions of this act and each of said towns may from time to time loan to the authority, such sums not exceeding, in the aggregate, five hundred thousand dollars as the authority shall demand that said towns loan it; provided, that each town's share of each loan shall be in the same proportion as its population, as determined by the last preceding federal census, bears to the total population of the towns which have accepted the provisions of this act. The authority shall repay every loan made to it under this section in the same instalments and with the same interest as shall be payable on debt incurred under section six to make such loan. No bond or note given by the authority to evidence a loan made to it under this section shall, without special authorization from the general court, be disposed of by the town to which it is given.

SECTION 6. For the purpose of providing funds to make loans demanded by the authority under section five, the town treasurers of the towns which have accepted the provisions of this act shall, without further authority than that contained in this section, in the name and behalf of their respective towns, borrow from time to time such sums as may be necessary, not exceeding in the aggregate, five hundred thousand dollars, and may issue therefor bonds and notes which shall bear on their face, in the case of each town, the words "Town of (insert name of town) Incinerator Loan, Act of 1960". Each issue shall constitute a separate loan; and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this section by said towns shall be included in determining their respective limits of indebtedness as established by law, and shall, except as herein provided, be subject to the provisions, respectively applicable to them, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Anything in section twenty of said chapter forty-four to the contrary notwithstanding, any premium received upon any bonds or notes issued under this section, shall be paid to the authority after deducting therefrom the cost of preparing, issuing and marketing such bonds or notes.

SECTION 7. The authority shall keep a daily record of the aggregate amount of refuse and garbage deposited in the incinerator by the towns which have accepted the provisions of this act and, beginning with the calendar month next after the calendar month in which construction of the incinerator is completed, shall, not later than the tenth day of each calendar month, compute the net cost of maintaining and operating said incinerator during the preceding calendar month and apportion such cost between said towns in proportion to the aggregate amount of refuse and garbage, respectively, deposited in said incinerator by said towns during such preceding month and notify said towns of such computation and apportionment; and the town treasurers of said towns shall thereupon forthwith, without further author-

ization than herein contained, pay to the authority out of any available funds in the treasury of said towns, as the case may be, the sum respectively apportioned to such town. There shall be included in computing the cost of maintaining and operating the incinerator during any calendar month the administrative expenses of the authority during such month and also all instalments of principal and interest on debt accruing during such month. Administrative expenses, interest and instalment payments on principal accruing prior to the completion of the construction of the incinerator shall be treated as expenses of construction. If at any time the authority shall have funds which in its judgment are not required for the purposes of this act, it shall forthwith distribute such funds to said towns in proportion to the amounts which have been respectively apportioned to them under this section, since the date of completion of construction of the incinerator, or since the date of the next previous distribution of funds, whichever is the later.

SECTION 8. The authority and all its real and personal property shall be exempt from taxation and from betterments and special assessments, and the authority shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions, nor shall the authority be required to pay any fee or charge for any permit or license issued to it by the commonwealth, by any department, board or officer thereof, or by any political subdivision of the commonwealth or by any department, board or officer of such political subdivision, nor shall the authority be liable for any injury, loss or damage suffered by any person or property by reason of any ordinary or gross negligence of the authority or any of its officers, employees or agents; provided, however, that it shall be liable as an employer under chapter one hundred and fifty-two of the General Laws, and shall insure against such liability.

SECTION 9. On or before the last day of January in each year, the authority shall make an annual report of its activities for the preceding calendar year to the governor and to the general court. Each such report shall set forth a complete operating and financial statement covering its operations during such year. The authority shall cause an audit of its books to be made at least once in each year by the director of accounts in the state department of corporations and taxation; and the cost thereof shall be treated as part of the cost of operating said incinerator. Such audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

SECTION 10. If at any time the authority shall be dissolved, its corporate existence shall continue as provided in section fifty-one of chapter one hundred and fifty-five of the General Laws, and its assets shall be liquidated and the proceeds distributed between said towns in proportion to the amounts which have been respectively apportioned to them under section seven of this act.

SECTION 11. This act shall take full effect only upon its acceptance by the towns of Cohasset, Hingham, Hull and Weymouth or any two or more contiguous towns of said group by the vote of a majority of the town meeting members or voters, as the case may be, present and voting thereon at an annual or special town meeting called for the purpose in each of said towns and upon the filing of certificates of such acceptances with the state secretary; provided, that such acceptances and filing occur before June first, nineteen hundred and sixty-three.

SECTION 12. Chapter six hundred and forty-two of the acts of nineteen hundred and fifty-eight is hereby repealed.

*Approved August 22, 1960.*

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**Chap. 600.** AN ACT AUTHORIZING SPECIAL INSTRUCTION FOR SCHOOL CHILDREN WHO ARE SPEECH HANDICAPPED OR HARD OF HEARING.

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

Chapter 69 of the General Laws is hereby amended by striking out section 29, inserted by chapter 313 of the acts of 1938, and inserting in place thereof the following section:—*Section 29.* The school committee of any town, or any superintendency union or district where there is in attendance in any public or private school any child who is speech handicapped or hard of hearing may provide special instruction periods for such child in a place under the control of such school committee, union or district. Such instruction shall be in addition to the regular school instruction and shall be subject to such regulations as may be prescribed by the department.

*Approved August 22, 1960.*

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**Chap. 601.** AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL OR LEASE TO FIRST METHODIST CHURCH IN BOSTON THE LAND AND BUILDINGS KNOWN AS LOWELL SQUARE AND WEST CHURCH.

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

SECTION 1. Notwithstanding any contrary provision of general or special law, the city of Boston, by its mayor, may sell or lease to First Methodist Church in Boston the land and buildings situated on the northerly side of Cambridge street, in said city, known as Lowell Square and West Church, held by said city for park and library purposes.

SECTION 2. Such sale or lease shall be made only with the assent of the parks and recreation commission and of the trustees of the public library of the city of Boston, expressed in each case by vote at a regular or special meeting.

SECTION 3. This act shall take full effect upon its acceptance by a majority vote of the city council of the city of Boston.

*Approved August 22, 1960.*

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**Chap. 602.** AN ACT PROVIDING THAT CERTAIN STATE AND COUNTY EMPLOYEES HAVING SUPERVISION OF PAROLEES BE CLASSIFIED IN GROUP 2 UNDER THE RETIREMENT LAW.

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

Paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out the definition of *Group 2*, as most recently amended by section 1 of chapter 589 of the acts of 1958, and inserting in place thereof the following definition:—

*Group 2.*—Members of police and fire departments not classified in *Group 1*, members of the division of state police appointed under the provisions of section six of chapter twenty-two, members of the police force of the metropolitan district commission, capitol police, public works building police, permanent watershed guards and permanent park police, employees of the Massachusetts Port Authority comprising guards, guard sergeants, head guard and chief of waterfront police, conservation officers paid as such, district fire wardens, coastal wardens in the department of natural resources, officials and employees of the registry of motor vehicles having police powers, officials and employees of the department of public safety having police powers, employees of a municipal gas or electric plant who are employed as linemen, electric switchboard operators, electric maintenance men, steam engineers, boiler operators, firemen, oilers, mechanical maintenance men and supervisors of said employees, employees of the Massachusetts Port Authority at the General Edward Lawrence Logan International Airport, comprising permanent crash crewmen, fire control man, assistant fire control men, employees whose regular compensation is paid by the United States from funds allocated to the Massachusetts National Guard and who are regularly and permanently employed under the control of the military department of the commonwealth and whose duties in such employment require substantially all normal working hours and whose continued employment is based upon federal recognition in the Massachusetts National Guard, and employees of the commonwealth and of any county, regardless of any official classification, whose regular and major duties require them to have the care, custody, instruction or other supervision of prisoners, parolees or insane persons or of defective delinquents; provided, that no member who attains age sixty-five while classified in *Group 1* may thereafter be classified in *Group 2*, irrespective of change of employment.

*Approved August 22, 1960.*

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**Chap. 603.** AN ACT RELATIVE TO THE TOTAL AMOUNT OF BENEFITS PAYABLE TO AN INDIVIDUAL UNDER THE EMPLOYMENT SECURITY LAW.

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

Section 29 of chapter 151A of the General Laws is hereby amended by striking out subsection (c), as most recently amended by chapter 589 of the acts of 1959, and inserting in place thereof the following subsection:—(c) An individual in total or partial unemployment and otherwise eligible for benefits shall be paid for each week of such unemployment, in addition to the amount payable under paragraph (a) or (b), as the case may be, the sum of six dollars for each child under the age of eighteen and for each child eighteen years of age or over incapable of earning any wages because of mental or physical incapacity, who is dependent upon him at law and in fact in a benefit year, and for each child under the age of eighteen for whom he is under a decree or order from a court of competent jurisdiction to contribute to such child's support and for whom no other person is receiving allowances hereunder; provided, that such child is domiciled within the United States or the territories or possessions thereof. In

no instance shall the total amount of regular unemployment benefits, dependency benefits as provided in this subsection and the earnings of an individual, including the first ten dollars of such earnings, be more than his average weekly wages. *Approved August 22, 1960.*

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**Chap. 604.** AN ACT PROVIDING THAT LICENSES TO OPERATE MOTOR VEHICLES ISSUED TO PERSONS UNDER THE AGE OF TWENTY-ONE SHALL BE DIFFERENT IN COLOR FROM SUCH LICENSES ISSUED TO PERSONS TWENTY-ONE YEARS OF AGE OR OVER.

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

Section 8 of chapter 90 of the General Laws, as most recently amended by chapter 307 of the acts of 1958, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:—To each licensee shall be assigned some distinguishing number or mark, and the licenses issued shall be in such form as the registrar shall determine; provided, however, that a license issued to a person under the age of twenty-one shall be different in color from a license issued to a person twenty-one years of age or over.

*Approved August 22, 1960*

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**Chap. 605.** AN ACT PROVIDING LIFE TENURE FOR DONALD ROBINSON, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF THE WATER DEPARTMENT OF THE TOWN OF NORTON.

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

SECTION 1. The tenure of office of Donald Robinson, incumbent of the office of superintendent of the water department of the town of Norton, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons given him in writing by the board of selectmen.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Norton at the annual town meeting in the year nineteen hundred and sixty-one in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing life tenure for Donald Robinson, incumbent of the office of superintendent of the water department of the town of Norton', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved August 22, 1960.*

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**Chap. 606.** AN ACT MAKING PERMANENT CERTAIN TEMPORARY POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS.

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

Notwithstanding the provisions of section six of chapter five hundred and seven of the acts of nineteen hundred and sixty, the general appropriation act for the fiscal year nineteen hundred and sixty-one,

or of any provision of any supplementary appropriation act for said fiscal year, the number of permanent positions duly approved, with reference to each item thereby appropriated for personal services, shall be increased to include, in each case, every year-round temporary position (1) for which, for a continuous period of three years prior to January first, nineteen hundred and sixty, compensation has been duly paid or authorized under the same or a like item in prior appropriation acts, and (2) which exists in connection with the maintenance of the state department of public works or the performance of any service by said department required or provided for by virtue of any general act the operation of which is not expressly limited as to time. The director of personnel shall, by title and code number and subject to approval of the commission on administration and finance, certify to the budget commissioner, the comptroller, the director of civil service, the appointing authority concerned, and the house and senate committees on ways and means, each such position to be so included. The provisions of this act shall not apply to any present temporary position created by any general or special act the operation of which is expressly limited as to time, nor to any such position which by its nature or intent is temporary.

*Approved August 22, 1960.*

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**Chap. 607.** AN ACT AUTHORIZING SAVINGS BANKS TO PARTICIPATE WITH TRUST COMPANIES AND NATIONAL BANKING ASSOCIATIONS IN MORTGAGE LOANS OF THE GREATER LAWRENCE BUSINESS DEVELOPMENT CORPORATION.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to enable savings banks to invest forthwith in certain mortgage loans in order to promote the development of industry in the Greater Lawrence area, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

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

**SECTION 1.** A savings bank may, in participation with one or more other savings banks or trust companies or national banking associations, invest in mortgage loans of the Greater Lawrence Business Development Corporation, and its successors in interest, provided that such loans may not be made other than in the class of loans authorized by section thirty-five of chapter one hundred and sixty-eight of the General Laws. The participating corporations shall enter into a written agreement, for themselves, their successors and assigns, which shall include provisions for the custody of the note and mortgage and for the servicing and foreclosure thereof. The amount of the participation of any savings bank in any such loan shall not exceed one per cent of its deposits, and the aggregate balance of principal of all such participations, outstanding at any one time, shall not exceed five per cent of the total deposits of such corporation. Where, however, one or more savings banks enter into a participation arrangement with a trust company or national banking association, the written agreement referred to above shall provide that the custody of the note and mortgage shall remain in the possession of one of said savings banks.

**SECTION 2.** This act shall become inoperative after two years from its effective date.

*Approved August 24, 1960.*

**Chap. 608.** AN ACT DESIGNATING THE BRIDGE CROSSING THE NEPONSET RIVER ON GRANITE AVENUE IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON AS THE FRANCIS J. MITCHELL BRIDGE.

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

SECTION 1. The bridge crossing the Neponset river on Granite avenue in the Dorchester district of the city of Boston shall be known and designated as the Francis J. Mitchell Bridge, in memory of a past commander of American Legion Post No. 65. A suitable marker bearing said designation shall be attached thereto by the department of public works.

SECTION 2. This act shall take effect upon its passage.

*Approved August 24, 1960.*

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**Chap. 609.** AN ACT AUTHORIZING THE CONSOLIDATION OF CHILDREN'S AID ASSOCIATION, INC. AND BOSTON CHILDREN'S FRIEND SOCIETY UNDER THE NAME OF BOSTON CHILDREN'S SERVICE ASSOCIATION.

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

SECTION 1. Children's Aid Association, Inc. (formerly Boston Children's Aid Society), a corporation established and existing under the laws of the commonwealth by virtue of chapter ninety-seven of the acts of eighteen hundred and sixty-five and acts in amendment thereof, and Boston Children's Friend Society, a corporation established and existing under the laws of the commonwealth by virtue of chapter sixty-six of the acts of eighteen hundred and thirty-four and acts in amendment thereof, are hereby authorized, by acceptance of this act in the manner hereinafter provided within two years after its effective date, to consolidate into one corporation under the name of Boston Children's Service Association, hereinafter sometimes called the consolidated corporation, which consolidated corporation shall in all respects be a continuation of, shall have all the rights, powers, privileges, immunities and exemptions of, and shall be deemed to have assumed and shall be liable for all the liabilities and obligations of, said existing corporations.

SECTION 2. The consolidation shall not be completed:

(a) unless at meetings called for the purpose, each of said existing corporations, by not less than a two-thirds vote of those members present and voting, shall have accepted this act; and

(b) unless after the aforesaid acceptances, said existing corporations shall have called and held a meeting for organization of the consolidated corporation composed of persons designated by said existing corporations, for the purpose of adopting by-laws for the consolidated corporation and of electing initial directors and other officers thereof.

SECTION 3. The consolidation shall be complete and effective upon the filing in the office of the secretary of the commonwealth of a certificate signed by the clerks or recording officers of said existing corporations and by the recording officer of the meeting for organization of the consolidated corporation setting forth compliance with the

provisions of section two and stating the names and addresses of the directors and other officers initially elected at said meeting for organization of the consolidated corporation. Said certificate shall be filed in the office of the secretary of the commonwealth not later than thirty days after the final adjournment of the meeting for organization of the consolidated corporation.

SECTION 4. Within sixty days after the consolidation shall have become complete and effective, the clerk or other officer of the consolidated corporation shall file in the registries of deeds of Suffolk and Norfolk counties a certificate stating the date on which the certificate required by section three was filed in the office of the secretary of the commonwealth, together with one copy of each vote of acceptance of this act by said existing corporations, certified by the clerk or other recording officer of said existing corporations.

SECTION 5. Upon the consolidation becoming effective, all property, real and personal, and all rights and interests, legal and equitable, of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore or hereafter made to or for the benefit of either of them, shall be transferred to and vested in the consolidated corporation without further act or deed. The consolidated corporation shall have the same rights, powers, privileges, immunities and exemptions with respect to such property and with respect to such bequests, devises, gifts and transfers as would have been possessed by the consolidated corporation had such bequests, devises, gifts and transfers been made directly to it and for its purposes, so far as such rights, powers, privileges, immunities and exemptions can be constitutionally conferred by the general court and without prejudice to any court proceeding, and otherwise shall have with respect to such property and such bequests, devises, gifts and transfers the same rights, powers, privileges, immunities and exemptions as would have been possessed by said existing corporations had such consolidation not been effected, and the treasurers or other officers of said existing corporations are hereby respectively authorized to execute, acknowledge and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in the consolidated corporation the title to the property or any interest therein of said existing corporations.

SECTION 6. Upon the consolidation becoming effective, the members of the existing corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by an amendment of its by-laws, alter its membership.

SECTION 7. Boston Children's Service Association shall have all of the rights, powers, privileges, immunities and exemptions granted to the Children's Aid Association, Inc. by chapter three hundred and fifty-eight of the acts of nineteen hundred and fifty-two to form with The Church Home Society for the Care of Children of the Protestant Episcopal Church and Judge Baker Guidance Center and with such other charitable corporations heretofore or hereafter organized under the laws of the commonwealth as may be mutually agreed upon, an alliance for, and otherwise to cooperate in, establishing, maintaining and operating a child care center and to render mutual services and acquire, hold and operate buildings and other property jointly or as tenants in common in connection with such child care center.



SECTION 8. The consolidated corporation may hold real and personal property to any amount, and may receive, hold, manage, invest, reinvest and distribute any real and personal property for any of its purposes. In addition to and not in limitation of any of the powers by this act conferred, the consolidated corporation is hereby empowered to and shall devote its resources to and exercise its corporate powers for charitable, benevolent and educational purposes, particularly in the general field of child care, adoption, rehabilitation and related services. The consolidated corporation may solicit and receive funds separately or with others to support its work, and may make appropriations to carry on its work, including appropriations to other persons and organizations to enable them to assist in carrying on such work.

SECTION 9. Any questions arising as to the rights, powers, privileges, immunities, exemptions, duties, obligations and responsibilities of the consolidated corporation with respect to its property and with respect to the properties of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made to or for the benefit of either of them, and also any other questions arising as to the legal effect of this act or of any of the provisions thereof, may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon the application of any person interested or of the attorney general.

SECTION 10. For the purpose of its acceptance, this act shall take effect upon its passage. *Approved August 24, 1960.*

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**Chap. 610.** AN ACT PROVIDING A PENALTY FOR THE DESTRUCTION, INJURY OR REMOVAL OF GOAL POSTS ON FOOTBALL FIELDS.

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

Chapter 266 of the General Laws is hereby amended by inserting after section 104, as appearing in the Tercentenary Edition, the following section:—*Section 104A.* Whoever wilfully and without right destroys, injures or removes a goal post on a football field shall be punished by a fine of not less than fifty nor more than two hundred dollars.

*Approved August 24, 1960.*

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**Chap. 611.** AN ACT RELATIVE TO THE PROTECTION OF CERTAIN MAINTENANCE EMPLOYEES OF THE COMMONWEALTH AGAINST ARBITRARY REMOVAL AND EXTENDING CERTAIN LEGAL REMEDIES TO THEM.

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

Chapter 30 of the General Laws is hereby amended by striking out section 9B, as most recently amended by section 5 of chapter 643 of the acts of 1955, and inserting in place thereof the following section:—*Section 9B.* No person permanently employed in any institution under the department of mental health, public health, public welfare or correction, or in the soldiers' homes in Massachusetts, or in institu-

tions under the jurisdiction of the division of youth service, except an employee, other than a nurse, rendering professional service, who is not classified under chapter thirty-one, and no maintenance employee permanently employed in any institution under the department of education, shall, after having actually performed the duties of any office or position continuously for a period of six months in such an institution or department, be discharged, removed, suspended, laid off, transferred from the latest permanent office or employment held by him without his consent, lowered in rank or compensation, nor shall his office or position be abolished, except for just cause and in the manner provided by sections forty-three and forty-five of chapter thirty-one. The provisions of section forty-six A of said chapter thirty-one shall apply to any person so employed.

*Approved August 24, 1960.*

**Chap. 612.** AN ACT DESIGNATING A CERTAIN CHILDREN'S PLAY AREA IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON AS REPRESENTATIVE PHILIP MCMORROW PLAYGROUND.

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

The children's play area adjacent to Victory road in the Dorchester district of the city of Boston authorized to be constructed by chapter five hundred and fifty-three of the acts of nineteen hundred and fifty-eight, shall be known and designated as Representative Philip Mc-Morrow Memorial playground in memory of the former member of the general court from the fifteenth Suffolk district. The metropolitan district commission shall erect and thereafter maintain on said playground a suitable marker bearing such designation.

*Approved August 24, 1960.*

**Chap. 613.** AN ACT REGULATING CROSS CONNECTIONS BETWEEN PUBLIC WATER SUPPLIES AND OTHER WATER SUPPLIES.

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

Chapter 111 of the General Laws is hereby amended by inserting after section 160 the following section:—*Section 160A.* No physical cross connection shall be maintained between the distribution system of a public water supply, the water of which is used for drinking, domestic or culinary purposes, and the distribution system of any water supply not approved by the department as being of safe sanitary quality, unless said connection has been approved by the department in accordance with rules and regulations adopted for the purpose, and unless a permit therefor has been issued by the department. Such permit may be issued upon the application of a person maintaining such connection and upon the payment of a fee of ten dollars, and may be renewed annually upon payment of a like fee. When more than one such connection is maintained on any premises a separate permit shall be required for each connection. A permit may be revoked by the department upon due notice to the person maintaining the connection whenever, in the opinion of the department, the connec-

tion or the maintenance thereof no longer complies with its rules and regulations, and no portion of the permit fee shall be refunded.

Whoever maintains such a connection without a permit or after revocation of the permit to maintain such connection shall be punished by a fine of not more than five hundred dollars, to the use of the commonwealth, or by imprisonment for not more than one year, or both.

*Approved August 24, 1960.*

**Chap. 614.** AN ACT RELATIVE TO THE PAYMENT OF OVERTIME TO CERTAIN EMPLOYEES OF THE COMMONWEALTH.

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

SECTION 1. Section 30A of chapter 149 of the General Laws, as most recently amended by section 1 of chapter 430 of the acts of 1960, is hereby further amended by striking out the next to the last sentence.

SECTION 2. Said chapter 149 is hereby further amended by inserting after section 30A the following section:—*Section 30B.* All service in excess of eight hours in any one tour of duty or forty hours in any one work week rendered by any employee of the commonwealth at the request of an officer of the commonwealth or other person whose duty it is to employ, direct or control such employee, shall be compensated for as overtime work in accordance with the pertinent rule or rules of the director of personnel and standardization. The director of personnel and standardization is empowered to make rules and regulations, subject to the approval of the commission on administration and finance, to carry out the provisions of this section.

SECTION 3. This act shall take effect as of June twenty-sixth, nineteen hundred and sixty.

*Approved August 24, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, AUGUST 25, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 614 of the Acts of 1960, entitled "An Act Relative to the Payment of Overtime to Certain Employees of the Commonwealth" and the enactment of which received my approval on August 24, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will needlessly delay the payments contemplated under this act effective as of June 26, 1960.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, AUGUST 29, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at ten o'clock, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and fourteen of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 615.** AN ACT VALIDATING AN AMENDMENT TO THE ZONING BY-LAWS OF THE TOWN OF FRAMINGHAM.

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

The action taken by the town of Framingham in the current year in voting to adopt an amendment to its zoning by-laws, in accordance with Article 69 of the warrant for the annual town meeting, is hereby confirmed and validated notwithstanding the failure of the planning board of said town to comply with the provisions of section six of chapter forty A of the General Laws. *Approved August 24, 1960.*

**Chap. 616.** AN ACT AUTHORIZING THE CITY OF LYNN TO SELL CERTAIN PARK LAND.

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

SECTION 1. The city of Lynn, subject to the approval of the board of park commissioners of said city, may sell and convey, a certain parcel of park land in said city being a portion of the Flax pond bath-house land on the northerly side of Flax pond and more particularly described as follows:—a strip of land bounded northerly by land of city of Lynn, twelve and no one-hundredths feet; westerly by land of city of Lynn, ninety-eight and forty-two one-hundredths feet; easterly by land now or formerly of Pevere, et al, ninety-nine and no one-hundredths feet; containing five hundred ninety square feet and shown on plan entitled "Subdivision Plan of Land in Lynn, Mass., Being a Subdivision of Lot Shown on Land Court Plan No. fifteen thousand eighty, dated October twenty-six, nineteen hundred and fifty-nine, made by William B. Hilton, City Engineer."

SECTION 2. This act shall take effect upon its acceptance, during the current year by the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved August 24, 1960.*

**Chap. 617.** AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN LAND IN THE CITY OF MEDFORD TO THE MYSTIC VALLEY GOLD STAR CHAPTER NUMBER TWENTY-ONE OF THE DISABLED AMERICAN VETERANS.

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

The metropolitan district commission is hereby authorized and

directed to convey, in the name and on behalf of the commonwealth, to the Mystic Valley Gold Star Chapter Number Twenty-one, Disabled American Veterans, Department of Massachusetts, Incorporated, for the purpose of enabling said chapter to establish a headquarters, a certain parcel of land under the control of the commission located at the junction of Mystic avenue and Medford Veterans Memorial Highway, in the Mystic River Reservation in the city of Medford, and bounded on the northeast by the Mystic Valley Parkway Extension, said parcel containing thirty thousand and ninety-nine square feet as shown on the plan of said commission entitled "Mystic Valley Parkway", dated November 28, 1936, and numbered 23449-V.T., and being bounded and described as follows:—

Beginning at a point in the northeasterly sideline of Mystic Avenue at its intersection with the northerly sideline of land of the Commonwealth of Massachusetts known as Mystic Valley Parkway, which point is distant southeasterly measuring along said sideline of Mystic Avenue one thousand seven hundred eighty-nine and 06/100 (1789.06) feet from a stone bound set in said sideline; thence the line runs north  $35^{\circ} 14' 53''$  west by said sideline of Mystic Avenue seventeen and 04/10 (17.4) feet to a point; thence in a general northeasterly direction by 2 lines being sixty and 25/100 (60.25) feet and nineteen and 96/100 (19.96) feet; thence in a general northeasterly direction again eighty-nine and 43/100 (89.43) feet; thence in a general northeasterly, northerly and northwesterly direction by a line curving to the left with a radius of twenty and 0/10 (20.0) feet, forty and 17/100 (40.17) feet to said land of the Commonwealth of Massachusetts known as Mystic Valley Parkway; thence in a general southeasterly direction by a line curving to the left one hundred forty-two and 28/100 (142.28) feet; thence in a general southeasterly, southerly and southwesterly direction by a line curving to the right with a radius of forty-three and 16/100 (43.16) feet, ninety-five and 55/100 (95.55) feet; thence in a general southwesterly direction by a line curving to the left with a radius of seven hundred fifty-five and 00/100 (755.00) feet, sixty-four and 47/100 (64.47) feet; thence in a general southwesterly, westerly and northwesterly direction by a line curving to the right with a radius of one hundred fifty and 00/100 (150.00) feet, one hundred sixty-seven and 85/100 (167.85) feet to the point of beginning; the last four courses and distances being by said land of the Commonwealth of Massachusetts; containing 28,891 square feet of land and being part of the premises conveyed to the Commonwealth of Massachusetts by deed of The C. & H. Co., also known as The C & H Company, recorded with Middlesex South District Registry of Deeds on January 23, 1937, in Book 6094, Page 431.

*Approved August 26, 1960.*

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**Chap. 618.** AN ACT RELATIVE TO THE METHOD OF PAYING SALARIES OF TEACHERS AND SUPERVISORS IN THE EMPLOY OF THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that the method of paying

the salaries of teachers and supervisors employed by the commonwealth comply with the method of payment of salaries to other persons employed by the commonwealth, in compliance with the varying lengths of the fiscal year for pay purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 31 of chapter 29 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 386 of the acts of 1949, and inserting in place thereof the following sentence:—Notwithstanding the foregoing provisions of this section, the annual salary of each teacher and each supervisor employed in any school or college within any department of the commonwealth shall be the weekly rate set out in the job group to which his position has been allocated in the general salary schedule times the number of Saturdays in the fiscal year established by law for the payment of salaries and if the regular services of such teacher or supervisor are rendered from September first to June thirtieth, said salary shall be for his service for the number of weeks established by the department for such school to be in session during said period, payable, however, monthly through the last Saturday of each month and the amount earned and unpaid at the time of his resignation, retirement, death or entry on leave of absence shall be paid forthwith to the persons entitled thereto, and advances of pay may be made to any state officer or employee in advance of his regular vacation to the extent of the pay to which he is about to become entitled during such vacation period under such regulations as the state treasurer may prescribe.

SECTION 2. This act shall take effect as of February twenty-eighth, nineteen hundred and sixty.

*Approved August 30, 1960.*

**Chap. 619.** AN ACT PROVIDING FOR THE EXTENSION OF THE DATES OF TERMINATION OF CERTAIN ACTS RELATING TO THE RIGHTS AND PRIVILEGES OF VETERANS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is in part to extend forthwith certain benefits to certain persons in the military or naval forces of the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 708 of the acts of 1941 is hereby amended by striking out section 25, as most recently amended by section 1 of chapter 576 of the acts of 1959, and inserting in place thereof the following section:—*Section 25.* Service in the military or naval forces of the United States referred to in this act shall, except as otherwise provided thereby, mean such service occurring between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-two.

SECTION 2. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by striking out the

third subparagraph, as amended by section 1A of said chapter 576, and inserting in place thereof the following subparagraph:—

Any member who served in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-two, shall have such actual service credited to him as creditable service when reinstated or re-employed in his former position or in a similar position within two years of his discharge or release from such service. The provisions of sections nine and nine A of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, and as may be further amended, shall be applicable to any such veteran referred to therein.

SECTION 3. Said chapter 32 is hereby further amended by striking out section 58A, as most recently amended by section 1B of said chapter 576, and inserting in place thereof the following section:—*Section 58A.* A veteran eligible to retirement under section fifty-six, fifty-seven or fifty-eight, who was employed in the service of the commonwealth, or any county, city, town or district thereof, prior to his entry into wartime service as defined in section twenty-one of chapter thirty-one, and upon whose discharge or release therefrom was reinstated or re-employed within two years in his former position or a similar position, shall have credited to him as creditable service the period of his wartime service until the date of his discharge or release from such service, which shall include credit for any actual service in the armed forces between January first, nineteen hundred and forty and July first, nineteen hundred and sixty-two.

SECTION 4. This act shall take effect as of July first, nineteen hundred and sixty.

*Approved August 30, 1960.*

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**Chap. 620.** AN ACT REQUIRING PUBLIC BIDS ON LEASES TO THE COMMONWEALTH AND PROVIDING FOR THE FILING OF CERTAIN INFORMATION BY LESSORS OF PREMISES OF SUCH LEASES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is to immediately provide for public bidding on leases to the commonwealth and for the disclosure of certain information by lessors of premises to the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

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

SECTION 1. Section 10A of chapter 8 of the General Laws, as most recently amended by section 1 of chapter 317 of the acts of 1955, is hereby further amended by adding at the end the following:—

Before executing a lease for any such premises, the commonwealth shall cause a notice to be posted conspicuously in the office of the superintendent for a period of at least thirty days prior to the execution of such lease, specifying the area, term and other requirements of the proposed lease and inviting proposals for such lease. Such notice shall state the method, time and place for the submission of such proposals, the time and place for the opening thereof and shall reserve the right to reject any or all such proposals. After the execution of a lease referred to in any such notice, all proposals relating thereto shall

be retained by said superintendent and shall be open to inspection by the public until the expiration of such lease or of six months from the date thereof, whichever occurs first, and may thereafter be destroyed by him.

Upon the execution of any such lease or of the renewal or extension of any existing lease, the lessor named therein shall forthwith file with said superintendent a verified statement setting forth whether or not any person other than the lessor and lessee named therein has any right, title or interest, including therein such as may be created by an option or purchase and sale agreement, in and to the demised premises or to the premises of which the demised premises are a part or in or to such lease or the rent reserved therein and also setting forth the names and residences of each such person, together with a true copy of such lease or renewal or extension agreement and of each instrument or writing which evidences any such right, title or interest. If during the term of any lease made pursuant to this section or of the renewal or extension thereof, any person other than the lessor or lessee named therein acquires any such right, title or interest or if any right, title or interest of any such person is changed by any subsequent agreement, the lessor named therein shall file such verified statement and a copy of such instrument or writing evidencing such right, title and interest or change therein within thirty days after the acquisition by such person of such right, title or interest or of the change therein. All statements, leases, agreements, instruments and other writings filed with said superintendent pursuant to the provisions of this section shall be public records and shall be open to inspection by the public during the regular hours on which such office is open.

Whoever wilfully violates any provision of this section shall be punished by a fine of not less than one thousand dollars. If the provisions of this section are not complied with, such lease may be cancelled at the option of the commonwealth.

SECTION 2. The provisions of this act shall not apply to any lease in effect on the effective date hereof. *Approved August 30, 1960.*

**Chap. 621.** AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAINTAIN AND RESTORE THE MILESTONE MARKERS ON THE OLD BOSTON POST ROAD.

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

The department of public works is hereby authorized and directed to maintain and restore the milestone markers on the Old Boston Post road in the following cities and towns:—Boston, Cambridge, Watertown, Waltham, Weston, Wayland, Sudbury, Marlborough, Northborough, Shrewsbury, Worcester, Leicester, Spencer, East Brookfield, Brookfield, West Brookfield, Warren, Palmer, Wilbraham and Springfield and any other cities and towns in which the said markers are located.

*Approved August 30, 1960.*



**Chap. 622.** AN ACT RELATIVE TO THE EFFECTIVE DATE OF ANNUITIES TO DEPENDENTS OF PUBLIC EMPLOYEES KILLED, OR DYING FROM INJURIES RECEIVED OR HAZARDS UNDERGONE, IN THE PERFORMANCE OF DUTY.

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

The first paragraph of section 89A of chapter 32 of the General Laws is hereby amended by inserting after the first sentence, as most recently amended by section 2 of chapter 666 of the acts of 1956, the following sentence:—Any annuity payable under this section shall become effective as of the date of death of such deceased person.

*Approved August 30, 1960.*

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**Chap. 623.** AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A PROGRAM TO ADVANCE AND TO PROMOTE THE CRANBERRY INDUSTRY IN THE COMMONWEALTH.

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

The department of agriculture is hereby authorized and directed to institute a program designed to encourage and further develop the cranberry industry in the commonwealth. Said department shall co-operate with Massachusetts cranberry growers' associations in devising methods of promoting the use of cranberries, particularly Massachusetts grown cranberries, and shall also consider the feasibility of attaching to packages and containers of cranberries, tested and approved by it, a tag or label, depicting the outline of the commonwealth and bearing thereon the words "Tested and Approved by the Massachusetts Department of Agriculture". Said department shall also institute a consumers' educational program, and shall avail itself of the various types of advertising media, of exhibitions, of county and food fairs, and chain stores and supermarkets, for the dissemination of its program, and shall consider the advisability of recommending the annual issuance by the governor of a proclamation for the observance of Cranberry Week, and shall make such recommendations relative thereto as it deems pertinent.

*Approved August 30, 1960.*

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**Chap. 624.** AN ACT AUTHORIZING SCIENTIFIC STUDIES TO REDUCE MORBIDITY AND MORTALITY WITHIN THE COMMONWEALTH.

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

Chapter 111 of the General Laws is hereby amended by inserting after section 24 the following section:—*Section 24A.* The commissioner may authorize or cause to be made scientific studies and research which have for their purpose the reduction of morbidity and mortality within the commonwealth.

All information, records of interviews, written reports, statements, notes, memoranda, or other data procured in connection with such scientific studies and research conducted by the department, or by other persons, agencies or organizations so authorized by the commissioner shall be confidential and shall be used solely for the purposes of medical or scientific research.

The furnishing of such information to the department or to the authorized representative of such an authorized study or research project, shall not subject any person, hospital, sanitarium, rest home, nursing home or other person or agency furnishing such information, to any action for damages or other relief.

Such information, records, reports, statements, notes, memoranda, or other data shall not be admissible as evidence in any action of any kind in any court or before any other tribunal, board, agency or person. Such information, records, reports, statements, notes, memoranda, or other data shall not be exhibited nor their contents disclosed in any way, in whole or in part, by any officer or representative of the department, nor by any other person, except as may be necessary for the purpose of furthering the study or research project to which they relate. No person participating in such an authorized study or research project shall disclose, in any manner, the information so obtained except in strict conformity with such research project. Any person who discloses such information in violation of this section shall be punished by a fine of fifty dollars.

*Approved August 30, 1960.*

**Chap. 625.** AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH TO ENFORCE THE LAW RELATING TO THE FALSE STAMPING OR LABELING OF CONTAINERS OF FRUIT OR FOOD AND THE WRONGFUL USE OR DISPLAY OF THE WORD "KOSHER" IN THE SALE OF CERTAIN FOODS.

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

The second paragraph of section 156 of chapter 94 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "local board of" and inserting in place thereof the words:—department of public,—so as to read as follows:—

This section shall be enforced by the department of public health, and for such purpose any person designated by it shall have the right to enter at any reasonable time during business hours upon premises where food represented to be kosher is sold or exposed for sale and inspect such food.

*Approved August 30, 1960.*

**Chap. 626.** AN ACT MAKING CORRECTIVE CHANGES IN THE LAWS RELATIVE TO THE ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES, INCORPORATED.

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

SECTION 1. Section 9 of chapter 5 of the General Laws, as most recently amended by chapter 404 of the acts of the current year, is hereby further amended by striking out, in lines 6 and 7, the words "Italian-American World War Veterans of the United States, Inc." and inserting in place thereof the words:—Italian American War Veterans of the United States, Incorporated,—and by striking out, in lines 29 to 31, inclusive, the words "Italian-American World War

Veterans of the United States, Inc. to each post of the Italian-American World War Veterans of the United States, Inc.” and inserting in place thereof the words:—Italian American War Veterans of the United States, Incorporated to each post of the Italian American War Veterans of the United States, Incorporated.

SECTION 2. Section 17 of chapter 8 of the General Laws, as most recently amended by chapter 458 of the acts of the current year, is hereby further amended by striking out, in line 9, the words “Italian American World War Veterans of the United States, Inc.” and inserting in place thereof the words:—Italian American War Veterans of the United States, Incorporated.

SECTION 3. Clause (12) of section 5 of chapter 40 of the General Laws is hereby amended by striking out, in lines 22 and 23, as appearing in section 2 of chapter 118 of the acts of 1958, the words “Italian-American World War Veterans of the United States, Inc.” and inserting in place thereof the words:—Italian American War Veterans of the United States, Incorporated.

SECTION 4. The first sentence of section 9 of said chapter 40 is hereby amended by striking out, in lines 8 and 9, as appearing in section 3 of chapter 59 of the acts of 1959, the words “Italian-American World War Veterans of the United States, Inc.” and inserting in place thereof the words:—Italian American War Veterans of the United States, Incorporated.

SECTION 5. Section 70 of chapter 266 of the General Laws is hereby amended by striking out, in lines 18 and 19, as appearing in chapter 117 of the acts of 1957, the words “Italian-American World War Veterans of the United States, Inc.” and inserting in place thereof the words:—Italian American War Veterans of the United States, Incorporated.

*Approved August 30, 1960.*

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**Chap. 627.** AN ACT PROVIDING FOR REIMBURSEMENT TO CITIES, TOWNS AND SCHOOL DISTRICTS FOR EXPENSES INCURRED IN CONNECTION WITH SPECIAL INSTRUCTION FOR CERTAIN HANDICAPPED CHILDREN.

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

Chapter 69 of the General Laws is hereby amended by striking out section 29B, as most recently amended by section 3 of chapter 615 of the acts of 1957, and inserting in place thereof the following section:—  
*Section 29B.* One half of the cost of the expenses of the instruction, training and support of the children in the special classes or special instruction periods provided under section forty-six or forty-six A of chapter seventy-one, and sections twenty-nine and thirty-two of this chapter, actually rendered or furnished, including their necessary traveling expenses, whether daily or otherwise, but not exceeding ordinary and reasonable compensation therefor, shall be reimbursed to the towns or any regional school district by the commonwealth upon approval of the department and certification by it that such classes or special instruction periods meet the standards and requirements prescribed by it.

*Approved August 30, 1960.*

**Chap. 628.** AN ACT RELATIVE TO REIMBURSEMENT OF CITIES AND TOWNS AND SCHOOL DISTRICTS FOR THE EXPENSES OF CERTAIN SPECIAL EQUIPMENT OR INSTRUCTION.

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

Chapter 71 of the General Laws is hereby amended by striking out section 46F, as most recently amended by section 4 of chapter 570 of the acts of 1956, and inserting in place thereof the following section:—  
*Section 46F.* The state treasurer shall annually on or before November twentieth pay from the proceeds of taxation on incomes under chapter sixty-two to any city or town or to any regional school district such sums as may be certified by the commissioner on account of special audio equipment purchased, leased and maintained or of classes or special instruction periods conducted as provided in section forty-six or forty-six A of this chapter or sections twenty-nine or thirty-two of chapter sixty-nine.

*Approved August 30, 1960.*

**Chap. 629.** AN ACT PERMITTING WACHUSETT ENTERPRISES, INC., TO CONNECT A SEWERAGE OUTLET TO THE SEWERAGE SYSTEM OF THE CITY OF FITCHBURG.

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

SECTION 1. Notwithstanding any contrary provisions of chapter eighty-three of the General Laws, the city of Fitchburg, acting through its department of public works, shall permit Wachusett Enterprises, Inc., a corporation duly established under the laws of the commonwealth, to connect its sewerage outlet in the town of Lunenburg to the sanitary sewerage system of the city of Fitchburg. Said department of public works shall supervise the installation of said connection.

SECTION 2. All costs of installation of the facilities under the provisions of section one of this act shall be borne in full by the said Wachusett Enterprises, Inc., and in addition thereto the Wachusett Enterprises, Inc., shall after such installation pay to the city of Fitchburg a service charge to be determined by the city of Fitchburg for the use of the sanitary sewerage system of said city.

SECTION 3. This act shall take effect upon its acceptance by the city council of the city of Fitchburg, subject to the provisions of its charter, but not otherwise.

*Approved August 30, 1960.*

**Chap. 630.** AN ACT AUTHORIZING THE ARMORY COMMISSION TO CONVEY CERTAIN LAND IN THE TOWN OF FRAMINGHAM TO SAID TOWN FOR MUNICIPAL PURPOSES AND AUTHORIZING SAID COMMISSION TO SELL CERTAIN LAND IN SAID TOWN TO EDGAR F. AND ROSEMARY F. EBELING.

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

SECTION 1. The armory commission, in the name and on behalf of the commonwealth, is hereby authorized and directed, subject to the approval of the governor and council, to convey to the town of Framingham, for municipal purposes, a certain parcel of land, located in

said town, bounded and described as follows:—Beginning at the southwesterly corner of said parcel at a drill hole in a stone bound at land of Raymond A. and Eileen R. White shown on the plan herein-after mentioned; thence running N. 23° 14' 00" W. by land of Thomas J. & Gertrude J. Barnicle on said plan three hundred thirty and 90/100 (330.90) feet to Lot #3A on said plan; thence turning and running N. 19° 19' 58" E. by said Lot #3A and by Lot #2A and by Lot #1A on said plan, two hundred sixty three and 42/100 (263.42) feet to a corner; thence turning and running N. 70° 40' 02" W. by said Lot #1A one hundred twenty two and 17/100 (122.17) feet to land of Edgar F. & Rosemary F. Ebeling on said plan; thence turning and running N. 03° 33' 10" W. by said Ebeling land one hundred sixteen and 79/100 (116.79) feet to Flagg Drive on said plan; thence turning and running N. 04° 35' 00" W. along the Easterly line of said Flagg Drive, twelve and 83/100 (12.83) feet to land of the Town of Framingham on said plan; thence turning and running S. 88° 40' 00" E. by said Town of Framingham land five hundred eighty five and 83/100 (585.83) feet to land of the Commonwealth of Massachusetts, Armory Commission shown on said plan; thence turning and running S. 02° 02' 00" W. two hundred thirteen and 39/100 (213.39) feet to an angle; thence turning and running S. 24° 43' 45" E. two hundred eleven and 04/100 (211.04) feet to an angle; thence turning and running S. 10° 35' 00" E. two hundred twenty and 00/100 (220.00) feet to land of Francis R. & Anna M. Bowen on said plan; the last three courses being by said land of the Commonwealth of Massachusetts, Armory Commission; thence turning and running S. 79° 56' 05" W. by said Bowen land, by land of Clifton B. & Lois E. Bullard, by Berkshire Road and by land of George F. & Katherine E. Murphy, all as shown on said plan, four hundred six and 05/100 (406.05) feet to a stone bound at said land of Raymond A. & Eileen R. White; thence running S. 83° 14' 10" W. by said White land one hundred forty one and 11/100 (141.11) feet to the point of beginning, containing 8.77 acres, more or less.

The above described parcel of land is more fully shown as Lot "C" on the plan entitled "Plan of Land in Framingham, Mass. Owned by the Commonwealth of Massachusetts", dated March 3, 1960, by MacCarthy Engineering Service Inc.

SECTION 2. The armory commission, in the name and on behalf of the commonwealth, is hereby authorized and directed, subject to the approval by the governor and council, to sell and convey for a price to be determined by the commission, to Edgar F. and Rosemary F. Ebeling, husband and wife, of Framingham, a certain parcel of land in the town of Framingham, shown as Lot #1A, Lot #2A and Lot #3A on the plan referred to in section one of this act, and bounded and described as follows:—Beginning at the most southerly corner of said parcel at a point of intersection of the northeasterly corner of land of Barnicle with the southeasterly corner of land of Rickard, as shown on the above-mentioned plan; thence running N. 23° 14' 00" W. by Lot #3 on said plan thirty (30) feet to an angle; thence turning and running N. 03° 33' 10" W. in part by said Lot #3, in part by Lot #2 on said plan and in part by land of Edgar F. & Rosemary F.

Ebeling on said plan, a total distance of two hundred sixty one and 96/100 (261.96) feet to Lot "C" on said plan; thence turning and running S. 70° 40' 02" E. by said Lot "C", one hundred twenty two and 17/100 (122.17) feet to a corner; thence turning and running S. 19° 19' 58" W. by said Lot "C" two hundred sixty three and 42/100 (263.42) feet to the point of beginning, containing approximately seventeen thousand four hundred thirteen (17,413) square feet.

The consideration to be paid for the conveyance of the foregoing parcel shall be computed at a rate of not less than eight cents per square foot of said parcel.

SECTION 3. The title to the parcel of land described in section one shall revert to and revest in the commonwealth at such time as the town of Framingham ceases to use said land for municipal purposes.

*Approved August 30, 1960.*

**Chap. 631.** AN ACT ESTABLISHING A TRAFFIC COMMISSION IN THE TOWN OF BROOKLINE.

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

SECTION 1. There is hereby established in the town of Brookline a traffic commission to consist of the chairman of the board of selectmen, or his representative, the chief of police, the superintendent of streets, the town engineer, the chairman of the planning board, or his representative, the chief of the fire department and one citizen to be appointed annually by the board of selectmen.

SECTION 2. The chairman of the board of selectmen, or his representative, shall act as the chairman of said commission and shall be known as the traffic commissioner. The members of the commission shall receive no compensation for their services as commissioners, but all expenses incurred for the purpose of this act shall be paid by the town. All statutes and by-laws applicable generally to the departments of the town shall apply to the commission.

SECTION 3. The commission shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular street traffic in the town, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the town, including rules and regulations designating any way or part thereof under said control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws, and shall also have all authority previously granted to the selectmen by virtue of the provisions of section twenty-two of chapter forty of the General Laws, and may prescribe penalties not exceeding fifty dollars for the violation of any regulation adopted hereunder. No such rule or regulation, except such special rules and regulations as are declared by vote of the commission to be urgently required by consideration of public safety or convenience or such as are of a temporary nature and to be effective for a period of not more than sixty days, shall take effect until printed in a newspaper pub-

lished in the town. Upon petition of twenty-five voters of the town relative to any rule or regulation adopted or proposed to be adopted under this section, the commission shall hold a public hearing thereon within ten days after the filing with the commission of such petition, and final action thereon shall be determined only by vote of a majority of the entire membership of the commission. The commission shall have power to purchase, erect and maintain, or cause to be purchased, erected and maintained, traffic signs, signals, markings and other devices for the control of such traffic in the town and for informing and warning the public as to rules and regulations adopted hereunder, subject, however, to section two of chapter eighty-five, and to sections eight and nine of said chapter eighty-nine of the General Laws. Nothing in this act shall be construed to authorize the commission to adopt any rule or regulation excluding the trackless trolley vehicles or busses of a street railway or bus company from any way or part thereof in which it has a location, or to modify or limit any power or authority of the metropolitan district commission or the state department of public works or of the state department of public utilities, or any power now vested in the selectmen or heads of departments with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks.

SECTION 4. All existing by-laws and regulations relating to the control of vehicular traffic shall remain in full force and effect until superseded by rules and regulations adopted by the commission under this act and the adoption thereof by said commission shall not affect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending, at the time of said adoption.

SECTION 5. This act shall take full effect upon its acceptance, during the current year, by vote of the selectmen of said town.

*Approved August 30, 1960.*

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**Chap. 632.** AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO TAKE OVER THE CARE, CONTROL AND MAINTENANCE OF A CERTAIN BRIDGE BETWEEN THE CITY OF BOSTON AND THE TOWN OF WATERTOWN.

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

The metropolitan district commission is hereby authorized and directed to take over the care, control and maintenance of the bridge between the city of Boston and the town of Watertown known as the Western avenue and Arsenal street bridge.

*Approved August 30, 1960.*

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**Chap. 633.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO CONTROL THE HAZARDS OF IONIZING RADIATION.

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

Chapter 111 of the General Laws is hereby amended by striking out section 5B, inserted by chapter 335 of the acts of 1955, and inserting in place thereof the following section:—*Section 5B.* The department

may require registration of sources of ionizing radiation and shall, from time to time, after a public hearing, prescribe and establish rules and regulations to control the radiation hazards of radioactive materials and of machines which emit ionizing radiation for the purpose of protecting the general public and individuals against hazards associated with the use, transportation, storage, packaging, sale, distribution, production and disposal thereof. Such rules and regulations shall not limit the kind and amount of radiation that may be intentionally administered to a person or animal for diagnostic, therapeutic or experimental purposes by or under the direction of a physician, dentist, chiropodist (podiatrist), veterinarian or other person licensed to so administer radiation under the laws of the commonwealth. Such rules and regulations shall be filed with the Massachusetts commission on atomic energy at least thirty days prior to their effective date and shall become effective upon filing with the state secretary, unless a later effective date is specified by the department. Whoever, after due notice, continues to violate any such rule or regulation shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars to the use of the commonwealth. Each day of such violation after such due notice shall constitute a separate offense. The supreme judicial court or superior court, upon application of the department, or upon application of any party interested, with the approval of the department, may enforce such rules and regulations, and restrain the use or occupation of premises or such portion thereof as the department may specify until such rules and regulations have been complied with.

Nothing in this section shall prevent the department of labor and industries from establishing rules and regulations for the protection of the health and safety of employees against ionizing radiation in any place of employment as defined in section one of chapter one hundred and forty-nine. Said department of labor and industries shall consult with the department of public health at least thirty days prior to the adoption or modification of any rules or regulations in so far as they pertain to the health aspects of ionizing radiation. The department of public health shall approve, modify, or disapprove all proposed rules and regulations of political subdivisions of the commonwealth in so far as they pertain to the health aspects of ionizing radiation and no such rules and regulations which do not have the approval of the department shall be adopted.

*Approved August 30, 1960.*

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**Chap. 634.** AN ACT AUTHORIZING THE BOARD OF REGISTRATION IN PHARMACY TO PROMULGATE RULES AND REGULATIONS OF PROFESSIONAL CONDUCT FOR PERSONS PRACTICING PHARMACY OR ENGAGING IN THE RETAIL DRUG BUSINESS.

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

SECTION 1. The second sentence of section 27 of chapter 112 of the General Laws, as appearing in section 2 of chapter 343 of the acts of 1937, is hereby amended by striking out, in line 2, the word "fifteen",



and by striking out, in line 3, the word "thirty", and inserting in place thereof, in each instance, the word:—sixty,—so as to read as follows:—Such complaint shall set out the offence alleged and be made within sixty days after the date of the act complained of, or within sixty days after a conviction by a court of competent jurisdiction.

SECTION 2. Section 42A of said chapter 112, inserted by section 6 of said chapter 343 of the acts of 1937, is hereby amended by adding at the end the following paragraph:—

The board may by rule or regulation adopt, amend or repeal rules of professional conduct. Every person who holds a certificate, license, registration or permit to practice pharmacy or engage in the retail drug business in this commonwealth shall be governed and controlled by the rules and regulations of professional conduct adopted by the board. The board may suspend or revoke any certificate, license, registration or permit to practice pharmacy or engage in the retail drug business for any violation of the rules and regulations established hereunder or for aiding or abetting in any violation of such rules or regulations; but before such suspension or revocation, the board shall give a hearing to the holder of the certificate, license, registration or permit, after due notice to him of the charges against him and of the time and place of the hearing. Such holder may appear at the hearing with witnesses and be heard by counsel. Witnesses shall testify on oath and any member of the board may administer oaths to them. The board may require the attendance of persons and compel the production of books and documents. Three members of the board shall be a quorum for such a hearing, but no certificate, license, registration or permit shall be suspended or revoked unless upon the affirmative vote of three or more members thereof. The rules of professional conduct adopted by the board shall be printed as part of the application blank for permits, licenses, certificates and registration and for renewals thereof, and every applicant shall subscribe thereto when making an application.

*Approved August 30, 1960.*

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**Chap. 635.** AN ACT ESTABLISHING THE GOVERNMENT CENTER COMMISSION TO CONSTRUCT A STATE OFFICE BUILDING AND A HEALTH, WELFARE AND EDUCATION SERVICE CENTER.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is as soon as may be to provide urgently needed facilities in the city of Boston for various state departments, commissions and agencies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. There shall be a commission in the department of public works which shall not, however, be subject to the supervision or regulation of said department, to be known as the government center commission, consisting of three persons to be appointed by the governor, not more than two of whom shall be members of the same political party, to serve for terms of five years each. The governor shall desig-

nate one of said persons as chairman, who shall serve as such during his term of office. Any vacancy in said commission shall be filled by appointment by the governor for the unexpired term.

SECTION 2. The chairman of the commission shall receive an annual salary of seventy-five hundred dollars and the other members an annual salary of five thousand dollars each. Each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties.

SECTION 3. The commission may call upon any department, commission, board or office of the commonwealth for such information as it may desire in the course of its duties. The commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within or without the commonwealth, and may expend for legal, engineering, architectural, clerical and other assistance, and for expenses, such sums as may be appropriated therefor. The commission shall appoint an executive secretary who shall receive an annual salary of not less than twelve thousand five hundred dollars nor more than fourteen thousand five hundred dollars as the commission may determine. Officers and employees of the commission shall not be subject to chapter thirty-one of the General Laws.

SECTION 4. The commission shall, after consultation with the Boston Redevelopment Authority, take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, all of the land in the city of Boston within the area bounded by Ashburton place, Somerset street, Cambridge street and Bowdoin street, for the purpose of clearing, developing and erecting thereon a state office building.

The commission shall cause surveys, plans and specifications to be prepared and enter into contracts for clearing, developing and landscaping the site and area and for the construction of a state office building containing not less than five hundred thousand square feet of space for office, restaurant, garage, meeting and other like facilities for the use of the commonwealth and boards, departments, commissions, and officers and employees thereof. The commission may construct an underground passageway or passageways connecting said building with the state house and other public buildings and facilities. The commission may also install in said passageway or passageways any machinery and equipment necessary or desirable in the opinion of the commission, for conveying passengers and materials through the same. The commission may install in said building such elevators, moving stairways, escalators, plumbing, heating, air conditioning, electrical fixtures, machinery and equipment as the commission may deem necessary or desirable, but shall not be required to furnish or install any furniture, furnishings or partitions.

SECTION 5. To meet the expenditures necessary in carrying out the provisions of section four of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached as he may deem best, to an amount to be specified by the governor and council from time to time but not exceeding in the aggregate the sum of twenty-six million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on the face, State

Office Building Loan, Act of 1960, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court, pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. The bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

SECTION 6. The commission shall, after consultation with the Boston Redevelopment Authority, take by eminent domain, under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such land within the area bounded by Cambridge street, Sudbury street, Merrimac street and Staniford street in the city of Boston as the commission shall deem advisable for the purpose of erecting thereon a health, welfare and education service center consisting of (1) a mental health center and state laboratories building; (2) an employment security building, and (3) a health, welfare and education building. The commission shall also clear the site acquired for the health, welfare and education service center, develop an over-all plan for the center, including the location for the buildings to be constructed thereon and the agencies to be located therein. The plans may provide for the construction of an underground passageway or passageways connecting said buildings with the state office building and other public buildings and facilities.

The commission shall cause plans and specifications to be prepared and enter into contracts for clearing, developing and landscaping the site and area and for the construction of the mental health center and state laboratories building for the use of the state department of mental health and other state departments requiring laboratory facilities, and the health, welfare, and education building. No space in any of the buildings authorized by section six of this act shall be used by the department of correction. The commission may install in said buildings such elevators, moving stairways, escalators, plumbing, heating, air conditioning, electrical fixtures, machinery and equipment as the commission may deem necessary or desirable but shall not be required to furnish or install any furniture, furnishings, partitions or laboratory equipment.

The commission shall cause site and building plans and specifications to be prepared for the employment security building for the use of the division of employment security. The director of the division of employment security is hereby authorized and directed to negotiate a lease with the state superintendent of buildings, acting in the name and on behalf of the commonwealth, after consultation with the commission, for the use of the employment security building to be constructed under this paragraph. The lease shall be for a term of not more than twenty-five years and shall provide for a square foot rental at a price in which due consideration is given to the interest

charges as they would accrue on account of monies borrowed by the commonwealth for use in the construction of such building and for the acquisition of property in connection therewith and to the repayment of principal amounts of the monies so borrowed and to the payment of such other expenses as may be properly allocable to the cost of construction of the building for the use of the division of employment security and the acquisition of property in connection therewith. Upon approval of the lease by the appropriate agency of the federal government, it shall, upon recommendation by the state superintendent of buildings and the commissioner of administration and finance, be submitted to the governor and council for approval. Upon notification by the executive secretary of the council of such approval, delivered in writing to the chairman of the commission, the commission shall enter into contracts for the construction of an employment security building for use of the division of employment security, in accordance with the provisions of said lease. The commission may install in said building such elevators, moving stairways, escalators, plumbing, heating, air conditioning, electrical fixtures, machinery and equipment as provided for in said lease, but shall not be required to furnish or install any furniture, furnishings or partitions. The treasurer and receiver general shall apply all funds received under the terms of the aforesaid lease to the payment of the obligations incurred by the commonwealth pursuant to this paragraph. All federal funds available for the purposes of this paragraph shall be so applied by the commission.

SECTION 7. To meet the expenditures necessary in carrying out the provisions of the first paragraph of section six of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best to an amount to be specified by the governor and council from time to time but not exceeding in the aggregate the sum of three and one half million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on the face, State Government Center Loan, Act of 1960, Series A, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final years, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. The bonds shall bear interest semi-annually at such rate as the state treasurer with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

To meet the expenditures necessary in carrying out the provisions of the second paragraph of section six of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best to an amount to be specified by the governor and council from time to time but not ex-

ceeding in the aggregate the sum of ten million five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on the face, State Government Center Loan, Act of 1960, Series B, and shall be on the serial payment plan for such maximum term of years not exceeding twenty years, as the governor may recommend to the general court, pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. The bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

To meet the expenditures necessary in carrying out the provisions of the third paragraph of section six of this act, but subject to the limitations of said paragraph, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached as he may deem best, to an amount to be specified by the governor and council from time to time but not exceeding in the aggregate the sum of ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on the face, State Government Center Loan, Act of 1960, Series C, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court, pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. The bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and eighty-five.

SECTION 8. During each year after the acquisition of real estate under this act, the commonwealth shall make a payment in lieu of taxes to the city of Boston equal to the amount which the city actually received for taxes as of January first of the year preceding the passage of this act, on the land, buildings and other improvements comprising the real estate so acquired, as reduced by all abatements, if any.

SECTION 9. The provisions of sections twenty-six to twenty-seven D, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws shall apply to the commission but the provisions of sections five A and five B and sections thirty A through thirty J of chapter seven of the General Laws shall not apply to the commission. The provisions of chapter four hundred and fifty-seven of the acts of eighteen hundred and ninety-nine, of chapter five hundred and twenty-five of the acts of

nineteen hundred and one, of chapter five hundred and forty-three of the acts of nineteen hundred and two, of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended, and of all other general and special laws, or parts thereof, prohibiting, restricting, limiting or regulating the height, bulk, location and use of buildings, and the provisions of the Boston Building Code and of ordinances of the city of Boston shall not be applicable to any building, structure, tunnel or facility constructed under the provisions of this act.

SECTION 10. On or before the thirtieth day of November of each year, the commission shall make an annual report to the governor and to the general court of its activities during the preceding fiscal year, which report shall include a detailed financial statement for such year and a progress report on the construction of the buildings and appurtenant facilities.

SECTION 11. To provide for the salaries and expenses of the commission in carrying out the provisions of this act the sum of two hundred thousand dollars is hereby appropriated from the General Fund. This appropriation shall expire on June thirtieth, nineteen hundred and sixty-six.

SECTION 12. Upon acceptance as completed of any building provided for by this act, the commission shall deliver to the state division of building construction all plans, specifications, surveys and all papers relating to site acquisition, engineering, planning and construction of such building and the state superintendent of buildings shall assume full responsibility for the operation and maintenance of the property subject to appropriation. Any funds in excess of the actual cost of acquisition of the sites and construction of the buildings provided for in this act shall be applied to the repayment of any loan or loans.

SECTION 13. Upon the expiration of the term for which the members of the commission were appointed or upon the completion of its duties, whichever shall first occur, this act shall become inoperative and the commission shall be dissolved.

*Approved September 1, 1960.*

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**Chap. 636.** AN ACT AUTHORIZING THE CITY OF CHICOPEE TO BORROW MONEY FOR THE PURPOSE OF AIDING IN THE CONSTRUCTION AND WORK FOR THE IMPROVEMENT OF CERTAIN STREAMS.

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

SECTION 1. For the purpose of enabling the city of Chicopee to contribute its share of the expenses and liabilities that may be incurred by the commonwealth in connection with certain work to be done by the division of waterways in the department of public works at Montgomery Street Brook and Crowfeet Brook in said city, and to pay the cost of establishing or maintaining certain rights of way or easements in connection with such work or any additional costs in connection therewith, said city may borrow, from time to time, within one year of the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may

issue bonds or notes therefor which shall bear on their face the words, Chicopee Stream Clearance Loan, Act. of 1960. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

*Approved September 6, 1960.*

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**Chap. 637.** AN ACT VALIDATING ACTION TAKEN AT THE ANNUAL TOWN MEETING OF THE TOWN OF WAKEFIELD IN THE YEAR NINETEEN HUNDRED AND SIXTY.

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

SECTION 1. The acts and proceedings of the town of Wakefield at its annual town meeting and at adjourned sessions thereof held in the year nineteen hundred and sixty, including, without limitation, the proceedings taken by said town under Articles 12, 31 and 32 of the warrant for said annual town meeting, providing for the construction, original equipping and furnishing of a new elementary school building, the laying and re-laying of water mains and the construction of sewers, a force main and an ejector station, and all acts done in pursuance thereof, are hereby ratified, validated and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved September 6, 1960.*

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**Chap. 638.** AN ACT VALIDATING CERTAIN AMENDMENTS TO THE ZONING BY-LAWS OF THE TOWN OF MIDDLETON.

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

SECTION 1. The action taken by the town of Middleton in the current year in voting to adopt amendments to its zoning by-laws, as described in article 14 of the warrant for the annual town meeting is hereby confirmed and validated, notwithstanding the failure of the planning board of said town to comply with the provisions of section six of chapter forty A of the General Laws.

SECTION 2. This act shall take effect upon its passage.

*Approved September 6, 1960.*

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**Chap. 639.** AN ACT AUTHORIZING THE USE OF NEW WARDS IN THE CITY OF MALDEN IN NOMINATING AND ELECTING REPRESENTATIVES TO THE GENERAL COURT.

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

SECTION 1. Notwithstanding the provisions of chapter five hundred of the acts of nineteen hundred and fifty-four or section four of chapter fifty-four of the General Laws, ward six and ward eight in the city of Malden, into which ward six in said city, as existing prior

to the effective date of chapter five hundred of the acts of nineteen hundred and fifty-four, was divided pursuant to said chapter five hundred, hereinafter referred to as new wards, shall be used for all primaries and elections held in said city and for such purposes election officers shall be appointed and voting lists shall be prepared and all other things required by law shall be done in accordance with said new wards.

SECTION 2. The twenty-first Middlesex representative district shall, until the next decennial apportionment, conformably with the constitution, be as follows, the territory comprising said district remaining the same as at the time of its formation:—

*Twenty-first Middlesex.*—In the city of Malden, wards one, four, five, new ward six, ward seven and new ward eight.

For the purposes of nominating and electing representatives and of submitting questions of public policy to the voters in said representative district all things shall be done in said representative district as if said new wards thereof had existed and had constituted, in part, the basis for determining representative districts at the time of the formation of said twenty-first Middlesex representative district.

SECTION 3. This act shall take effect upon its passage.

*Approved September 6, 1960.*

**Chap. 640.** AN ACT AUTHORIZING THE TOWN OF MIDDLEBOROUGH TO SUPPLY AND SELL WATER TO THE INHABITANTS OF A CERTAIN PORTION OF THE TOWN OF LAKEVILLE.

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

SECTION 1. The town of Middleborough, by its board of selectmen, may supply and sell water to the inhabitants of the town of Lakeville residing on Rhode Island road between the Middleborough-Lakeville town line and a point in said road about twelve hundred feet westerly from said town line.

SECTION 2. Water shall be supplied and sold upon such terms and conditions as may be agreed upon between the boards of selectmen of the towns of Middleborough and Lakeville. In case of failure to agree as to price for water furnished, the department of public utilities, upon petition of either of said boards of selectmen, shall determine the price of water and the validity of any conditions imposed, and such determination shall be final.

SECTION 3. This act shall take effect upon its passage.

*Approved September 6, 1960.*

**Chap. 641.** AN ACT AUTHORIZING THE DIRECTOR OF THE CIVIL DEFENSE AGENCY TO RELEASE TO THE NORUMBEGA COUNCIL, INC., BOY SCOUTS OF AMERICA, CERTAIN LAND IN THE TOWN OF FRAMINGHAM.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize the immediate release of certain land at the site of the Civil Defense Headquarters in Framingham, there-



fore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

The director of the civil defense agency, in consideration of a release from the Norumbega Council, Inc., Boy Scouts of America, of the commonwealth from any and all claims for damages on account of a taking thereof, is hereby authorized and directed to release to said Norumbega Council, Inc., Boy Scouts of America, by a deed of release, without covenants, the following land formerly owned by said Council, and being part of the land taken from said Council under the authority of chapter six hundred and twenty-six of the acts of nineteen hundred and fifty-six by an order of taking executed September 25, 1956 and recorded with Middlesex County Registry of Deeds South District, Book 8825, page 62, to wit, a certain parcel of land situated westerly of Edgell Road in the Nobscot section of Framingham, bounded and described as follows:—

Beginning at the northwest terminus of the right of way over certain land of said Council taken by the Commonwealth under the authority of chapter six hundred and twenty-six of the acts of nineteen hundred and fifty-six, thence southwesterly, S 61°, 50', 50" W, two hundred and fifty-five and 79/100 feet, to a drill hole in a stone wall, thence southwesterly along said wall, S 64°, 01', 30" W, ninety-four and 01/100 feet to another drill hole in said wall; thence, southwesterly along said wall, S 88°, 42', 30" W, four hundred and seventy-five and 84/100 feet, thence northerly, N 34°, 31', 10" W, nine and 60/100 feet, then northwesterly N 73°, 36', 10" W, eight and 60/100 feet to a stone wall; thence northerly along said wall, N 19°, 30', 00" E, sixty-five and 00/100 feet, thence still northerly along said wall, N 19°, 08', 00" E, one hundred and thirty-five and 10/100 feet, thence northerly along said wall, N 21°, 29', 00" E, one hundred and ninety-five and 30/100 feet, thence northerly still along said wall, N 22°, 32', 00" E, one hundred and seventy-one and 30/100 feet to a brass bound in said wall at the junction of the boundary line of land of the commonwealth and the boundary line of land of said Council, all of the preceding courses and distances being by land of said commonwealth; thence southeasterly, by land of said Council, S 58°, 25', 10" E, seven hundred feet, to the point of beginning, comprising five and one half acres, more or less, and all as shown as lot number one on a plan of land in Framingham, by McCarthy Engineering Service, Inc., dated February 9, 1960.

*Approved September 6, 1960.*

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**Chap. 642.** AN ACT INCREASING THE FEE FOR LICENSES TO CATCH OR TAKE LOBSTERS AND EDIBLE CRABS AND PROVIDING FOR THE ISSUANCE OF HELPER'S LICENSES.

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

Chapter 130 of the General Laws is hereby amended by striking out section 38, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section:—*Section 38.* The director, upon application of any person eligible for a license hereinafter referred to, and upon the payment of a fee of ten

dollars, shall grant a license to catch or take both lobsters and edible crabs from the coastal waters of the commonwealth. Except as hereinafter provided, such licenses to catch or take both lobsters and edible crabs shall be granted only to individuals who are citizens of the commonwealth and who have resided therein for at least one year next preceding the date of such license, but no such license shall be issued to a minor under seventeen years of age except with the written consent of his parent, guardian or custodian and at the discretion of the director.

The director may grant such a license to catch or take both lobsters and edible crabs to any individual who is an alien residing in the commonwealth; provided that such alien resided in the commonwealth, and was actually engaged in lobster fishing in the coastal waters thereof, for five years next preceding December first, nineteen hundred and twenty.

A non-resident citizen of the United States temporarily residing or intending temporarily to reside in any coastal city or town may in any year, upon payment of the fee required by this section, obtain a license to take lobsters or edible crabs during June, July, August and September of such year, for consumption only by the licensee and his family who are so residing. Licenses hereunder, except those granted to non-resident citizens of the United States, shall expire on December thirty-first next succeeding the granting of the same unless sooner made void as provided in this chapter. Each applicant for a license under this section shall state the color scheme or other special markings of the buoys desired to be used by him, which, if approved by the director, shall be set forth in his license, and all buoys used by him shall be marked accordingly, and all buoys, pots, traps and lobster cars used by him shall be marked with the licensee's initials or name or the number assigned to him by the director, which shall be branded or cut into the surface thereof.

Any person licensed under the provisions of the preceding paragraph may, upon application to the director, obtain one or more helper's licenses, which shall authorize one person for each such license issued to assist such licensee in the taking of lobsters and crabs in the coastal waters of the commonwealth by means of traps or pots. Said licensee shall retain in his possession any such helper's licenses obtained by him, but such helper's licenses shall be applicable to any person so assisting said licensee. The fee for each helper's license shall be ten dollars.

A licensee shall at all times, while acting in pursuance of his license or being assisted therein, exhibit his license and helper's licenses upon the demand of any officer qualified to serve criminal process, and upon failure so to do shall be punished by a fine of not more than twenty-five dollars.

The director shall state in his annual report the number of licenses of each kind granted under this section.

*Approved September 6, 1960.*

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**Chap. 643.** AN ACT RELATIVE TO MUNICIPAL LIGHT COMMISSIONS.

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

Chapter 164 of the General Laws is hereby amended by inserting after section 56 the following five sections:—

*Section 56A.* The words "municipal light commission" as used in this section and in sections fifty-six B to fifty-six E, inclusive, shall mean a light commission, gas and electric commission or similar body established by act of the legislature and vested with all powers and duties formerly exercised by the mayor and selectmen under this chapter, and with the powers and duties conferred upon municipal light boards under this chapter.

No member of a municipal light commission or manager thereof shall directly or indirectly make a contract with the city or municipal lighting plant or receive any commission, discount, bonus, gift, contribution or reward from or any share in the profits of any person making or performing such contract unless such member or manager immediately upon learning of the existence of such contract, or that such contract is proposed, shall notify in writing the municipal light commission or city of the nature of his interest in such contract and shall abstain from doing any official act on behalf of the commission or plant in reference thereto.

A violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the commission. Any person violating the provisions of this section shall be punished by a fine of not less than fifty nor more than one thousand dollars or by imprisonment for not more than one year, or both.

This section shall not apply to contracts of employment between a municipal lighting plant and its manager.

This section shall not apply to contracts between the city or municipal lighting plant and a corporation of which the member or manager is a stockholder or bondholder, unless the member or manager or a member of his immediate family owns or controls more than one per cent of the capital stock or more than one per cent of the outstanding bonds of such corporation.

*Section 56B.* All contracts made by a municipal light commission where the amount involved is one thousand dollars or more shall be in writing. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the municipal light commission, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city or town treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, if any, and the officer or members of the municipal light commission making the contract.

*Section 56C.* Every municipal light commission or manager thereof, who makes or executes a contract on behalf of a municipal lighting plant, where the amount involved is one thousand dollars or more, shall furnish said contract or a copy thereof to the city or town auditor within one week after its execution. Said city or town auditor shall keep such contract or copy on file, open to public inspection during business hours. Such contracts or copies shall be kept in a separate book, arranged according to the subject of the contract, or in other convenient form. An index of the subject matter of the

contracts and to the names of the contractors shall be made semi-annually, and shall also be open to public inspection in some convenient form. All allowances under and additions to such contracts, or copies thereof, shall be filed with the city or town auditor, together with a sworn statement of the officer making such allowances or additions that the same are correct and in accordance with the contract. A city or town auditor, municipal light commissioner or manager wilfully failing to comply with this section shall be punished by a fine of not less than ten nor more than one hundred dollars.

*Section 56D.* No contract for the purchase of equipment, supplies or materials, the actual or estimated cost of which amounts to one thousand dollars or more, except in cases of special emergency involving the health, safety or welfare of the people or their property, shall be awarded unless proposals for the same have been invited by advertisement in at least one newspaper published in the city or town in which the lighting plant is located, or, if there is no such newspaper, in a newspaper published in the same county, such publication to be at least one week before the time specified for the opening of said proposals. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve to the municipal light commission the right to reject any or all such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this section.

This section shall not apply to contracts for the supply of electricity to a municipal plant except that such contract shall be subject to the approval of the department of public utilities. Said department may, upon its own initiative, where such contract is for a period longer than three years, after notice and a public hearing, make such order relative to the rates, prices and charges covered by such contract as it deems the public interest requires.

*Section 56E.* Any member of a municipal light board or municipal light commission appointed under the provisions of any general or special law may be removed by the appointing authority for misfeasance or malfeasance in office or wilful neglect of duty. Prior to such removal the member shall be given a full hearing before the appointing authority, of which hearing he shall have at least three days' written notice, exclusive of Sundays and holidays, from the appointing authority. Said notice shall contain a full and complete statement of the specific reasons which are alleged to constitute the cause for such removal. Within two days, exclusive of Sundays and holidays, after completion of said hearing, the appointing authority shall give such member a written notice of his decision, stating fully and specifically the reasons therefor.

Any hearing under this section shall, if either party concerned so requests in writing, be public, and at any such hearing the member concerned shall be allowed to answer the charges preferred against him either personally or by counsel.

Within thirty days after receipt of the decision of the appointing authority, a member who was so removed may appeal to the superior court for the county in which the plant is located. Notwithstanding a decision of the appointing authority removing a member he shall

continue to serve until the expiration of the appeal period provided in this paragraph. If such member appeals as hereinbefore provided such appeal shall be advanced for a speedy hearing. The court shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined, annul or affirm such decision. Until the court affirms the order removing such member, his removal shall not take effect and such member shall continue to exercise the powers and perform the duties of his office. The decision of the court shall be final and conclusive upon the parties and a copy of the decision shall be forwarded forthwith by the clerk of the court to the appointing authority.

*Approved September 6, 1960.*

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**Chap. 644.** AN ACT FURTHER DEFINING THE DUTIES OF THE MASS TRANSPORTATION COMMISSION.

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

Chapter 16 of the General Laws is hereby amended by striking out section 10, added by chapter 416 of the acts of 1959, and inserting in place thereof the following section:—*Section 10.* The commission shall investigate and study mass transportation problems and plan co-ordinated mass transportation facilities and land use policies affecting the commonwealth, the metropolitan Boston area and the city of Boston. The commission shall also investigate and study the relationship of mass transportation facilities, land use and urban renewal and development to the economic needs and opportunities of the commonwealth and to the civil defense and disaster program with particular emphasis on the financial, legal, economic, technical and social problems. The commission shall study and plan for co-ordinating the highway program of the commonwealth and the federal government with other mass transportation facilities. The commission shall work with appropriate federal agencies and agencies of the commonwealth in connection with highway, transportation, land use and urban renewal and development studies. The commission shall from time to time make such recommendations to the governor and the general court for the co-ordination of highway and mass transportation programs and for the development of integrated plans for mass transportation and land use as the commission may deem advisable.

*Approved September 6, 1960.*

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**Chap. 645.** AN ACT AUTHORIZING THE COMMONWEALTH TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF PLYMOUTH TO THE PILGRIM SOCIETY.

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

The commissioner of public works, in the name of and on behalf of the commonwealth, is hereby authorized, subject to approval by the governor and council, to sell and convey to the Pilgrim Society, by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to certain land situated in the town of Plymouth and described in a certain instrument recorded in the Plymouth county registry of deeds, Book 1387, Page 99; pro-

vided, that said deed shall provide that all right, title and interest shall revert to and revest in the commonwealth at any time said land ceases to be used by said society for its purposes.

*Approved September 6, 1960.*

**Chap. 646.** AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY GEMMA FROIO.

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

Gemma Froio of Malden may, within six months after the effective date of this act, bring a petition against the commonwealth under the provisions of chapter two hundred and fifty-eight of the General Laws for damages for injuries alleged to have been sustained by her on or about April sixteenth, nineteen hundred and fifty-seven, on a sidewalk under the control of the metropolitan district commission on Highland avenue in the city of Malden. If such injuries were sustained by reason of a defect or want of repair in or upon such sidewalk, and such injuries might have been prevented, or such defect or want of repair might have been remedied by reasonable care and diligence on the part of the commonwealth, the court shall, if the commonwealth had or, by the exercise of proper care and diligence, might have had reasonable notice of the defect or want of repair, and if the conduct of said Froio would not have barred her from recovery in an action at law, find and determine her damages in an amount not to exceed three thousand dollars, and order entry of judgment therefor.

*Approved September 6, 1960.*

**Chap. 647.** AN ACT INCREASING THE AMOUNTS OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

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

SECTION 1. The annual amount of every pension, retirement allowance or annuity payable under any general or special law to any former employee of the commonwealth or of any county, city, town or district, including teachers, who at the time of such retirement had attained age sixty and had completed at least fifteen years of creditable service shall be increased by one hundred dollars; and the annual amount of every such pension, retirement allowance or annuity payable to any such former employee who at the time of such retirement had attained age sixty and had completed at least twenty years of creditable service or who had completed at least thirty years of creditable service regardless of his age at the time of such retirement shall be increased by two hundred dollars; and the annual amount of every such pension, retirement allowance or annuity payable to any such former employee who at the time of such retirement had attained age sixty-five and had completed at least thirty-five years of creditable service shall be increased by three hundred dollars; provided, that no such increase shall be made in the case of any pension, retirement allowance or annuity which is in excess of twenty-five hundred dollars,

exclusive of any amount of additional annuity obtained by special purchase as provided under paragraph (g) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, or under any similar law, and no such increase shall be made which will make the total annual amount of such pension, retirement allowance or annuity, exclusive of any such additional annuity, exceed twenty-five hundred dollars.

SECTION 2. The annual amount of any annuity or allowance payable under the provisions of section nine, eighty-nine, eighty-nine A or under option (c) or (d) of subdivision (2) of section twelve of chapter thirty-two of the General Laws, or any similar law, to the widow of any deceased employee, including teachers, of the commonwealth or of any county, city, town or district, shall be increased by one hundred dollars; provided, that the total amount of such annuity or allowance as so increased shall not exceed twenty-five hundred dollars and that the member whose widow is receiving a pension under said option (c) or (d) had at least ten years of creditable service; and further provided, that such widow does not remarry; and further provided, that no increase shall be granted under this section to the widow of any such deceased employee whose death occurred subsequent to October second, nineteen hundred and fifty-eight.

SECTION 3. The annual amount of every retirement allowance payable to any former employee of the commonwealth who had completed at least twenty years of creditable service and who was retired for reasons of superannuation under the provisions of paragraph three of section twenty-six or of section twenty-eight A or of section twenty-eight B of chapter thirty-two of the General Laws, shall be increased by three hundred dollars; provided, that no such allowance as so increased shall exceed twenty-five hundred dollars.

SECTION 4. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by the commonwealth or by the teachers' retirement system shall take effect on January first, nineteen hundred and sixty-one. The increases granted under this act with respect to pensions, retirement allowances or annuities payable by any county, city, town or district shall take effect when accepted in a county by the county commissioners thereof; in a city having a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such city; in a town, by a majority vote at a town meeting; and in a district, by its prudential committee.

SECTION 5. Any former employee of the commonwealth or any of its political subdivisions who is entitled to the increase granted by this act may waive and renounce for himself, his heirs and legal representatives his right to receive such increase by filing with the treasurer of the governmental unit paying his pension, retirement allowance or annuity a written statement wherein he waives and renounces such right as aforesaid. Nothing in this section shall be construed to otherwise affect the pension, retirement allowance or annuity payable to the person filing such a written statement.

SECTION 6. This act shall not apply to the pension to be used for

reimbursement purposes under paragraph (c) of subdivision (2) of section twenty of chapter thirty-two of the General Laws on account of teachers retired by the city of Boston.

*Approved September 6, 1960.*

**Chap. 648.** AN ACT PROVIDING FOR THE ENFORCEMENT OF CERTAIN DECISIONS OF THE COMMISSIONER OF VETERANS' SERVICES.

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

Chapter 115 of the General Laws is hereby amended by inserting after section 12 the following section:—*Section 2A.* If the commissioner decides a controversy between an applicant and a veterans' agent relative to the validity or amount of a claim for veterans' benefits, as provided in section two, in favor of the applicant, the said veterans' agent shall, forthwith, make payment to the applicant in accordance with said decision notwithstanding any appeal therefrom by the veterans' agent. If the governor and council sustain the appeal of said veterans' agent as to the validity of such claim, payment to the applicant shall thereupon cease and all amounts paid to the applicant shall be reimbursed by the commonwealth in the manner provided in section six. If the governor and council sustain the appeal of said veterans' agent as to the amount of such claim, payment to the applicant of any amount in excess of the amount approved by the governor and council shall thereupon cease and all amounts paid to the applicant in excess of the amount so approved shall be reimbursed by the commonwealth in the manner provided by said section six.

The decision of the commissioner, in accordance with the provisions of said section two, may be enforced by the superior court on a petition in equity.

*Approved September 6, 1960.*

**Chap. 649.** AN ACT PROVIDING REIMBURSEMENT FOR TRANSPORTATION OF CERTAIN HANDICAPPED CHILDREN TO SPECIAL SCHOOLS.

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

Chapter 71 of the General Laws is hereby amended by striking out section 46B, as amended by section 2 of chapter 772 of the acts of 1955, and inserting in place thereof the following section:—*Section 46B.* If a child of school age, handicapped as described in sections forty-six and forty-six A, or afflicted with cerebral palsy, or handicapped in speech or hearing, attends a school approved by the department within or without the city or town of residence of the parent or guardian, the school committee of the town where the child resides may provide transportation once each day to and from such school while the child is in attendance. The city or town providing transportation under this section shall be eligible for reimbursement for one half the cost of transportation upon determination by the department of amounts due in accordance with attested claims by the school committee on forms provided by the department, and said reimbursements shall be paid out of the proceeds of the tax on income.

*Approved September 6, 1960.*



**Chap. 650.** AN ACT RELATIVE TO REGIONAL VOCATIONAL SCHOOL DISTRICTS.

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

SECTION 1. Section 14B of chapter 71 of the General Laws is hereby amended by striking out clause (c), as amended by section 1 of chapter 471 of the acts of 1952, and inserting in place thereof the following clause:—

(c) The type of regional district school or schools. Without limiting the generality of the foregoing, the type of regional school may, if it is so stated in the agreement, consist of a vocational school or schools offering such kinds of education as may be provided by towns under the provisions of chapter seventy-four; and any other type of regional school may, if it is so stated in the agreement, offer said kinds of education. A town may simultaneously be a member of a vocational regional school district and any other type of regional school district provided, however, that when a vocational school district is in operation, no member town of such district, and no other type of regional school district of which such a town is a member shall, without the approval of the commissioner of education, offer the same kinds of education as offered by said vocational school district.

SECTION 2. The acceptance prior to the effective date of this act, of an agreement providing for a regional vocational school or schools, pursuant to the authority contained in clause (c) of section fourteen B of chapter seventy-one of the General Laws, as amended by section one of this act, by any town at a town meeting held after the first day of January, nineteen hundred and sixty, is hereby validated and confirmed and shall have the same force and effect as if this act had been in effect during the period in which the proceedings requisite to such acceptance were taken.

*Approved September 6, 1960.*

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**Chap. 651.** AN ACT DESIGNATING THE TENEAN BEACH BATHHOUSE AS THE NEPONSET VETERANS MEMORIAL BATHHOUSE.

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

The Tenean Beach bathhouse located in the Dorchester district of the city of Boston, shall be known and designated as the Neponset Veterans Memorial Bathhouse, and a suitable marker bearing such designation shall be erected and maintained in a suitable location at said bathhouse by the metropolitan district commission. For the purpose of this act said commission may expend such sums as may be appropriated therefor.

*Approved September 6, 1960.*

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**Chap. 652.** AN ACT CONCERNING THE DEVELOPMENT OR REDEVELOPMENT OF BLIGHTED OPEN AREAS, DECADENT AREAS AND SUBSTANDARD AREAS BY URBAN REDEVELOPMENT CORPORATIONS WITH SPECIAL PROVISIONS FOR PROJECTS IN THE CITY OF BOSTON.

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

SECTION 1. Chapter 121A of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 73 of

the acts of 1954, and inserting in place thereof the following section:—*Section 1.* Unless a different meaning clearly appears from the context, the following terms, wherever used in this chapter, shall have the following meanings:—

“Blighted open area”, a predominantly open area which is detrimental to the safety, health, morals, welfare or sound growth of a community because it is unduly costly to develop it soundly through the ordinary operations of private enterprise by reason of the existence of ledge, rock, unsuitable soil, or other physical conditions, or by reason of the necessity for unduly expensive excavation, fill or grading, or by reason of the need for unduly expensive foundations, retaining walls or unduly expensive measures for waterproofing structures or for draining the area or for the prevention of the flooding thereof or for the protection of adjacent properties and the water table therein or for unduly expensive measures incident to building around or over rights of way through the area, or for otherwise making the area appropriate for sound development, or by reason of obsolete, inappropriate or otherwise faulty platting or subdivision, deterioration of site improvements or facilities, division of the area by rights of way, diversity of ownership of plots, or inadequacy of transportation facilities or other utilities, or by reason of tax and special assessment delinquencies, or because there has been a substantial change in business or economic conditions or practices, or an abandonment or cessation of a previous use or of work on improvements begun but not feasible to complete without the aids provided by this chapter, or by reason of any combination of the foregoing or other conditions; or a predominantly open area which by reason of any condition or combination of conditions which are not being remedied by the ordinary operations of private enterprise is of such a character that in essence it is detrimental to the safety, health, morals, welfare or sound growth of the community in which it is situated.

“Decadent area”, an area which is detrimental to safety, health, morals, welfare or sound growth of a community because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete, or in need of major maintenance or repair, or because much of the real estate in recent years has been sold or taken for non-payment of taxes or upon foreclosure of mortgages, or because buildings have been torn down and not replaced and in which under existing conditions it is improbable that the buildings will be replaced, or because of a substantial change in business or economic conditions, or because of inadequate light, air, or open space, or because of excessive land coverage, or because diversity of ownership, irregular lot sizes or obsolete street patterns make it improbable that the area will be redeveloped by the ordinary operations of private enterprise, or by reason of any combination of the foregoing conditions.

“Sub-standard area”, an area wherein dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitation facilities, or any combination of these factors, are detrimental to safety, health, morals, welfare or sound growth of a community.

“Construct”, “construction”, and “erect” shall include the renovation, rehabilitation or remodeling of buildings or structures.

“Housing board” or “board”, the state housing board established under section sixty-four of chapter six.

“Project”, any undertaking consisting of the construction in a blighted open, decadent or sub-standard area of decent, safe and sanitary residential, commercial, industrial, institutional, recreational or governmental buildings and such appurtenant or incidental facilities as shall be in the public interest, and the operation and maintenance of such buildings and facilities after construction. A “project” may include as incidental thereto any one or more of the following:— (a) acquisition and assembly of the land (and buildings and structures and other improvements thereon, if any) within a blighted open, decadent or sub-standard area; (b) clearance of the land within a blighted open, decadent or sub-standard area; (c) acquisition, assembly and clearance of land, buildings or structures not in themselves blighted, decadent, or sub-standard if their inclusion is necessary for the clearance, redevelopment, reconstruction or rehabilitation of a blighted open, decadent or sub-standard area; and (d) installation, construction, and reconstruction of public and private ways, public utilities and services, and site improvements essential to the preparation of a blighted open, decadent or sub-standard area for beneficial development or redevelopment.

“Zoning ordinance or by-law”, any special statute establishing zoning regulations in one or more cities, towns or districts, or any ordinance or by-law adopted under chapter forty A or corresponding provisions of earlier laws.

SECTION 2. Said chapter 121A is hereby further amended by striking out section 2, as appearing in section 1 of chapter 647 of the acts of 1953, and inserting in place thereof the following section:— *Section 2.* It is hereby declared that blighted open, decadent or sub-standard areas exist in certain cities and towns in this commonwealth, and that each of such areas constitutes a serious and growing menace, injurious and inimical to the safety, health, morals and welfare of the residents of the commonwealth and the sound growth of the communities therein; that the existence of each of such areas contributes substantially to the spread of disease and crime, necessitating excessive and disproportionate expenditure of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment, and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities, constitutes an economic and social liability, substantially impairs or arrests the sound growth of cities and towns, and retards the provision of residential, commercial and industrial buildings and other improvements; that each of such areas decreases the value of private investments and threatens the sources of public revenue and the financial stability of communities; that because of the economic and social interdependence of different communities and of different areas within single communities the redevelopment of land not only in sub-standard areas but also in blighted open and decadent areas in accordance with a

comprehensive plan to promote the sound growth of the community is necessary in order to achieve permanent and comprehensive elimination of existing slums and sub-standard, decadent and blighted conditions and to prevent the recurrence of such slums or sub-standard, decadent or blighted conditions or their development in other parts of the community or in other communities; and that the redevelopment of blighted open areas promotes the clearance of sub-standard and decadent areas and prevents their creation and occurrence; that the menace of blighted open, decadent or sub-standard areas is beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided; that the development of property for the purpose of eliminating blighted open, decadent or sub-standard conditions thereon and preventing recurrence of such conditions in the area, the removal of structures and improvement of sites, and disposition of the property for redevelopment incidental to the foregoing, the exercise of powers by housing or redevelopment authorities and any assistance which may be given by cities and towns or any other public bodies in connection therewith, are public uses and purposes for which the aids herein provided may be given, public money expended, and the power of eminent domain exercised; that a public exigency exists which makes the use, acquisition, planning, clearance, rehabilitation or rebuilding of such blighted open, decadent, or sub-standard areas for residential, commercial, industrial, institutional, recreational or governmental buildings and appurtenant or incidental facilities as herein provided a public use and benefit for which private property may be acquired by eminent domain or regulated by wholesome and reasonable orders, laws and directions; and the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

It is hereby further declared that in many areas throughout the commonwealth there is a shortage of decent, safe and sanitary buildings for residential, commercial, industrial, institutional, recreational, or governmental purposes; that this condition is most extreme in communities where blighted open, decadent or sub-standard areas exist; that the aforesaid conditions cannot be corrected by the ordinary operations of private enterprise without the aids herein provided; that the provisions of this chapter will stimulate the investment of private capital in blighted open, decadent or sub-standard areas, and in the construction, maintenance and operation in such areas of needed decent, safe and sanitary residential, commercial, industrial, institutional, and recreational buildings; that the construction, maintenance and operation of such buildings on such land in such areas will assist in achieving permanent and comprehensive elimination of existing slums, and sub-standard, decadent and blighted conditions and in preventing the recurrence or redevelopment of such conditions.

SECTION 3. Section 3 of said chapter 121A, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Three or more persons may associate themselves by written agreement of association in a form fur-

nished or approved by the commissioner of corporations and taxation with intent to form a corporation for the purpose of undertaking and carrying out in the city of Boston a project authorized and approved by the Boston Redevelopment Authority or for the purpose of undertaking and carrying out in any other city or town a project authorized and approved, or to be authorized and approved, by the housing board.

SECTION 4. The first sentence of section 5 of said chapter 121A, as appearing in section 1 of chapter 654 of the acts of 1945, is hereby amended by inserting after the word "three", in line 2, the words:— with intent to form a corporation for the purpose of undertaking and carrying out a project in a city other than Boston or in a town.

SECTION 5. Said chapter 121A is hereby further amended by inserting after section 6 the following section:—*Section 6A.* As soon as any such corporation determines to carry out a project approved by the housing board, such corporation and the city in which its project has been authorized, acting by its city manager or, if there is no such official, its mayor, or the town in which its project has been authorized, acting by its selectmen, shall contract for the carrying out of such project in accordance with the application, the provisions of this chapter, and the rules, regulations and standards prescribed by the housing board for such project. Such contract may provide that, without mutual consent, any subsequent amendment of any such provisions, rules, regulations and standards shall not affect the project. Nothing in section ten shall prevent such contract from further providing for such corporation to pay to the city or town with respect to one or more years such specific or ascertainable amount in addition to the excise prescribed by section ten as may have been stated in the application.

SECTION 6. Said chapter 121A is hereby further amended by striking out section 8, as appearing in section 1 of chapter 654 of the acts of 1945, and inserting in place thereof the following section:—*Section 8.* The construction of all buildings upon a project shall be inspected by competent persons chosen by the housing board to the extent necessary to make certain that such construction is in conformity with the application as approved. Every such corporation shall be deemed to have been organized to serve a public purpose, and shall remain at all times subject to all reasonable rules and regulations applicable to its project. All real estate acquired by any such corporation and all structures erected by it shall be deemed to be acquired or erected for the purpose of promoting the public health, safety and welfare and shall be subject to the provisions of this chapter.

If the housing board shall find that a corporation has violated any of the provisions of this chapter or the requirements thereunder with respect to the construction and financing of a project, or to the payments therefor, or that the rules and regulations applicable to a project have not been complied with, or that a project is not maintained in such a way as to carry out the purpose for which it was designed, or that strip or waste caused by unreasonable use or abuse of the buildings, structures or facilities thereon exist, it shall notify the holders of any mortgages, or mortgage bonds thereon, or the trustee, if any, for the bondholders, and it may institute a proceeding in equity in its own name for the purpose of preventing, or requiring,

as the case may be, by injunction or otherwise, any such act or failure or omission to act. The remedies provided in this section shall be in addition to and not in substitution for any other available remedies.

SECTION 7. Section 18 of said chapter 121A is hereby amended by inserting after the word "undertake", in line 6, as appearing in section 1 of chapter 654 of the acts of 1945, is hereby amended by striking by it,—and by striking out the word "section", in line 9, as so appearing, and inserting in place thereof the words:—sections six A and.

SECTION 8. Paragraph (e) of section 18 of said chapter 121A, as amount invested by it in such project for each year in which it owns further amended by striking out the last sentence.

SECTION 9. Paragraph (f) of said section 18, as appearing in section 1 of chapter 654 of the acts of 1945, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Section nine shall not be applicable to such company; but such company shall not receive or accept for its general purposes as net income from a project any sum in excess of six per cent of the amount invested by it in such project for each year in which it owns or has owned the project, except that, if in any year it has so received a sum less than the aforesaid six per cent, it may so receive in a subsequent year or years additional sums not exceeding in the aggregate such deficiency without interest.

SECTION 10. Paragraph (g) of said section 18, as so appearing, is hereby amended by adding at the end the following sentence:—If an insurance company occupies or uses one or more parts of a project for purposes of its business not directly related to the construction, alteration, maintenance, repair, operation or management of such project, the gross income from such business shall not be included in computing its gross income from all sources but in lieu thereof such amount as the insurance company and the housing board shall in each year not later than June thirtieth agree, or in the event of their failure to so agree, the commissioner of insurance shall determine, to be the fair rental value for such year of the floor area so occupied or used shall be included in computing gross income from all sources.

SECTION 11. Said section 18, as so appearing, is hereby amended by striking out paragraphs (h), (i) and (j) and inserting in place thereof the following paragraphs:—

(h) The term "housing board" as used in the last paragraph of section eleven shall be deemed to mean the commissioner of insurance whether the project is in Boston or another city or town.

(i) So much of section fifteen as relates to reducing the indebtedness of a corporation shall apply only to indebtedness incurred in connection with a project. The term "housing board" as used in said section fifteen except the first time it appears in clause (5) shall be deemed to mean the commissioner of insurance whether the project is in Boston or another city or town.

(j) So much of section sixteen as provides that under certain circumstances a corporation shall have all of the rights and privileges of a corporation organized or subject to chapter one hundred and fifty-six shall be construed to mean that an insurance company may under like circumstances lawfully continue to hold the project but shall in other respects be subject to all of the obligations and duties of an insurance company.

(k) The period of forty years set forth in sections ten, sixteen and sixteen A shall be computed for a particular project from the date of approval of such project.

SECTION 12. Subject to the provisions of paragraphs (h) and (i) of section eighteen of chapter one hundred and twenty-one A of the General Laws, as appearing in section eleven of this act, the Boston Redevelopment Authority, hereinafter in this section and in sections thirteen and fourteen called the authority, shall, in addition to its other powers and duties, have the powers and perform the duties from time to time conferred or imposed upon the state housing board by the provisions of sections six A, seven, seven A, eight, nine, ten, eleven, twelve, fifteen, sixteen, sixteen A, eighteen and eighteen B of said chapter one hundred and twenty-one A with respect to a project thereunder in the city of Boston; and the words "housing board" or "board" as used in said sections shall be deemed to mean the authority in the case of all such projects; provided, however, that no vote of the authority approving a project or any change therein or making or amending any rule, regulation or standard therefor shall be in force until approved by the mayor of said city. The authority shall make, and from time to time may amend, reasonable rules and regulations for securing its approval of projects in Boston under said chapter one hundred and twenty-one A; and no rule, regulation or standard of the state housing board shall apply to such a project. The authority shall have the powers and perform the duties conferred or imposed by this paragraph notwithstanding that it may have made a contract directly or indirectly affecting the project.

The authority shall further have the powers and perform the duties from time to time conferred or imposed on planning boards of cities in Massachusetts by general laws applicable to Boston, including section seventy of chapter forty-one of the General Laws, and shall also have the powers and perform the duties conferred or imposed by statute or ordinance on the city planning board of the city of Boston immediately prior to the taking effect of this act; and for all purposes, including those of sections twenty-six KK and twenty-six ZZ of chapter one hundred and twenty-one of the General Laws, the authority shall be deemed to be a planning board established under said section seventy. Said city may annually or oftener appropriate money to defray expenses incurred by the authority in exercising powers and performing duties under this paragraph.

The city planning board of said city is hereby abolished; and all property of said city in the custody of said board and all appropriations of said city for the use of said board are hereby transferred to and vested in the authority; and all persons appointed by, or holding by, through or under, said board are hereby transferred to, and made employees of, the authority without reduction in their rank or compensation or impairment of their civil service rights, or their retirement rights, or their vacation, holiday or sick leave rights. Until the city council of said city with the approval of its mayor shall otherwise determine, offices held ex officio by the chairman of said board shall be filled through appointment by the mayor of a person selected at large to serve at his pleasure.

SECTION 13. Persons intending to associate themselves by written agreement of association with intent to form a corporation under chapter one hundred and twenty-one A of the General Laws for the purpose of undertaking and carrying out under said chapter a project in Boston before so associating themselves, or an insurance company, savings bank or group of savings banks intending to carry out under said chapter a project in Boston before undertaking such project, shall submit to the Boston Redevelopment Authority an application for its approval of such project and for its consent to the formation of such corporation. Such application shall specify the location of the proposed project, shall state the reasons why the project is necessary or desirable and the uses to which the project is to be put, shall contain in general terms a description of the buildings, structures or facilities which it is proposed to furnish, and shall be accompanied by a site plan and drawings of the proposed buildings and other improvements adequate to show the nature and extent of the project.

Whenever the authority is so asked to consent to the formation of such a corporation or the carrying out of a project by an insurance company, savings bank or group of savings banks, it shall, after a public hearing of which reasonable notice shall be given, make such determinations as may be required by the provisions of said chapter one hundred and twenty-one A, and shall determine whether conditions exist which warrant the carrying out of the proposed project, whether in its opinion such project will be practicable, whether such project conflicts with the master plan for the city, whether such project would be in any way detrimental to the best interests of the public or the city or to the public safety and convenience or inconsistent with the most suitable development of the city, and whether the project will constitute a public use and benefit. If the authority finds that the proposed project does not meet the requirements of said chapter one hundred and twenty-one A, or that conditions warranting the carrying out of the project do not exist, or that the project will not be practicable, or conflicts with the master plan for the city, or is detrimental or inconsistent as aforesaid, or will not constitute a public use and benefit, it shall disapprove the project.

If the carrying out of the project will involve the destruction or rehabilitation of buildings occupied in whole or in part as dwellings, the authority shall also determine whether or not there is a feasible method for the temporary relocation of families displaced from the project area and whether or not there are, or are being provided, in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families displaced from the project area, decent, safe and sanitary dwellings equal in number to the number of, and available to, such displaced families and reasonably accessible to their places of employment; and unless it finds that there is such a feasible method and that such dwellings exist or are being provided, it shall not approve the project.

If a project includes land within any location approved by the state department of public works for the extension of the Massachusetts Turnpike into the city of Boston, the authority shall not approve the project unless the Massachusetts Turnpike Authority determines that the project will not unreasonably interfere with such extension.



The authority shall prepare, adopt and make open to public inspection a report approving or disapproving the project and setting forth its reasons for approval or disapproval. If the authority disapproves the project, it may suggest changes in the project, or in the plans therefor, which, if adopted, would meet its objections. If the persons intending to associate as aforesaid or an insurance company, savings bank or group of savings banks intending to carry out a project in Boston determine to proceed in accordance with the changes suggested, they shall amend their application accordingly. If the proposed change is not a fundamental one, the authority may approve or disapprove the application as amended without further hearing or report; otherwise the authority shall proceed as if it were a new application.

Whenever the authority approves a project, it shall make and embody in its report reasonable rules and regulations setting minimum standards for the financing, construction, maintenance and management of such project in so far as the same are not specified in the application for the approval thereof.

As soon as conveniently may be after the mayor of Boston approves the authority's approval of a project, the authority shall issue a certificate of the approval of the project and of its consent, if any, to the formation of a corporation to carry it out. An agreement of association to form a corporation for the purposes of carrying out in Boston a project under said chapter one hundred and twenty-one A shall not be presented to the state secretary for filing, nor shall he file it, unless it is accompanied by such a certificate.

In the construction and use of a project, such a corporation, insurance company, savings bank or group of savings banks shall not deviate from any zoning, building, health or fire law, code, ordinance or regulation in effect in Boston; provided, however, that notwithstanding the provisions of any such law, code, ordinance or regulation, the authority with the approval of the mayor of Boston shall have exclusive power, both before and after the approval of a project, to grant from time to time permission for the project to deviate from such law, code, ordinance or regulation if it finds that such permission may be granted without substantially derogating from the intent and purposes of such law, code, ordinance or regulation, and also to grant from time to time permission for the project to deviate from any building, health or fire law, code, ordinance or regulation so in effect if it finds that a particular design or construction or a particular material, apparatus or equipment, or a particular method of construction or installation is specified, but the authority is satisfied by reliable and generally accepted tests, or by experience in other cities, that some other design, construction, material, apparatus, equipment or method will sufficiently satisfy the purpose for which it is to be used and the purposes of such law, code, ordinance, or regulation or that the specification was not designed for a structure of the nature proposed and that such purposes can in some other requested manner be satisfied.

If a project in Boston includes a garage within five hundred feet of one or more buildings occupied in whole or in part as a public or private school having more than fifty pupils or as a public or private

hospital having more than twenty-five beds, or as a church, the authority shall further determine whether or not such garage will be substantially detrimental to such school, hospital or church; and if it finds that it will not, an application may be granted and a permit issued for the erection, maintenance and use of such garage anything in chapter three hundred and sixteen of the acts of nineteen hundred and twenty-two to the contrary notwithstanding.

If a project in Boston involves the construction of units which constitute a single building under the Boston Building Code and zoning law, the authority with the approval of the mayor of the city may declare such units separate buildings for the purposes of chapter one hundred and thirty-eight of the General Laws, in which case, notwithstanding any contrary provision of general or special law and without publication of notice or sending of notice to abutting owners or others, any license provided for by said chapter may be approved and issued by the licensing board of the city for any place within such units, and transferred from such place to any other place in such units.

After the approval of a project by the authority, the corporation, insurance company, savings bank or group of savings banks carrying out such project may apply to the authority for leave to change the type and character of the buildings on such project; and the authority may grant such application unless in its opinion the proposed change is a fundamental one, in which case the authority shall proceed as if such application to change were an application for the original approval of the project.

When any vote of the authority under this or the preceding section becomes final, the secretary of the authority shall file with the city clerk of the city of Boston a copy of such vote attested by such secretary with, in cases where approval of such vote by the mayor is required, a copy of such approval likewise attested. Within thirty days after such filing, any person, whether previously a party to the proceeding or not, who is aggrieved by such vote, or any municipal officer or board, may file a petition in the supreme judicial or superior court sitting in Suffolk County for a writ of certiorari against the authority to correct errors of law therein; and the provisions of section one D of chapter two hundred and thirteen, and of section four of chapter two hundred and forty-nine, of the General Laws, shall apply to said petition except as herein provided with respect to the time for the filing thereof. The remedy provided by this paragraph shall be exclusive.

**SECTION 14.** Anything in this act to the contrary notwithstanding, the provisions of law in effect immediately prior to the effective date of this act shall apply to persons intending to form a corporation under chapter one hundred and twenty-one A of the General Laws, the corporation they form, and the project of such corporation if the purchase or lease of real estate acquired for a land assembly and redevelopment project approved prior to the effective date of this act by the state housing board under the provisions of chapter one hundred and twenty-one of the General Laws is involved, except that in the case of projects in Boston the authority, notwithstanding that it may have made a contract directly or indirectly affecting the project, shall have the powers and perform the duties which the city planning

board of the city of Boston would have and perform were it not abolished by this act; provided, however, that, if the persons intending to form such a corporation file with the state secretary within eighteen months after the effective date of this act written acceptance of the provisions of this act, such provisions shall apply to them, the corporation they form, and the project of such corporation.

SECTION 15. The provisions of this act are hereby declared to be severable; and if any of its provisions is decided to be unconstitutional, such decision shall not affect or impair the other provisions of this act, or if the application of any provision of this act to any person or circumstance is decided to be unconstitutional, such decision shall not affect or impair the application of such provision to other persons or circumstances.

*Approved September 7, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, SEPTEMBER 7, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 652 of the Acts of 1960, entitled "An Act Concerning the Development or Redevelopment of Blighted Open Areas, Decadent Areas and Sub-Standard Areas by Urban Redevelopment Corporations with Special Provisions for Projects in the City of Boston" and the enactment of which received my approval on September 7, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will needlessly delay the execution of agreements for the construction of projects to the detriment of the public purpose of this act.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, SEPTEMBER 7, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at twelve o'clock and fifteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and fifty-two of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 653.** AN ACT RELATIVE TO THE MOHAWK TRAIL, AND DESIGNATING A PORTION OF STATE HIGHWAY ROUTE 2 AS THE MOHAWK TRAIL HIGHWAY.

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

SECTION 1. That portion of the state highway known as route 2 beginning at the junction of the highway known as U. S. route 2, at the New York line, and extending easterly through the town of Greenfield to the junction of the state highway known as route 63, in the town of Erving, shall be known and designated as the Mohawk Trail, and from that point to the Hon. George W. Stanton Highway, in the town of Westminster, shall be known and designated as the Mohawk Trail Highway, and suitable markers bearing said designations shall be erected and maintained along said highway by the state department of public works.

SECTION 2. Chapter four hundred and twenty-nine of the acts of nineteen hundred and fifty-three is hereby repealed.

*Approved September 9, 1960.*

**Chap. 654.** AN ACT DESIGNATING A PORTION OF A CERTAIN LIMITED ACCESS HIGHWAY AS PILGRIMS HIGHWAY.

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

The limited access highway, hereinafter described, from the Quincy-Milton line to the traffic circle at the northerly end of the Sagamore bridge in the town of Bourne, except any bridge or overpass thereon which has been named or designated under the provisions of any prior act, shall be known and designated as Pilgrims Highway. Said limited access highway to be so known and designated consists of the following described connected segments:—the Southeast Expressway from the Quincy-Milton line to Hingham, the connecting segments now under construction or proposed for future construction from Hingham to the Kingston-Plymouth By-Pass, so-called, and said by-pass. Suitable markers bearing said designation shall be placed at appropriate points along said highway by the department of public works. Said department may expend for the purposes of this act such sums as may be appropriated.

*Approved September 9, 1960.*

**Chap. 655.** AN ACT TO PROVIDE FOR WORKMEN'S COMPENSATION BENEFITS TO MANAGERS OF MUNICIPAL LIGHTING PLANTS.

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

Section 69 of chapter 152 of the General Laws, as most recently amended by chapter 555 of the acts of 1959, is hereby further amended by adding at the end the following paragraph:—

The term "employee" as used in this section shall include the manager of the municipal light plant, municipal gas plant or municipal gas and electric plant of any city or town owning and operating such plant either pursuant to the provisions of chapter one hundred and sixty-four or of any special law.

*Approved September 9, 1960.*

**Chap. 656.** AN ACT DESIGNATING A CERTAIN TRAFFIC INTERCHANGE IN THE CITY OF REVERE AS THE HARRY J. GEARRAUGHTY, JR. TRAFFIC INTERCHANGE.

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

The traffic interchange at North Shore road and Revere Beach Parkway in the city of Revere shall be known and designated as the Harry J. Gearraughty, Jr. traffic interchange in memory of Harry J. Gearraughty, Jr., who died as a result of wounds received in action while a member of the armed forces of the United States during World War II. The metropolitan district commission is hereby authorized and directed to erect thereat a suitable marker bearing said designation.

*Approved September 9, 1960.*

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**Chap. 657.** AN ACT RELATIVE TO THE EXCHANGE OR CONVERSION OF LIFE INSURANCE POLICIES AND ANNUITY CONTRACTS.

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

Chapter 175 of the General Laws is hereby amended by striking out section 139, as most recently amended by chapter 313 of the acts of 1946, and inserting in place thereof the following section:—*Section 139.* Any life company may, at the request of the holder thereof, exchange, alter or convert any policy of life or endowment insurance or annuity contract issued by it, hereinafter called the original policy, for or into any policy of life or endowment insurance, hereinafter called the rewritten policy, as of the date of the most recently issued original policy or as of the current date, or as of any intermediate date, conforming with the laws in force as of the date of issue which the rewritten policy bears; provided, that, if the rewritten policy bears a date prior to the date of application for exchange, alteration or conversion, the amount of insurance under the rewritten policy shall not exceed the greater of (a) the amount of insurance under the original policy or policies if of life or endowment insurance, or (b) the amount of insurance which the premium paid for the original policy or policies would have purchased if the rewritten policy had been originally issued as of the date of issue it bears. Nothing in section one hundred and twenty shall be construed to prohibit the exchange, alteration or conversion of a policy of life or endowment insurance or annuity contract under this section, and sections one hundred and twenty-three and one hundred and thirty-one shall not apply to a rewritten policy issued under the authority of this section, except that section one hundred and twenty-three shall apply if the original policy is an annuity contract. Nothing in section one hundred and thirty-one or section one hundred and thirty-two shall be construed to prohibit making the application for the original policy, if one of life or endowment insurance, or the application for the rewritten policy issued under authority of this section, or both such applications, a part of the rewritten policy, by endorsing thereon or attaching thereto a copy of either or both such applications. Nothing in said section one hundred and thirty-two shall be construed to prohibit the incorporation, by a rider or endorsement or otherwise, in a

rewritten policy issued under authority of this section and bearing a then current date or an intermediate date of a stipulation making the incontestable provision required by said section one hundred and thirty-two operative from the date of issue of the most recently issued original policy, if one of life or endowment insurance.

*Approved September 9, 1960.*

**Chap. 658.** AN ACT EXEMPTING CERTAIN VETERANS AND BLIND PERSONS FROM PAYING THE FEE FOR THE ISSUANCE OF A LICENSE AS A REAL ESTATE BROKER OR SALESMAN.

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

Section 87ZZ of chapter 112 of the General Laws is hereby amended by striking out paragraphs (a), (b) and (c), as appearing in section 2 of chapter 726 of the acts of 1957, and inserting in place thereof the following three paragraphs:—

(a) For each examination for a broker's license, ten dollars; for each examination for a salesman's license, five dollars; provided, however, that a veteran holding an honorable discharge or a blind person shall not be required to pay any examination fee.

(b) For issuance of a broker's license, original, at the rate of fifteen dollars for twelve months; renewal, ten dollars; provided, however, that a blind person or a veteran suffering from paraplegia, as defined in section six B of chapter one hundred and fifteen, shall not be required to pay such fee.

(c) For issuance of a salesman's license, original, at the rate of ten dollars for twelve months; renewal, five dollars; provided, however, that a blind person or a veteran suffering from paraplegia, as defined in section six B of chapter one hundred and fifteen, shall not be required to pay such fee.

*Approved September 9, 1960.*

**Chap. 659.** AN ACT REQUIRING CERTAIN BUDGETARY PROVISIONS FOR LEISURE TIME ACTIVITIES AND TRANSPORTATION ALLOWANCES FOR RECIPIENTS OF ASSISTANCE FOR DISABLED PERSONS.

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

SECTION 1. Section 4 of chapter 118D of the General Laws, as appearing in section 2 of chapter 741 of the acts of 1951, is hereby amended by adding at the end the following sentence:—The local board of public welfare shall include in the budget of each recipient an item, to be known as "Leisure Time Activities", under which there shall be paid to each recipient the sum of four dollars monthly in addition to the budgetary requirements or any other assistance granted under the provisions of this section and an item, to be known as "Transportation Allowance", under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of two dollars and fifty cents.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved September 9, 1960.*

- Chap. 660.** AN ACT AUTHORIZING LICENSED PRACTICAL NURSES AND CERTAIN STUDENTS OF PRACTICAL NURSING TO ADMINISTER NARCOTIC DRUGS, AND TO USE OR POSSESS CERTAIN INSTRUMENTS RELATING THERETO.

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

Section 197 of chapter 94 of the General Laws is hereby amended by striking out the definition of "Nurse", as appearing in section 1 of chapter 660 of the acts of 1957, and inserting in place thereof the following definition:—

"Nurse", a person duly registered or licensed as a nurse or practical nurse under chapter one hundred and twelve and actively engaged as such, or a student of nursing in an accredited hospital school of nursing, or a student of practical nursing in an approved school for practical nurses.

*Approved September 9, 1960.*

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- Chap. 661.** AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE FIRST DISTRICT COURT OF BARNSTABLE WHOSE SALARY SHALL BE PAYABLE BY THE COUNTY.

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

SECTION 1. The first paragraph of section 10 of chapter 218 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by chapter 596 of the acts of 1959, and inserting in place thereof the following sentence:—Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the municipal court of the Brighton district, the district court of western Hampden, the district court of Newton, the district court of northern Norfolk, the district court of Chicopee, the municipal court of Brookline, the first district court of southern Middlesex, the first district court of Barnstable, and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more.

SECTION 2. This act shall take effect upon its passage.

*Approved September 20, 1960.*

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- Chap. 662.** AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY MELVIN L. HARRIS.

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

Melvin L. Harris of Pittsfield may, within six months after the effective date of this act, bring a petition against the commonwealth under the provisions of chapter two hundred and fifty-eight of the General Laws for damages for injuries alleged to have been sustained by him on or about February eighteenth, nineteen hundred and fifty-nine on premises under the control of the civil defense agency in the town of Lanesborough. If such injuries were sustained by reason of a defect or want of repair in or upon such premises, and such injuries might have been prevented, or such defect or want of repair might have been remedied by reasonable care and diligence on the

part of the commonwealth, the court shall, if the commonwealth had or, by the exercise of proper care and diligence might have had reasonable notice of the defect or want of repair, and if the conduct of said Harris would not have barred him from recovery in an action at law, find and determine his damages in an amount not to exceed three thousand dollars, and order entry of judgment therefor.

*Approved September 20, 1960.*

**Chap. 663.** AN ACT ESTABLISHING THE TERM OF OFFICE OF THE TREASURER OF THE BOURNE WATER DISTRICT.

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

Section 9 of chapter 441 of the acts of 1938 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:—At the annual district meeting in the year nineteen hundred and sixty-one and at every third annual district meeting thereafter, the commissioners shall elect by ballot a treasurer of the district, who may be a commissioner, to serve for a term of three years, and who shall give bond to the district in such an amount as may be fixed by the commissioners and with a surety company authorized to transact business in the commonwealth as surety.

*Approved September 20, 1960.*

**Chap. 664.** AN ACT FURTHER REGULATING THE QUOTA OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES.

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

Section 2 of chapter 283 of the acts of 1956 is hereby amended by adding after the word “seventeen”, in line 9, the words:—of said chapter one hundred and thirty-eight; provided, however, that when there is an increase in population in any city or town sufficient to authorize the issuance of additional licenses, as provided in said section seventeen, the licenses issued to registered pharmacists under the provisions of said section twenty-nine shall be included in determining the quota to be established for such city or town under said section seventeen.

*Approved September 20, 1960.*

**Chap. 665.** AN ACT PROVIDING FOR THE REIMBURSEMENT BY THE COMMONWEALTH OF THE TOWN OF HOPEDALE OF PART OF THE COST OF CONSTRUCTION OF A NEW JUNIOR-SENIOR HIGH SCHOOL BY SAID TOWN.

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

The treasurer of the commonwealth is hereby authorized and directed to pay to the town of Hopedale such sums as would have been due said town from the commonwealth if an application for a state school construction grant for the construction by said town of its new junior-senior high school had been filed by said town and approved by the school building assistance commission under the provisions of chapter six hundred and forty-five of the acts of nineteen hundred and



forty-eight, as amended. Said commission shall determine the amounts and the time of said payments, and shall certify the same to the comptroller as provided in said chapter six hundred and forty-five, and the treasurer shall make the payments so certified to said town.

*Approved September 20, 1960.*

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**Chap. 666.** AN ACT RELATIVE TO THE LICENSING OF THEATRICAL BOOKING AGENTS, PERSONAL AGENTS AND MANAGERS.

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

Chapter 140 of the General Laws is hereby amended by striking out sections 180A to 180D, inclusive, and inserting in place thereof the following seven sections:—

*Section 180A.* The following words, as used in this section and in sections one hundred and eighty B to one hundred and eighty F, inclusive, shall, unless the context otherwise requires, have the following meanings:—

“Theatrical engagement”, any engagement or employment of a person as an actor, performer or entertainer in a circus, agricultural fair, vaudeville, banquet and other stage performances, stage productions in theaters, including floor shows, so called, in restaurants, clubs, beer gardens, tents, arenas, halls and similar places of amusement.

“Booking agent, personal agent or actor’s manager”, any person who holds himself out as an agent of a person who is seeking employment or who is available for a theatrical engagement, including actors, actresses, chorus girls or chorus boys, musicians and entertainers of all descriptions.

*Section 180B.* No person shall act as a booking agent, personal agent or actor’s manager, or engage, directly or indirectly, in the business of acting as an agent in the employment of persons for a theatrical engagement in the commonwealth unless he has obtained a license from the commissioner of public safety. Any person so licensed shall maintain one or more offices in the commonwealth.

Whoever violates the provisions of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

*Section 180C.* Any person wishing to obtain such a license shall apply in writing to the commissioner and in the form prescribed by said commissioner; and shall state, under the penalties of perjury, his name and address; the name under which he is to operate his business, if other than his true name; the street and number of the building or place where the business is to be conducted; the name and address of the individual who will actually direct and operate the placement activities of the agency; the length of time such individual has spent in the business of operating an agency for theatrical engagements. If the applicant is to engage in representing a booking agent, personal manager, or actor’s manager outside the commonwealth, he shall give the name and address of any such individual or outside agency. Such application shall be accompanied by affidavits of at least two reputable residents of the commonwealth that the applicant is a person of good moral character.

No license shall be granted except after publication of the application thereof, at the expense of the applicant, in a daily or weekly newspaper having circulation in the town or city in which the applicant's office is located, at least ten days prior to the granting thereof, and after a public hearing before the commissioner. The commissioner shall post a list of such applicants in a public place at the headquarters of the department of public safety for the ten days preceding such public hearing. A license may be refused or revoked at any time by the commissioner for good cause shown; provided, that the applicant or licensee shall have been given due notice to appear before the commissioner to show cause why the license should not be refused or revoked.

The said license shall be for a period of two years, and the fee therefor shall be two hundred dollars. No renewal of said license shall be granted unless the licensee complies with sections one hundred and eighty B to one hundred and eighty F, inclusive.

*Section 180D.* Every licensee who shall procure for, or offer to an actor, performer or entertainer, hereafter referred to as a client, a theatrical engagement, shall execute in triplicate a contract containing the name and address of the client; the name and address of the employer of the client and the person acting for such employer; the time and duration of such engagement; the amount to be paid to such client; the character of entertainment to be given or services to be rendered; the number of performances per day or per week that are to be given by said client; the name of the person by whom the transportation is to be paid, and the cost of transportation; and the gross commission or fees to be paid by said client and to whom. The licensee shall deliver to each party to the contract a copy thereof and shall keep a copy. The licensee procuring such engagement for such client shall keep a copy of such contract.

*Section 180E.* No license under section one hundred and eighty B shall be issued unless and until the applicant therefor deposits with the commissioner a bond for the faithful compliance by such applicant, as licensee, during the term of the license, with the provisions of sections one hundred and eighty A to one hundred and eighty D, inclusive, such bond to run to the commonwealth, to be in the sum of one thousand dollars, and to be in force during the term of the license. At the option of the commissioner, such bond shall have as sureties either two or more individuals or a surety company authorized to do business in the commonwealth.

*Section 180F.* Any person from whom any licensee under section one hundred and eighty B has withheld any sum in excess of the amount permitted under any agreement between the licensee and such person may, without expense to the commonwealth, bring an action in the name of the state treasurer upon the bond of such licensee, and may recover upon such bond for his own benefit, up to the sum of such bond, the amount improperly withheld from him by such licensee.

*Section 180G.* The commissioner of public safety shall make rules and regulations for the proper enforcement of sections one hundred and eighty A to one hundred and eighty F, inclusive.

*Approved September 20, 1960.*

**Chap. 667.** AN ACT DESIGNATING CERTAIN LAKES IN THE BREAKHEART RESERVATION, IN THE TOWN OF SAUGUS, AS THE JOHN A. W. PEARCE AND DOCTOR JOHN LEO SILVER LAKES, RESPECTIVELY.

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

The Wakesau lake in the Breakheart reservation in the town of Saugus is hereby designated as the John A. W. Pearce lake, and the Sauwake lake in said reservation is hereby designated as the Doctor John Leo Silver lake. The metropolitan district commission is hereby authorized and directed to erect in a conspicuous place on the shore of each of said lakes a marker bearing said designation.

*Approved September 20, 1960.*

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**Chap. 668.** AN ACT VALIDATING AND CONFIRMING THE ACTS AND PROCEEDINGS OF THE TOWN OF STONEHAM RELATIVE TO THE CREATION OF THE STONEHAM REDEVELOPMENT AUTHORITY, AND THE ELECTION OF MEMBERS TO SAID AUTHORITY.

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

SECTION 1. Notwithstanding the provisions of section twenty-six QQ of chapter one hundred and twenty-one of the General Laws, the action of the town of Stoneham taken at a special town meeting held in said town on December eighth, nineteen hundred and fifty-eight, in voting to authorize the creation of the Stoneham Redevelopment Authority is hereby confirmed and validated, to the same extent as if prior to said vote, said town had determined, at an annual or special town meeting called for the purpose, that there was a need in said town for a redevelopment authority. The elections of members to said authority at the annual town meetings held in said town on March second, nineteen hundred and fifty-nine, and March seventh, nineteen hundred and sixty, are hereby ratified and confirmed as of the date of said elections, and any action heretofore taken by the members of said authority, which would have been lawful had the authority been legally established, is hereby ratified and confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved September 26, 1960.*

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**Chap. 669.** AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF THE SUDBURY, ASSABET AND CONCORD RIVERS.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction of flood control and other works of improvement within the watershed areas of the Sudbury, Assabet and Concord rivers, and immediately to authorize an agreement with the federal government to provide for the payment of the cost of such construction by the federal government, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. The water resources commission, established under section eight of chapter twenty-one of the General Laws, in order to facilitate the performance of its duties, powers and obligations, is hereby authorized to enter into and execute with the United States Department of Agriculture an agreement or contract, in accordance with the provisions of the Watershed Protection and Flood Prevention Act (Public Law 566—83rd Congress 2nd Session), for the construction of certain works of improvement in the watershed areas of the Sudbury, Assabet and Concord rivers in the counties of Middlesex and Worcester for the purpose of flood prevention and related purposes, including water resources utilization, which project shall hereafter be designated as the SuAsCo watershed project.

SECTION 2. The water resources commission, acting on behalf of the commonwealth, may enter into an agreement providing for the construction of the following reservoirs for the storage of flood waters in said watershed area:—

1. Lower Reservoir on Hop brook, west of United States highway Route 20, above Smith pond, in the town of Northborough.

2. Reservoir on Rawson Hill brook, west of Prospect street in the town of Shrewsbury.

3. Reservoir on Cold Harbor brook, north of West Main street in the town of Northborough.

4. Reservoir on Assabet river, between Fisher street and Nourse street and west of Middle road in the town of Westborough.

5. Reservoir on Stirrup brook, upstream from Bartlett street in the town of Northborough and the city of Marlborough.

6. Reservoir on Barefoot brook, west of Solomon Pond road, in the town of Northborough.

7. Reservoir on the tributary of North brook, upstream from Pleasant street in the town of Berlin.

SECTION 3. The water resources commission, acting for and in behalf of the commonwealth, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise any land, water rights, rights of way, or other easements, public or private, in any of the towns mentioned in section two, necessary for accomplishing any purpose mentioned in this act, and may construct, maintain and operate in such town the flood control works provided for hereunder.

SECTION 4. When the Secretary of Agriculture of the United States and the water resources commission have agreed upon a place for works of improvement for flood prevention in the SuAsCo watershed, as provided in section one, the said commission may construct such works of improvement and shall be the contracting authority for the construction of such works. The water resources commission shall be charged with the operation and maintenance of the works constructed under this act. The costs to the commonwealth arising out of the operation and maintenance of the works constructed under this act shall be reimbursed by the towns benefited by such works. The share of each town so benefited shall be computed and determined annually as of June thirtieth for the preceding year by the commission.

SECTION 5. The commonwealth shall pay annually to any city or town mentioned in section two upon the presentation of a tax bill the tax losses on the real estate acquired under the provisions of section three. The tax losses shall be determined by taking the average assessed valuations of the land and structures located on the land at the time of acquisition for the three years next preceding the taking or acquisition by the water resources commission in the name of the commonwealth, multiplied by the then current tax rate. In the event there is a general revaluation of the assessed valuations of property in any of the said towns, the assessed valuations for the three-year period determined above shall be increased or decreased in the same proportion that the assessments on other properties in the town are increased or decreased.

The commission shall compute and determine the benefits accruing to each town, resulting from the construction and operation of specific dams and reservoirs, or other works of improvement. The commission shall assess the annual cost to the commonwealth of tax losses as determined in this section to each such city and town in proportion to the benefits, as determined in this paragraph.

The commission shall notify the state tax commission on or before January first of each year of the estimated net liability as determined by sections four and five of this act to be apportioned to any such city or town and on or before October fifteenth of each year, the commission shall certify to the state treasurer the amount to be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 6. In order that the water resources commission may carry out the provisions of this act and may enter into binding agreements or contracts therefor, the said water resources commission may expend a sum not exceeding one million three hundred thousand dollars; provided, however, that said commission shall negotiate an agreement providing for the reimbursement by the federal government of that portion of the engineering and construction costs relating to works of improvement for flood prevention of the SuAsCo watershed project before awarding any contract for the construction of said project.

SECTION 7. In anticipation of the receipt of the federal share of the cost of projects authorized by this act, the state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary, not exceeding in the aggregate one million dollars, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 8. To meet the expenditures necessary in meeting the cost of the commonwealth's share of the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, reg-

istered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of three hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, SuAsCo Watershed Project Plan, Act of 1960, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and seventy-five.

SECTION 9. The water resources commission may for purposes other than flood prevention increase the capacity of any reservoir constructed under this act within the sum authorized in section six.

*Approved September 26, 1960.*

**Chap. 670.** AN ACT REQUIRING CITIES AND TOWNS TO GRANT ANNUITIES TO THE SURVIVING SPOUSE, OR CHILDREN, OF CERTAIN OFFICIALS OR EMPLOYEES WHO HAVE BEEN RETIRED OR PENSIONED UNDER ANY NON-CONTRIBUTORY RETIREMENT LAW.

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

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 95A, inserted by section 1 of chapter 559 of the acts of 1958, and inserting in place thereof the following section:—  
*Section 95A.* For the purpose of promoting the public good, and in consideration of long and meritorious service of any official or employee who has been retired or pensioned under the provisions of any non-contributory retirement law or who was entitled to be retired under the provisions of any such law but who died before being retired under which such official or employee had no rights under the provisions of law relative to said retirement allowance or pension to elect that benefits be paid to a survivor, a city or town which accepts this section, in the manner hereinafter provided, shall grant an annuity to his surviving spouse, so long as such spouse survives and does not remarry, or, if there is no surviving spouse, to a legal guardian for the benefit of any surviving child who is unmarried and under age eighteen, in such amount as it may determine, but not to exceed one half of the regular annual compensation received by such official or employee or two thousand dollars, which ever is less; provided, that such official or employee had been permanently employed on a full-time basis by such city or town for not less than fifteen years; and provided, further, that such spouse or child is not receiving a retirement allowance or pension under the provisions of any general or special law.

This section shall take effect upon its acceptance in a city having a Plan D or Plan E charter by the affirmative vote of a majority of all the members of the city council; in a city not having such a charter by vote of the city council, subject to the provisions of the charter of such a city; and in a town by a majority vote at a town meeting.

SECTION 2. Section 97 of said chapter 32, as most recently amended by section 2 of chapter 513 of the acts of 1959, is hereby further amended by striking out, in line 3, the words “, ninety-five A”.

*Approved September 26, 1960.*

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**Chap. 671.** AN ACT TO INDEMNIFY THE FORMER REPRESENTATIVE OF THE PORT OF BOSTON COMMISSION FOR LOSS OF COMPENSATION.

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

In order to promote the public good and subject to appropriation there shall be allowed and paid from the state treasury to John H. Carroll the sum of ten thousand seven hundred and ten dollars, representing loss of compensation to him as a result of the abolition, on January thirty-first, nineteen hundred and fifty-four, by the Port of Boston Commission of the position held by him as Port of Boston representative.

*Approved September 26, 1960.*

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**Chap. 672.** AN ACT AUTHORIZING THE TOWN OF PHILLIPSTON TO PAY CERTAIN UNPAID BILLS.

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

SECTION 1. The town of Phillipston is hereby authorized to appropriate money for the payment of certain unpaid bills, and after such appropriation the treasurer of said town is hereby authorized to pay the following for services rendered the sums set forth after their respective names: R. H. Lawrence & Sons, eighteen dollars; Forrest Fletcher, nineteen dollars; Guy Newton, nine dollars; Ellsworth Stewart, nine dollars; Carroll Woodbury, six dollars; Peter Soderman, eighteen dollars; Stanley McDonald, Jr., four dollars and fifty cents; and to Kenneth H. Lawrence, one hundred twenty dollars and twenty-five cents for materials supplied and services rendered to said town. Said unpaid bills were incurred by said town as the result of emergency repairs to the Queen Lake Dam and the road leading to said dam in the year nineteen hundred and sixty.

Notwithstanding the provisions of any general or special law, the treasurer of said town is also hereby authorized to pay to Ernest E. Amidon and Lawrence C. Ward, selectmen of said town, the sums of one hundred and twenty-six dollars and twelve dollars, respectively, for services rendered by them to said town in making said emergency repairs to said Queen Lake Dam and to the road leading to said dam.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Phillipston present and voting thereon at a special town meeting called for the purpose in the year nineteen hundred and sixty.

*Approved September 26, 1960.*

**Chap. 673.** AN ACT REVIVING DENNY'S CAFE, INC.

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

Denny's Cafe, Inc., a corporation dissolved on December twenty-second, nineteen hundred and fifty-four, by decree of the supreme judicial court, is hereby revived with the same powers, duties and obligations as if said decree had not been entered and all acts and proceedings of the officers, directors and stockholders of said corporation acting as such, which would be legal and valid but for said decree of dissolution, are hereby ratified and confirmed.

*Approved September 26, 1960.*

**Chap. 674.** AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF FIRE PREVENTION REGULATIONS.

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

Section 14 of chapter 22 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 710 of the acts of 1945, and inserting in place thereof the following paragraph:—There shall be in the department, but, except as provided as to rules and regulations in section ten of chapter one hundred and forty-eight, not under the control of the commissioner, a board to be known as the board of fire prevention regulations, which shall consist of the fire marshal, ex officio, who may designate from time to time a person serving in the department to act temporarily as a member of such board, with the same powers and duties as other members of the board, and eight members to be appointed by the governor, with the advice and consent of the council, for terms of six years each. One shall be the head of a fire department, as such term is defined in section one of chapter one hundred and forty-eight, or a person having similar powers and duties, one shall be a representative of a national organization of fire underwriters, one shall be a representative of a national organization of professional chemical engineers, one shall be a representative of a national organization of electrical engineers, one shall be a representative of a national organization of mechanical engineers, one shall be a representative of owners of buildings subject to chapter one hundred and forty-three or a representative of real estate management organizations having control of buildings subject to said chapter, one shall be an electrical contractor, who has held a master electrician's license under chapter one hundred and forty-one for a period of not less than ten years, and one shall be an inspector of wires, who is the holder of an electrician's license under said chapter one hundred and forty-one and has been an inspector of wires under the provisions of chapter one hundred and sixty-six for a period of not less than ten years. The governor, with the advice and consent of the council, shall from time to time designate one member of said board as chairman.

*Approved September 26, 1960.*



**Chap. 675.** AN ACT PROVIDING FOR THE AMENDMENT OF A CERTAIN LEASE AND AGREEMENTS RELATIVE TO THE USE OF THE STATE FISH PIER AND ITS FACILITIES LOCATED IN THE CITY OF GLOUCESTER.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for an amendment of a certain lease and agreements for the use of the state fish pier and its facilities located in the city of Gloucester, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. The department of public works is hereby authorized and directed to amend its lease and agreements with the Gloucester Community Pier Association, Inc., relative to the use of the state fish pier located in the city of Gloucester, so as to extend the term of said lease to September thirtieth, nineteen hundred and eighty and so as to provide that the total consideration for such use shall be twenty-seven thousand dollars per year, payable in equal quarterly installments on the last day of each quarter. Said amendment shall take effect on the effective date of this act and the first payment shall be due and payable thereunder on the last day of the first quarter following said effective date. In consideration of the said extension hereinbefore provided, any payments required to be made or due on the effective date of this act from said lessee under the provisions of any lease or agreements negotiated prior to said effective day are hereby cancelled.

SECTION 2. Item 8259-97 of section 2 of chapter 650 of the acts of 1958 is hereby amended by striking out, in lines 2 to 7, inclusive, the words “; provided, that the Gloucester Community Pier Association, Inc., shall first execute a further extension of the agreement with the department, required by the provisions of chapter six hundred and sixty-three of the acts of nineteen hundred and forty-seven, to extend its lease or leases for a five-year period from its present termination on September thirtieth, nineteen hundred and sixty-nine”.

SECTION 3. The provisions of section two of this act shall take effect upon the execution of the amendment as provided in section one of this act.

*Approved October 3, 1960.*

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**Chap. 676.** AN ACT RELATIVE TO CONTROL OF AIR POLLUTION IN THE CITY OF BOSTON AND VICINITY.

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

SECTION 1. Chapter 111 of the General Laws is hereby amended by adding after section 142A the following two sections:—*Section 142B.* There is hereby established a metropolitan air pollution control district, to consist of the territory and waters comprised within the cities and towns of Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Dedham, Everett, Lynn, Malden, Medford, Melrose, Milton, Needham, Newton, Peabody, Quincy, Revere, Saugus, Somerville, Stoneham, Wakefield, Waltham, Water-

town, Weymouth, Winchester, Winthrop, and Woburn, and such other cities and towns as may, after application for admission to the said district, be admitted thereto by the department; provided, that said district shall at all times be composed of contiguous territory.

The department shall control the pollution of the atmosphere within said district. The department may from time to time, after a public hearing, prescribe and establish, amend or repeal, rules and regulations to prevent pollution or undue contamination of the atmosphere within said district.

Personnel of the department may in the performance of their duties under this section, enter and inspect any property, premise, or place, and may stop and detain for inspection any motor vehicle for the purpose of investigating either an actual or suspected source of air pollution or air contamination or of ascertaining compliance with any rule or regulation adopted hereunder. Any information relating to secret processes, methods of manufacture, or production obtained in the course of such inspection shall be kept confidential upon request.

This section shall not operate to abrogate any of the powers and duties, as defined by general or special law, of any agency or political subdivision of the commonwealth.

The department shall have power to order any person, corporation, or political subdivision having control of an air contamination source, other than an employee, to stop or abate violation of any of the rules and regulations adopted pursuant to this section or of any of the rules and regulations adopted under provisions of section one hundred and forty-two A. Any person, corporation, or political subdivision violating any order of the department shall be punished by a fine of not less than fifty nor more than one hundred dollars for the first offence and not less than two hundred nor more than five hundred dollars for each succeeding offence. For the purpose of this paragraph each subsequent day or part thereof of violation of such an order, whether such violation be continuous or intermittent, shall be construed as a separate and succeeding offence. The superior court sitting in equity, on petition of the department or any person authorized by the department shall have jurisdiction to restrain violations of any rules or regulations adopted pursuant to this section until such rules and regulations have been complied with.

Nothing in this section or in any rule or regulation adopted hereunder shall be construed as relieving, under any circumstances, any person, corporation, or political subdivision from responsibility or liability for any damages which may occur or for civil or criminal proceedings arising out of or as a result of any action of said person, corporation, or political subdivision, regardless of any action of the department, and persons other than the department shall not acquire actionable rights by virtue of such action.

The department shall maintain and operate such air sampling stations and devices; make or perform such routine and special examinations, inspections, observations, determinations, laboratory analyses, and surveys; maintain such records; and perform such other acts as it deems necessary to conduct an adequate air pollution control program within the metropolitan air pollution control district.

The commonwealth shall be reimbursed, as hereinafter provided, for all appropriations made by the general court and expended by the department for such purposes. The state treasurer shall issue his warrant requiring the assessors of the cities and towns of the metropolitan air pollution control district to assess a tax in the amount of the sums expended, one half of which shall be in proportion to their assessed valuations and one half of which shall be in proportion to their respective populations; provided, that any such city or town may in any year anticipate in whole or in part its assessment, and appropriate, raise, and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. The assessed valuations of the several cities and towns shall be the last preceding valuations made for purposes of apportioning the state tax.

*Section 142C.* Other air pollution control districts similar to that established by section one hundred and forty-two B may be formed upon approval of the department. Each such district shall be composed of two or more political subdivisions of the commonwealth and of contiguous territory. Cities or towns wishing to form such a district shall make joint application to the department, requesting the department to approve such district and to effect the control of air pollution therein. The powers, duties, and rights of the department in the exercise of air pollution control in such districts and the manner in which funds shall be made available to it shall be as provided in section one hundred and forty-two B.

SECTION 2. Upon the effective date of this act the division of smoke inspection, as established by chapter three hundred and fifty-two of the acts of nineteen hundred and thirty-four and transferred to the department of public health by chapter six hundred and seventy-two of the acts of nineteen hundred and fifty-four shall be abolished and all employees then in said division shall be transferred to the bureau of environmental sanitation without impairment of their civil service, retirement, seniority, or any other rights, and their continuity of service shall not be deemed to be interrupted within the meaning of either chapter thirty or chapter thirty-one of the General Laws.

SECTION 3. Chapter six hundred and fifty-one of the acts of nineteen hundred and ten, as amended, chapter one hundred and eighty-eight of the acts of nineteen hundred and thirty-six, chapter five hundred and forty-four of the acts of nineteen hundred and fifty, section six of chapter six hundred and seventy-two of the acts of nineteen hundred and fifty-four are hereby repealed; provided, that such provisions of said chapter six hundred and fifty-one of the acts of nineteen hundred and ten as apply to the classification of stacks, the prohibition of smoke emissions, and the method of observation shall remain in force and effect and have the status of rules and regulations adopted pursuant to section one hundred and forty-two B of chapter one hundred and eleven of the General Laws, as inserted by section one of this act, until superseded by such subsequent rules and regulations as may be adopted thereunder by the department of public health.

SECTION 4. Chapter two hundred and thirty-six of the acts of nineteen hundred, chapter thirty-seven of the acts of nineteen hundred and twenty-one, and chapter five hundred and twenty-six of the acts of nineteen hundred and forty-one, are repealed as of the first anniversary of the effective date of this act.

*Approved October 3, 1960.*

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**Chap. 677.** AN ACT PROVIDING THAT PERSONS APPLYING CHEMICALS TO CERTAIN WATERS TO CONTROL ALGAE, WEEDS AND OTHER AQUATIC NUISANCES BE LICENSED.

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

Chapter 111 of the General Laws is hereby amended by inserting after section 5D the following section:—*Section 5E.* No person shall for the purpose of controlling algae, weeds and other aquatic nuisances therein apply chemicals to a lake, pond, stream, or other body of water within the territorial limits of the commonwealth without first obtaining a license from the department. The department shall, upon payment of a fee of twenty-five dollars, issue such license to any person whom it deems responsible and qualified to apply chemicals to lakes, ponds, streams, and other bodies of water for the control of algae, weeds and other aquatic nuisances. Such license shall be valid for a period of two years, and may upon payment of a fee of twenty-five dollars be renewed by the department for a like period. It shall not be transferable or assignable. Any such license may be revoked for cause by the department. Any applicant or licensee aggrieved by the failure of the department to grant an original license or to renew the same or by the revocation of such license may, within thirty days after such failure or revocation, appeal in writing to a board of review, which is hereby created. Said board shall consist of the commissioner of public health, the commissioner of agriculture, the commissioner of natural resources, the director of the division of fisheries and game and the attorney general, or such persons as they may respectively designate to act in their stead. The board shall within twenty days of the receipt of such appeal give the appellant a hearing and shall, within thirty days after such hearing, render a decision which shall be a matter of public record.

The department may, after a public hearing, establish rules and regulations relative to the issuance of licenses and the application of chemicals for the control of algae, weeds and other aquatic nuisances and may from time to time amend the same in like manner and may provide penalties for violations of said rules and regulations not exceeding five hundred dollars for any one offence.

Whoever, not being licensed, applies chemicals to a body of water for the purpose of controlling algae, weeds and other aquatic nuisances, except as hereinafter provided, shall be punished by a fine of not less than twenty-five nor more than five hundred dollars.

This section shall not apply to employees and agents of the departments of public health, public works, and natural resources, or of the state reclamation board or of related federal agencies, while in the conduct of their official duties, nor shall it apply to the use of chemi-

cals in privately owned ponds from which there are no flowing outlets, or to algacides approved by the department and used by legally established water supply agencies to control taste and odors.

*Approved October 3, 1960.*

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**Chap. 678.** AN ACT PROVIDING THAT THE STATE DEPARTMENT OF PUBLIC HEALTH FURNISH DRUGS FOR THE TREATMENT OF CERTAIN RHEUMATIC FEVER PATIENTS.

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

Chapter 111 of the General Laws is hereby amended by inserting after section 14 the following section:—*Section 14A.* The department shall purchase and distribute to the boards of health in cities and towns penicillin and such other prophylactic drugs as the commissioner may approve for the treatment of persons recovering from rheumatic fever, and said local board of health may furnish such drugs free of cost to any such person when they are prescribed for him by his physician, provided that such person, or the person bound by law to support him, is unable to pay for such drugs.

*Approved October 3, 1960.*

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**Chap. 679.** AN ACT AUTHORIZING THE WACHUSETT MOUNTAIN STATE RESERVATION COMMISSION TO CONSTRUCT AND MAINTAIN A SKI AREA ON WACHUSETT MOUNTAIN.

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

SECTION 1. The Wachusett Mountain State Reservation Commission, established by chapter three hundred and seventy-eight of the acts of eighteen hundred and ninety-nine, is hereby authorized and directed to construct, maintain, operate or lease on Wachusett mountain, a ski area with facilities appurtenant thereto.

SECTION 2. To carry out the purposes of this act there shall be allowed and paid out of the treasury of the commonwealth such sums not to exceed two hundred and fifty thousand dollars, as may be appropriated.

SECTION 3. The commission is hereby authorized to charge reasonable fees for the use of said ski area and its facilities. The county treasurer of Worcester county shall hold all income derived from said ski area in a separate fund and shall pay annually any income received in excess of necessary expenses to the state treasurer until such time as the commonwealth has been reimbursed for any sums advanced under section two.

SECTION 4. The necessary expense for care and maintenance of said ski area, in excess of any income that may be derived therefrom, shall be annually estimated by the Wachusett Mountain State Reservation Commission, and shall be embodied by the county commissioners of the county of Worcester in the estimate annually submitted by them to the general court, and shall be assessed upon said county and collected in the same manner as are county taxes.

SECTION 5. The county treasurer of said county shall hold, sub-

ject to the order of the Wachusett Mountain State Reservation Commission, all sums raised by taxation in the manner provided in section four of this act, and all other sums that may be given or bequeathed to said commission for the purposes of said ski area, as the Wachusett Mountain Ski Area Fund. *Approved October 3, 1960.*

**Chap. 680.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO PAY A SUM OF MONEY TO BESSIE L. CAMPBELL.

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

For the purpose of discharging a moral obligation, the county commissioners of Barnstable county are hereby authorized to pay to Bessie L. Campbell the sum of fifteen hundred dollars as compensation for injuries suffered and medical expenses incurred by her as a result of a fall at the registry of deeds of said county of Barnstable.

*Approved October 3, 1960.*

**Chap. 681.** AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND IN THE TOWN OF WEST SPRINGFIELD TO SAID TOWN.

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

The commissioner of natural resources, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to convey for a nominal consideration to the town of West Springfield, by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to a certain parcel of land in said town, and bounded and described as follows:—

Beginning at a point in the southerly side of Westfield road at the northeast corner of a tract of land shown on a plan recorded in Hampden County Registry of Deeds in Book of Plans 31, Page 86, entitled, "Plan of Land in West Springfield to be Conveyed by Commonwealth of Massachusetts to C. Lyell Woodward and Cecilia R. Woodward, Dated June, 1950", and running thence easterly along the southerly side of Westfield Road four hundred fifty and four hundredths (450.04) feet to an iron pin, said iron pin being about two hundred forty-three (243) feet westerly of a county highway bound said pin being the northwesterly corner of land now or formerly of one Aschenbach;

thence running South  $1^{\circ} 26' 30''$  East, by owner unknown, one hundred eight and five hundredths (108.05) feet to a concrete bound;

thence running South  $1^{\circ} 39' 30''$  West, by owner unknown, one hundred twenty-one and sixty-two hundredths (121.62) feet to a concrete bound;

thence running South  $16^{\circ} 29' 30''$  West by land now or formerly of E. K. Phillips, four hundred thirty (430) feet to a concrete bound;

thence running South  $83^{\circ} 52' 30''$  East by land now or formerly of E. K. Phillips, two hundred ninety-five and sixty-six hundredths

(295.66) feet to a concrete bound at land now or formerly of Aschenbach;

thence running South  $6^{\circ} 07' 30''$  West, two hundred fifty-three and seventy-five hundredths (253.75) feet by land of Aschenbach to a concrete bound;

thence running North  $85^{\circ} 53'$  West forty-three and thirty-two hundredths (43.32) feet by Aschenbach to a concrete bound;

thence running South  $8^{\circ} 14' 23''$  West, two thousand one hundred twenty-one and fifty-two hundredths (2,121.52) feet by Aschenbach to a concrete bound;

thence running South  $4^{\circ} 16' 43''$  West three hundred ninety-nine and fifteen hundredths (399.15) feet by Aschenbach to a concrete bound;

thence running South  $5^{\circ} 12' 20''$  West one hundred fifty and twenty hundredths (150.20) feet by Aschenbach to a concrete bound located in the northerly right of way line of the Boston and Albany Railroad;

thence running Southwesterly, westerly, and northwesterly along said northerly right of way line of said Boston and Albany Railroad three thousand one hundred twenty-seven and seventy-one hundredths (3,127.71) feet to an iron pipe at land now or formerly of Arthur Sibley;

thence running North  $72^{\circ} 35' 30''$  East four hundred eighteen and forty-two hundredths (418.42) feet along land of said Sibley to a concrete bound;

thence running North  $10^{\circ} 09' 30''$  West along land of said Sibley four hundred fifty-three and fifty hundredths (453.50) feet to a concrete bound at the southeast corner of land now or formerly of Arthur Sibley;

thence running North  $73^{\circ} 22'$  East seven hundred eighty-nine and eighty-five hundredths (789.85) feet to a concrete bound;

thence running North  $18^{\circ} 22' 30''$  East, one thousand eight hundred fifty and forty-four hundredths (1,850.44) feet to a concrete bound;

thence running North  $85^{\circ} 22' 30''$  East five hundred seventy-four and ninety-two hundredths (574.92) feet to a point;

thence running North  $10^{\circ} 29' 02''$  East, three hundred seventeen and seventeen hundredths (317.17) feet to a point;

thence running North  $4^{\circ} 37' 30''$  East one thousand two hundred ten (1,210) feet to a concrete bound set at the southeast corner of said land;

thence running North  $31^{\circ} 37' 40''$  West along the Easterly line of said land one hundred sixteen and eighty hundredths (116.80) feet to a concrete bound;

thence running Northerly along the Easterly line of said land four hundred twenty-eight (428) feet more or less to the Westfield Road at the place of beginning;

containing ninety-one and seven hundredths (91.07) acres of land, more or less.

Said premises shall be conveyed subject to the express restriction and condition that said land shall be held and used by said town for park, recreation or conservation purposes; and said premises shall be so conveyed only if said town acquires by purchase or takes by eminent domain, within three years after the effective date of this act, a

strip of land three hundred feet wide connecting said above described premises with the town park, which strip shall be adjacent to and on the northerly side of the railroad tracks on the northerly side of the Westfield river.

*Approved October 3, 1960.*

**Chap. 682.** AN ACT RELATING TO CERTAIN PROCEEDINGS OF THE TOWN OF WEYMOUTH AND VALIDATING THE AUTHORIZATION OF SEWER BONDS.

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

SECTION 1. The proceedings taken by the town of Weymouth under Article 11 of the warrant for the special town meeting held April twenty-fifth, nineteen hundred and sixty, are hereby validated and bonds or notes may be issued accordingly under chapter four hundred and twelve of the acts of nineteen hundred and sixty.

SECTION 2. Notwithstanding anything to the contrary contained in said proceedings, any federal aid received in connection with the project may in the discretion of the treasurer and board of selectmen of the town be applied to the cost of the project in lieu of the proceeds of bonds or notes.

SECTION 3. This act shall take effect upon its passage.

*Approved October 10, 1960.*

**Chap. 683.** AN ACT CHANGING THE JOB GROUP CLASSIFICATIONS OF CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC WELFARE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is to change immediately the job group classifications of certain positions in the department of public welfare, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Notwithstanding any provision of law to the contrary, the director of personnel and standardization is hereby authorized and directed to re-allocate the position of social worker in the department of public welfare from job group XI to job group XII; the position of head social worker in said department from job group XIII to job group XIV; and the position of supervisor of social service in said department from job group XV to job group XVI, as established in subdivision (1) of section forty-six of chapter thirty of the General Laws.

SECTION 2. This act shall take effect as of July first, nineteen hundred and sixty.

*Approved October 10, 1960.*

**Chap. 684.** AN ACT AUTHORIZING THE TOWN OF LEICESTER TO PAY A CERTAIN SUM OF MONEY TO CHARLES FARRAR CO. FOR MATERIALS DELIVERED TO THE TOWN.

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

SECTION 1. For the purpose of discharging a moral obligation, the town of Leicester may appropriate and pay to Charles Farrar Co. the



sum of eighteen hundred and fifty dollars for materials delivered by the said company to the said town in the year nineteen hundred and fifty-nine.

SECTION 2. Any appropriation voted by said town at its annual town meeting in the year nineteen hundred and sixty, pursuant to the provisions of this act shall be valid and effective to the same extent as though this act were in effect at the time of the posting of the warrant for said meeting.

SECTION 3. This act shall take effect upon its passage.

*Approved October 10, 1960.*

**Chap. 685.** AN ACT FURTHER REGULATING ABSENT VOTING AND THE DUTIES OF ELECTION OFFICERS WITH RESPECT THERETO.

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

SECTION 1. Clause (c) of section 87 of chapter 54 of the General Laws is hereby amended by striking out the first paragraph of the first affidavit, as most recently amended by section 3 of chapter 466 of the acts of 1945, and inserting in place thereof the following paragraph:—

State of  
County of

, ss

I, , do solemnly swear that I am a registered voter in the city or town of  
Massachusetts, in precinct , ward ; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, that I have marked, enclosed and sealed the within ballot as stated hereon by the person taking my oath; and that I have marked said ballot in, and that I will mail it at a post office situated in, the city or town of , in the state or country of

(Signature)

SECTION 2. Section 92 of said chapter 54, as most recently amended by section 4 of said chapter 466, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—He shall mark said ballot in the presence of an official authorized by law to administer oaths, and of no other person, in a municipality other than the city or town wherein the voter is registered, or, if he applied for said ballot because he would be unable by reason of physical disability to cast his vote in person at the polling place on election day, he may mark said ballot in any municipality, or, if on the day of the biennial state election he will be on the high seas in the prosecution of the business of fishing or as a mariner, he may mark said ballot in the presence of the city or town clerk and of no other person, in the municipality wherein he is registered.

SECTION 3. Said chapter 54 is hereby further amended by striking out section 95, as most recently amended by chapter 70 of the acts of 1959, and inserting in place thereof the following section:—*Section 95.* The warden or his deputy in each polling place shall forthwith, after delivery of the envelopes purporting to contain official absent voting ballots as provided in section ninety-four, and after the ballots cast have been removed from the ballot box, open all envelopes so de-

livered, and shall compare the signatures on the envelopes therein enclosed with the signatures on the applications attached thereto, except in the case of ballots prepared under section ninety-eight, and shall examine the affidavits on such envelopes. If the affidavits are properly executed and sufficiently disclose that the ballots were marked and mailed or delivered as required by sections ninety-two and ninety-three, and if the signatures on the affidavits of the voters appear to have been executed by the same persons who signed the applications, and to be the signatures of duly registered voters who have not voted at the election, he shall make public announcement of the names of the absent voters, open the envelopes in such manner as not to destroy the affidavits thereon, take out the ballots without unfolding them, or permitting them to be opened or examined, and, after checking the names of the absent voters on the voting list, shall deposit the ballots in the ballot box. If he finds an envelope wherein the affidavit has been improperly executed, or does not sufficiently disclose that the ballot was marked and mailed or delivered as required by said sections ninety-two and ninety-three, or was not signed by the person who signed the accompanying application, or if the voter whose name appears thereon is not a registered voter or has voted in person, he shall not open the envelope, but shall mark across the face thereof "Rejected as defective", "Rejected as not a voter", "Voted in person", as the case may be. If he finds an envelope to bear an affidavit executed in violation of section ninety-two before an official who is a candidate for election at the election, he shall not open the envelope, but shall mark across the face thereof "Rejected as defective". All envelopes, open or unopened, shall be retained with the ballots cast at the election, and preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots. The tally sheets in use at elections shall provide in convenient form for the recording thereon of all envelopes, as well as all accepted or rejected ballots of absent voters.

*Approved October 10, 1960.*

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**Chap. 686.** AN ACT EXTENDING THE TIME DURING WHICH THE SOLDIERS' HOME IN HOLYOKE SHALL BE OPEN FOR ADMISSIONS OF ELIGIBLE VETERANS.

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

The Soldiers' Home in Holyoke and the hospital attached thereto shall be open for admissions of eligible veterans between the hours of eight o'clock A.M. and four o'clock P.M. on Saturdays and Sundays, in addition to being open on all other days of the week.

*Approved October 10, 1960.*

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**Chap. 687.** AN ACT FURTHER REGULATING THE REGISTRATION OF PERSONS WHOSE PRINCIPAL BUSINESS IS THE SALE OF MILK AND REQUIRING THE REGISTRATION OF BROKERS, JOBBERS AND AGENTS SUPPLYING MILK TO SUCH PERSONS.

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

Chapter 94 of the General Laws is hereby amended by striking out

section 16F, inserted by section 3 of chapter 305 of the acts of 1932, and inserting in place thereof the following section:—*Section 16F.* Each person, not a producer of milk, whose principal business is the sale at wholesale or retail of milk, shall, before commencing to transact such business, register as a dealer with the director, and shall thereafter annually so register during the month of June, and upon every such registration shall state the address of each of his places of business, the names and addresses of producers, milk plants, receiving stations, or pasteurization plants supplying him the milk, with the number of quarts of milk supplied by each producer or from each such other source during the last calendar month preceding registration. No such person so registered shall buy or exchange milk from or through a broker or jobber or other person acting as an agent in the sale or exchange of milk, unless such broker, jobber, or agent also shall have registered with the director at the time specified above and shall have stated the address of each of his places of business, the names and addresses of all sources of milk supply for which he has acted during the last twelve calendar months preceding such registration, and shall have granted the director or his representative free access to all books of record in so far as they may pertain to volumes, dates, points of origin and points of delivery of milk. The director may require each such person, broker, jobber, or agent to prepare and submit to him, upon a form furnished by him therefor, a further statement of similar information for any one calendar month. Every statement shall be verified by oath or written declaration that it is made under the penalties of perjury. Registrations made under this section shall expire on the following June thirtieth, and applications for renewals thereof shall be made on forms furnished by the director.

*Approved October 10, 1960.*

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**Chap. 688.** AN ACT RELATIVE TO THE SALARY OF THE CLERK OF THE THIRD DISTRICT COURT OF PLYMOUTH.

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

SECTION 1. Chapter four hundred and twenty-one of the acts of nineteen hundred and fifty-three is hereby repealed, effective as of January first, nineteen hundred and sixty.

SECTION 2. The salary of the clerk of the third district court of Plymouth shall be in accordance with the salary schedule set forth in paragraph (2) of section seventy-nine of chapter two hundred and eighteen of the General Laws, inserted by section one of chapter six hundred and nine of the acts of nineteen hundred and fifty-nine, effective as of the effective date of said chapter six hundred and nine.

*Approved October 10, 1960.*

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**Chap. 689.** AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ERECT CERTAIN MARKERS IN THE TOWN OF METHUEN.

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

The department of public works is hereby authorized and directed to erect and maintain suitable markers at the Frederick G. Edwards

square and the August Mathison square in the town of Methuen to replace markers which were destroyed in the construction of route 93.

*Approved October 10, 1960.*

**Chap. 690.** AN ACT PROVIDING FOR REIMBURSEMENT BY THE COMMONWEALTH TO THE TOWN OF CHESTER FOR CERTAIN EXPENDITURES FOR VETERANS' BENEFITS.

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

There shall be allowed and paid out of the state treasury to the town of Chester, subject to appropriation and subject to the approval of the commissioner of veterans' services, such sum, not exceeding thirteen hundred and nine dollars and fifty cents, as said town would have been entitled to receive in reimbursement for veterans' benefits paid by it in the years nineteen hundred and fifty-seven, nineteen hundred and fifty-eight and nineteen hundred and fifty-nine under the provisions of section six of chapter one hundred and fifteen of the General Laws, had said town made a proper and seasonable report thereof to said commissioner as required by said section six.

*Approved October 10, 1960.*

**Chap. 691.** AN ACT LIMITING THE NUMBER OF LICENSES WHICH MAY BE ISSUED BY A CITY OR TOWN FOR THE SALE OF ALCOHOLIC BEVERAGES.

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

Section 17 of chapter 138 of the General Laws, as most recently amended by chapter 310 of the acts of 1953, is hereby further amended by adding at the end the following paragraph:—

Notwithstanding the provisions of this section, the number of licenses which a city or town was authorized to grant in nineteen hundred and thirty-three under this section shall not be decreased because of any loss in population, but only because of cancellation, revocation or failure to renew existing licenses, and no further original licenses shall be granted in a city or town where the population has decreased since nineteen hundred and thirty-three until the number of licenses outstanding shall have been reduced for the aforementioned reasons to a number which is less than that which may be granted based on such reduced population and thereafter the number of licenses in force and effect at any one time during the license year shall be based on such reduced population as provided in this section.

*Approved October 10, 1960.*

**Chap. 692.** AN ACT AMENDING THE PROCEDURE FOR THE AWARD OF CONTRACTS FOR BUILDINGS BY GOVERNMENTAL UNITS.

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

Section 44A of chapter 149 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 1 of chap-

ter 590 of the acts of 1957, and inserting in place thereof the following paragraph:—Every contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building by the commonwealth or by any governmental unit thereof, estimated to cost more than five thousand dollars in the case of the commonwealth, and more than two thousand dollars in the case of any governmental unit thereof, shall be awarded to the lowest responsible and eligible general bidder on the basis of competitive bids in accordance with the procedure set forth in the provisions of sections forty-four B to forty-four L, inclusive. The awarding authority shall prepare for bidding purposes a sufficient number of sets of plans and specifications so that there will be available without cost or charge, except for a deposit for return of the same in good condition, two complete sets of plans and specifications for each general bidder requesting same and one complete set of plans and specifications for each sub-bidder requesting the same. The award of every such contract in connection with which approval by an officer, board or agency of the federal government is required shall be made within thirty days, Saturdays, Sundays and legal holidays excluded, after such approval; and the award of every contract subject to this section in connection with which approval by an officer, board or agency of the federal government is not required shall be made within thirty days, Saturdays, Sundays and legal holidays excluded, after the opening of the general bids therefor. If the general bidder selected as the general contractor fails to perform his agreement to execute a contract in accordance with the terms of his general bid and furnish a performance bond and also a labor and materials or payment bond as stated in his general bid in accordance with section forty-four F, an award shall be made to the next lowest responsible and eligible general bidder. The thirty-day time limit shall not be applicable to a second or subsequent award made after the expiration of the time limit with the consent of said next lowest responsible and eligible general bidder and his sub-bidders, and made because the original award made within the time limit was invalid, or because the general bidder failed to execute the general contract or to provide a performance bond and labor and materials or payment bond.

*Approved October 10, 1960.*

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**Chap. 693.** AN ACT ABOLISHING THE APPROVING AUTHORITY FOR SCHOOLS FOR NURSES AND SCHOOLS FOR PRACTICAL NURSES AND TRANSFERRING ITS POWERS AND DUTIES TO THE BOARD OF REGISTRATION IN NURSING, INCREASING THE MEMBERSHIP OF SAID BOARD AND PROVIDING AN EXECUTIVE SECRETARY THEREFOR.

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

SECTION 1. Chapter 13 of the General Laws is hereby amended by striking out section 13, as amended by section 1 of chapter 350 of the acts of 1953, and inserting in place thereof the following section:—*Section 13.* There shall be a board of registration in nursing, in this section and in sections fourteen to fifteen D, inclusive, called the board, consisting of twelve members, each a resident of the common-

wealth, to be appointed by the governor, with the advice and consent of the council. Five members of the board shall be registered nurses, each a graduate of a different school for nurses duly approved in accordance with chapter one hundred and twelve, who at the time of appointment shall have been registered in the commonwealth to practice, and shall have been actively engaged in practice as a registered nurse for at least eight years. At the time of appointment one of the said registered nurses shall be on the teaching staff of a collegiate school for nurses so approved, one shall be on the teaching staff of a diploma school for nurses so approved, one shall be on the teaching staff of a school for practical nurses so approved, one shall be on the nursing service administration staff of a hospital duly licensed in accordance with chapter one hundred and eleven, and one shall be practicing in the field of public health. One member of the board shall be a licensed practical nurse who at the time of his appointment shall have been licensed in the commonwealth, and shall have been actively engaged as a licensed practical nurse or licensed attendant for at least eight years, and who shall be a graduate of a school for practical nurses or attendants which, at the time of his graduation, shall have been duly approved in accordance with chapter one hundred and twelve. Two members of the board shall be qualified physicians, each of whom at the time of his appointment shall have been registered in the commonwealth, and shall have actively engaged in the practice of medicine for at least eight years. Two members of the board shall be hospital administrators, each of whom at the time of his appointment shall be the administrator of a hospital maintaining a school for nurses duly approved and neither of whom shall be a physician or nurse. Two members of the board shall be, at the time of appointment trustees of different hospitals each maintaining such a duly approved school, and neither of such members shall be a physician or nurse. As the term of office of a member expires, his successor shall be appointed for a term of six years.

SECTION 2. Section 14 of said chapter 13, as appearing in section 2 of chapter 620 of the acts of 1941, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:—The board shall appoint an executive secretary who at the time of appointment shall hold a bachelor's degree, shall have been registered to practice as a registered nurse in the commonwealth for at least eight years, shall have been actively engaged in such practice for at least eight years, during at least five years of which he shall have served on the teaching or administrative staff of a school for nurses duly approved in accordance with chapter one hundred and twelve, and who shall continue to be so registered so long as he shall hold the said office. He shall not be a member of the board, shall not be subject to chapter thirty-one, shall perform under the direct supervision of the board such duties as the board shall from time to time designate, and shall receive such salary as may be fixed in accordance with chapter thirty.

SECTION 3. Section 15 of said chapter 13, as amended by section 14 of chapter 730 of the acts of 1955, is hereby further amended by striking out, in line 2, the words “, except the secretary,”.

SECTION 4. Section fifteen A of said chapter thirteen, as most recently amended by section three of chapter three hundred and fifty of the acts of nineteen hundred and fifty-three, is hereby repealed.

SECTION 5. Section fifteen B of said chapter thirteen, as appearing in section two of chapter six hundred and twenty of the acts of nineteen hundred and forty-one, is hereby repealed.

SECTION 6. Section fifteen C of said chapter thirteen, as amended by section fifteen of chapter seven hundred and thirty of the acts of nineteen hundred and fifty-five, is hereby repealed.

SECTION 7. Section 15D of said chapter 13, as appearing in said section 2 of chapter 620 of the acts of 1941, is hereby amended by striking out, in line 2, the words "and of the approving authority",— and by striking out, in lines 4 and 5, the words "and by said approving authority and by any member thereof,".

SECTION 8. Section 74 of chapter 112 of the General Laws, as most recently amended by section 1 of chapter 415 of the acts of 1959, is hereby further amended by inserting after the word "inclusive," in line 2, the words:—eighty-one A, eighty-one B and eighty-one C,— and by striking out, in lines 8 to 12, inclusive, the words "approving authority for schools for nurses and schools for practical nurses established by section fifteen A of chapter thirteen, in this section and in sections seventy-four A, seventy-five and eighty-one A to eighty-one C, inclusive, referred to as the approving authority," and inserting in place thereof the word:—board.

SECTION 9. Section 74A of said chapter 112, as most recently amended by section 2 of said chapter 415, is hereby further amended by striking out, in line 7, the words "approving authority" and inserting in place thereof the word:—board.

SECTION 10. Section 75 of said chapter 112, as amended by section 7 of chapter 350 of the acts of 1953, is hereby further amended by striking out, in line 5, the words "approving authority" and inserting in place thereof the word:—board.

SECTION 11. Section 81A of said chapter 112, as amended by section 11 of said chapter 350, is hereby further amended by striking out, in lines 2, 8 and 18, the words "approving authority" and, in lines 10, 13, 14 and 19, the word "authority" and inserting in place thereof, in each instance, the word:—board.

SECTION 12. Section 81B of said chapter 112, as amended by section 12 of said chapter 350, is hereby further amended by striking out, in line 2, the words "approving authority" and, in lines 7 and 8, the words "approving authority for schools for nurses or for practical nurses" and inserting in place thereof, in each instance, the word:—board.

SECTION 13. Section 81C of said chapter 112, as appearing in section 3 of chapter 620 of the acts of 1941, is hereby amended by striking out, in line 1, the words "approving authority" and inserting in place thereof the word:—board.

SECTION 14. Any member of the board of registration in nursing holding office immediately prior to the effective date of this act shall continue to serve until the expiration of the term for which he was appointed.

The terms of office of the six additional appointive members of the board of registration in nursing provided by section thirteen of chapter thirteen of the General Laws, as amended by section one of this act, shall, as the governor may designate, expire as follows:—one each

on October first in the years nineteen hundred and sixty-one, nineteen hundred and sixty-two, nineteen hundred and sixty-three, nineteen hundred and sixty-four, nineteen hundred and sixty-five and nineteen hundred and sixty-six.

SECTION 15. Any person who immediately prior to the effective date of this act is permanently employed by the approving authority for schools for nurses and schools for practical nurses is hereby transferred to the service of the board of registration in nursing without loss of any rights; and any such person shall retain all salary step-rate increases earned during his service with the said authority, and for purposes of retirement all such service shall be deemed to be creditable.

SECTION 16. All records of the approving authority for schools for nurses and schools for practical nurses are hereby transferred to the board of registration in nursing; and all orders, rules and regulations of the said authority in effect immediately prior to the effective date of this act shall thereafter continue in effect in accordance with their terms unless and until revised, suspended or revoked by the said board in accordance with chapter one hundred and twelve of the General Laws, as amended by this act.

SECTION 17. Any funds available for expenditure by the approving authority for schools for nurses and schools for practical nurses immediately prior to the effective date of this act are hereby transferred to and made available for expenditure by the board of registration in nursing.

SECTION 18. All orders, rules and regulations of the board of registration in nursing in effect immediately prior to the effective date of this act shall thereafter continue in effect in accordance with their terms unless and until revised, suspended or revoked by the said board in accordance with said chapter one hundred and twelve, as so amended; and all registrations and licenses issued by the said board prior to the effective date of this act shall continue until their expiration dates, unless suspended or revoked by the said board in accordance with the said chapter, as so amended.

SECTION 19. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved October 10, 1960.*

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**Chap. 694.** AN ACT PROVIDING LIFE TENURE FOR ANNA R. CURRAN, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF LEICESTER.

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

SECTION 1. The tenure of office of Anna R. Curran, incumbent of the office of town accountant of the town of Leicester, shall, upon the effective date of this act, be unlimited. Said incumbent shall not be removed from office except for just cause and for reasons specifically given her in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance by said town at the annual town meeting in the year nineteen hundred and sixty-one in the form of the following question, which shall be placed upon



the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act providing life tenure for Anna R. Curran, incumbent of the office of town accountant of the town of Leicester', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved October 10, 1960.*

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**Chap. 695.** AN ACT INCREASING THE MONTHLY TRANSPORTATION ALLOWANCE UNDER THE OLD AGE ASSISTANCE LAW.

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

Section 1 of chapter 118A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 1 of chapter 728 of the acts of 1955, and inserting in place thereof the following paragraph:—

Each local board of public welfare shall include in the budget of each recipient an item, to be known as "Leisure Time Activities", under which there shall be paid to each recipient the sum of four dollars monthly in addition to the budgetary requirements or any other assistance granted under the provisions of this section and an item, to be known as "Transportation Allowance", under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of four dollars monthly.

*Approved October 10, 1960.*

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**Chap. 696.** AN ACT DESIGNATING A CERTAIN OVERPASS IN THE CITY OF LOWELL AS THE LOUIS J. LORD MEMORIAL OVERPASS.

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

The overpass at Middlesex street and Thorndike street in the city of Lowell shall be known and designated as the Louis J. Lord Memorial Overpass, and a suitable marker bearing said designation shall be erected and maintained thereon by the state department of public works.

*Approved October 10, 1960.*

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**Chap. 697.** AN ACT AUTHORIZING THE COUNTY OF BARNSTABLE TO EXPEND MONEY FOR LAND USE PLANNING AND THE ECONOMIC DEVELOPMENT OF SAID COUNTY.

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

SECTION 1. The county commissioners of the county of Barnstable may, for the purpose of protecting the interests of said county and to provide for land use planning and economic development thereof, expend such sums, not exceeding in the aggregate, twenty-five thousand dollars, as may be appropriated therefor. For the purposes of this act, the county may accept gifts, donations, and contributions, and expend such sums providing they have been deposited with the county treasurer. Said commissioners may expend such sums, whether they are appropriated or otherwise received, for research and planning of

the land and water areas of said county that, in their judgment, will accomplish the purposes of this act, and may advertise, prepare, print and distribute books, maps, charts, and pamphlets and take any other action, which in their judgment, will further the purposes of this act.

SECTION 2. The state secretary shall cause to be placed on the official ballot to be used in the towns in Barnstable county at the biennial state election in the year nineteen hundred and sixty the following question:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act authorizing the county of Barnstable to expend money for land use planning and the economic development of said county', be accepted?" If a majority of the votes cast in said county in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved October 10, 1960.*

**Chap. 698.** AN ACT RELATIVE TO THE ALL ALCOHOLIC BEVERAGES CLUB LICENSE OF THE YD CLUB, BOSTON CHAPTER YANKEE DIVISION VETERANS' ASSOCIATION, CALLED THE YD CLUB OF BOSTON.

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

Notwithstanding the provisions of any general or special law to the contrary, the YD Club, Boston Chapter Yankee Division Veterans' Association, called the YD Club of Boston, shall not be deprived of its all alcoholic beverages club license by reason of the sale of its premises and the cessation of business at said premises. Said licensee may apply to the licensing board of the city of Boston for a transfer of the license to another location, and in the event that a suitable location is not available which is approved by said board, said license shall be reserved for the licensee until such time as a suitable location is approved, but in no event shall said license be reserved for a period longer than two years from the passage of this act. The licensee shall be entitled to a rebate of the fee which has been prepaid for that period during which it did not exercise said license, and the rebate shall be prorated in accordance with the local licensing fees, and if it has not been able to obtain an approved location at the end of a license year it shall have the right to renewal of said license upon the filing of a renewal application and upon the payment of one tenth of the local license fee. When such licensee shall have obtained an approved location, the license fee shall be paid for the balance of the year on a pro rata basis.

*Approved October 10, 1960.*

**Chap. 699.** AN ACT REQUIRING THE SUBMISSION TO THE VOTERS OF THE COUNTY OF BERKSHIRE AT THE BIENNIAL STATE ELECTION IN THE CURRENT YEAR THE QUESTION OF PERMITTING THE PARI-MUTUEL SYSTEM OF BETTING ON LICENSED HORSE RACING IN SAID COUNTY OF BERKSHIRE.

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

SECTION 1. Notwithstanding any limitations imposed by section

fourteen of chapter one hundred and twenty-eight A of the General Laws as to the time for voting in the cities and towns of Berkshire county upon the questions therein set forth, the state secretary shall cause to be placed on the official ballot to be used in the cities and towns of the county of Berkshire at the biennial state election in the current year, the following question:—"Shall the pari-mutuel system of betting on licensed horse races be permitted in this county?"

YES.	<input type="checkbox"/>
NO.	<input type="checkbox"/>

SECTION 2. If a majority of the votes in answer to said question is in the negative, the pari-mutuel system of betting on horse races shall not be permitted in said county of Berkshire during the years nineteen hundred and sixty-one and nineteen hundred and sixty-two.

SECTION 3. Except for Berkshire county this act shall in no way affect the operation of section fourteen of chapter one hundred and twenty-eight A of the General Laws and the question provided for in said section fourteen shall be placed on the official ballot to be used in the cities and towns of Berkshire county at the biennial state election in the year nineteen hundred and sixty-two and in every fourth year thereafter.

SECTION 4. This act shall take effect upon its passage.

*Approved October 14, 1960.*

**Chap. 700.** AN ACT AUTHORIZING THE TOWN OF BOXFORD TO APPROPRIATE FUNDS FROM ITS STABILIZATION FUND FOR THE CONSTRUCTION OF AN ADDITION TO THE COLE ELEMENTARY SCHOOL.

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

SECTION 1. Notwithstanding any contrary provision of section five B of chapter forty of the General Laws, the town of Boxford may, by a two thirds vote, appropriate from its stabilization fund at a special town meeting to be held during the current year, the sum of eighty thousand dollars, said sum to be applied to the construction of an addition to the Cole Elementary School.

SECTION 2. This act shall take effect upon its passage.

*Approved October 17, 1960.*

**Chap. 701.** AN ACT CREATING THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY, DEFINING ITS POWERS AND DUTIES, ABOLISHING THE NEW BEDFORD, WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY AND TRANSFERRING ITS ASSETS AND LIABILITIES TO SAID NEWLY CREATED AUTHORITY.

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

SECTION 1. *The Woods Hole, Martha's Vineyard and Nantucket Steamship Line.*—As used in this act the word "Authority" unless the context shall indicate another or different meaning or intent, shall mean the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority created by section three of this act, or if said Authority shall

be abolished, the board, body or commission succeeding to the principal functions thereof, or to whom the powers given by this act to the Authority shall be given by law.

In order to provide adequate transportation of persons and necessities of life for the islands of Nantucket and Martha's Vineyard, the Authority is hereby authorized and empowered to purchase, construct, maintain and operate necessary vessels, docks, wharves, other vessels, equipment, furniture and supplies and to issue its revenue bonds payable solely from revenues, or funds as hereinafter authorized in section nine of this act.

SECTION 2. *Credit of the Commonwealth not Pledged.*—Steamship bonds issued under the provisions of this act shall not be deemed to constitute a debt of the commonwealth, nor a pledge of the faith and credit of the commonwealth, but the bonds shall be payable solely from the funds herein provided therefor. All such bonds shall contain on the face thereof a statement to the effect that neither the Authority nor the commonwealth shall be obligated to pay the same, or the interest thereon except as herein provided, and that the faith and credit of the commonwealth are not pledged to the payment of the principal or of the interest on such bonds.

SECTION 3. *The Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.*—There is hereby created a body corporate to be known as the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, which shall be deemed to be a public instrumentality for the purpose of this act, and by that name the Authority may sue and be sued, plead and be impleaded, contract and be contracted with, and shall have an official seal and may alter the same at pleasure.

The Woods Hole, Martha's Vineyard and Nantucket Steamship Authority shall consist of three persons to be appointed as follows:—one resident of the town of Nantucket by the selectmen thereof; one resident of the county of Dukes county by the county commissioners thereof; and one resident of the town of Falmouth by the selectmen thereof, each of whom shall serve for a term of three years and until his successor has been appointed and qualified. The successor of each member shall be appointed in a like manner for a like term, except that any person appointed to fill a vacancy shall serve only for the period of the unexpired term. Any member may be removed for cause by the selectmen of the town or the commissioners of the county of which he was a resident at the time of his appointment.

The chairmanship of said Authority shall rotate every year in the following order: first, the member from Nantucket; second, the member from the county of Dukes county; and third the member from the town of Falmouth.

The Authority shall elect one of the members as vice-chairman and as secretary, and shall also elect a treasurer who need not be a member of the Authority. Two members of the Authority shall constitute a quorum, and the vote of two members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority. Before the issuance of any steamship bonds under the provisions of this act, each member of the Authority shall execute a surety bond to the commonwealth, with a

surety company authorized to transact business in this commonwealth as surety in the penal sum of ten thousand dollars, and the treasurer shall execute such a bond in the penal sum of twenty thousand dollars conditioned upon the faithful performance of the duties of his office. Each such surety bond shall be approved by the attorney general and filed in the office of the state secretary. The members of the Authority shall serve without compensation. Each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties. All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act, and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which moneys shall have been provided under authority of this act.

SECTION 4. *General Grant of Powers.*—The Authority is hereby authorized and empowered—

(a) To acquire, maintain, repair and operate a steamship line.  
(b) To issue bonds of the Authority payable solely from the funds herein provided for such payment for the purpose of paying for replacements and new construction or acquisition of vessels and other facilities required to provide adequate service, the total amount to be outstanding at any one time, including refunding bonds but excluding the bonds to be refunded thereby, not to exceed six million dollars.

(c) To fix, from time to time, such rates of fare and charges for service furnished or operated as in the judgment of its members are best adapted to insure sufficient income to meet the cost of the service, as hereinafter defined. Rates so fixed shall be and remain in effect until changed by the Authority unless the department of public utilities shall upon petition and after a public hearing disapprove them. Such disapproval, if any, shall not be retroactive in effect.

The cost of the service shall include (1) operating expenses, (2) taxes, (3) rentals, (4) interest on all indebtedness of the Massachusetts Steamship Lines, Incorporated and the New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, created by section three of chapter five hundred and forty-four of the acts of nineteen hundred and forty-eight, if any, (including amortization of discount or premium) assumed by the Authority and still outstanding, (5) interest and amortization (including amortization of discount or premium) on bonds or notes of the Authority issued under this act, (6) such allowance as the Authority may deem necessary or advisable for depreciation of property and for obsolescence and losses in respect to property sold, destroyed or abandoned, (7) salaries and wages of all officers and employees appointed or employed by or subject to the supervision of the Authority, and, to the extent authorized by the Authority, pensions and retirement allowances, if any, to present and former employees of said Massachusetts Steamship Lines, Incorporated and said New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority and employees of the Authority, (8) all other expenditures and charges which are properly chargeable against income or surplus.

(d) To adopt by-laws for the regulation of its affairs and the conduct of its business.

(e) To acquire, hold and dispose of real and personal property, including additional vessels and fixtures, for its corporate purposes; to

lease or charter any of its vessels when in the opinion of the Authority they are not required for the purposes of this act; and to contract by license, lease, charter or other arrangement for the provision of excursion service by other persons to and from the islands of Martha's Vineyard and Nantucket from any point on the mainland of the commonwealth, when it shall be deemed necessary or desirable to serve the purposes of this act.

(f) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ consulting engineers, superintendents, managers, accounting experts, attorneys and such other employees and agents as may be necessary in its judgment, and to fix their compensation, provided that all such expenses shall be solely from the proceeds of bonds issued under the provisions of this act or of chapter five hundred and forty-four of the acts of nineteen hundred and forty-eight, as amended, or from the revenues of the operation of the steamship line.

(g) To receive and accept from any federal agency grants for or in aid of the acquisition or operation of the steamship line, and to receive and to accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made; and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

(h) To employ, in so far as may be practicable, the regular employees of said New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, and to recognize such seniority and pension benefits as the said employees currently enjoy under any health, sickness or retirement program.

(i) To insure its employees under the provisions of the Employment Security Law and to become liable for payments instead of contributions as provided in subsection (o) of section fourteen of chapter one hundred and fifty-one A of the General Laws.

**SECTION 5. *Steamship Bonds.***—The Authority is hereby authorized to provide by resolution at one time or from time to time for the issuance of bonds of the Authority for the purpose of paying for replacements and new construction or acquisition of vessels and other facilities required to provide adequate service. The principal and interest of such bonds shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates not exceeding four and a half per centum per annum, shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of the bonds. The Authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within the commonwealth. In case any officer whose signature or a facsimile of whose

signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The Authority may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the Authority, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than four and a half per centum per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity.

The proceeds of such bonds shall be used solely for replacements and new construction or acquisition of vessels and other facilities required to provide adequate service and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide. The Authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

The Authority is hereby authorized to provide by resolution for the issuance of refunding bonds of the Authority for the purpose of refunding any bonds that are outstanding and issued under the provisions of this act or of said chapter five hundred and forty-four of the acts of nineteen hundred and forty-eight, as amended, including payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the Authority, for the additional purpose of purchasing additional vessels or equipment. The issuance of such bonds, the maturities and other details thereof, and the duties of the Authority in respect to the same, shall be governed by the provisions of this act in so far as the same may be applicable.

While any bonds issued by the Authority or by said New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority remain outstanding, the powers, duties or existence of the Authority shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

Except as provided in this act no person shall operate a vessel of more than one hundred gross tons for the carriage of passengers, vehicles or freight for hire by water between the mainland of the commonwealth and the island of Martha's Vineyard or the island of Nan-

tucket or between said islands unless licensed or permitted in writing so to do by the Authority. The superior court shall have jurisdiction, on a petition in equity by the Authority, to enjoin any such operation.

SECTION 6. *Exemption from Taxation.*—The exercise of the powers granted by this act will be in all respects for the benefit of the people of the commonwealth, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of the steamship line by the Authority will constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any property acquired or used by the Authority under the provisions of this act or upon the income therefrom, and the bonds and refunding bonds issued under the provisions of this act, their transfer and the income therefrom (including any profit made on the sale thereof), shall at all times be free from taxation within the commonwealth.

SECTION 7. Section 12 of chapter 63 of the General Laws is hereby amended by inserting after paragraph (s) the following:—

(t) Bonds issued by the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.

SECTION 8. *Trust Agreement.*—In the discretion of the Authority such bonds or refunding bonds shall be secured by a trust agreement by and between the Authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage the vessels, equipment or property. Either the resolution providing for the issuance of bonds or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the Authority in relation to the acquisition, improvement, maintenance, operation, repair and insurance of the project, and the custody, safeguarding and application of all moneys.

It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the Authority. Such trust agreement may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action by bondholders as is customary in trust agreement or trust indentures securing bonds and debentures of corporations. In addition to the foregoing, such trust agreement may contain such other provisions, including a provision for a sinking fund, as the Authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the steamship line.

SECTION 9. *Revenues.* The revenues derived from the operation of the steamship line shall be set aside at regular intervals in the following order, in the following amounts and for the following purposes, all as may be provided in the resolution authorizing the issuance of bonds:



First: to an operations fund, an amount sufficient to pay the cost of maintenance, repair and operation of the steamship line and to maintain working capital for such purposes, in an amount not exceeding two hundred thousand dollars;

Second: to the sinking fund, an amount sufficient to provide for the payment of the interest on and for the amortization and payment of the principal of all bonds as the same shall become due and payable;

Third: to a replacement fund, if so provided in such resolution, such amount, if any, as the Authority may deem necessary or advisable for depreciation of property and for obsolescence and losses in respect to property sold, destroyed or abandoned;

Fourth: to the reserve fund, an amount sufficient to maintain said fund at the amount of two hundred thousand dollars; and

Fifth: to the sinking fund, all of the remaining revenues, to be used within a reasonable time for the purchase or redemption of bonds.

Whenever the income of the Authority is insufficient to meet the cost of the service, as defined in section four, the reserve fund shall be used as far as necessary to make up said deficiency.

If as of the last day of December in any year the amount remaining in the reserve fund shall be insufficient to meet the deficiency hereinbefore referred to, the Authority shall notify the state treasurer of the amount of such deficiency, less the amount, if any, in the reserve fund applicable thereto, and the commonwealth shall thereupon pay over to the Authority the amount so ascertained and the Authority shall apply the amount so received from the commonwealth in payment of such deficiency. Pending such payment, the Authority shall borrow such amount of money as may be necessary to enable it to make all payments as they become due.

If as of the last day of December in any year the reserve fund shall exceed the amount established therefor, the Authority shall apply any excess so far as necessary to reimbursing the commonwealth for any amounts which it may have paid to the Authority under the provisions hereof and the commonwealth shall thereupon distribute the amounts so received to the towns assessable for a deficiency, as provided in this section, in proportion to the amounts for which they may be so assessed.

In order to meet any payment required of the commonwealth under this section, the state treasurer may borrow at any time, in anticipation of the assessments to be levied upon the towns hereinafter specified, such sums of money as may be necessary to make said payments and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient.

In case the commonwealth shall be called upon in the calendar year nineteen hundred and sixty-one to pay the Authority any amount under this section on account of any such deficiency for the calendar year nineteen hundred and sixty, such amount with interest or other charges incurred in borrowing the money for the purpose, except such amounts as may be appropriated by the general court therefor, shall be assessed on the city of New Bedford and the towns of Falmouth and Nantucket and the county of Dukes county, in the following proportions, viz.: forty per cent on the city of New Bedford; ten per cent on the town of Falmouth; twenty per cent on the town of Nantucket;

and thirty per cent on the county of Dukes county. The county commissioners of the county of Dukes county shall allocate such assessment upon said county to be paid severally by the towns in said county, excepting the town of Gosnold, in the same proportions as in the assessment of the county tax.

In case the commonwealth shall be called upon in the calendar year nineteen hundred and sixty-two or in any subsequent calendar year to pay the Authority any amount under this section on account of any such deficiency for the calendar year nineteen hundred and sixty-one or any subsequent calendar year, such amount with interest or other charges incurred in borrowing the money for the purpose, except such amounts as may be appropriated by the general court therefor, shall be assessed on the towns of Falmouth and Nantucket and the county of Dukes county, in the following proportions: ten per cent on the town of Falmouth; forty per cent on the town of Nantucket; and fifty per cent on the county of Dukes county. The county commissioners of the county of Dukes county shall allocate such assessment upon said county to be paid severally by the towns in said county, excepting the town of Gosnold, in the same proportions as in the assessment of the county tax.

If at any time the Authority has not sufficient cash to make the payments required in the course of its management and operation of the steamship line and other properties under its control, the Authority may temporarily borrow money and issue notes of the Authority therefor.

**SECTION 10. *Trust Funds.***—All moneys received pursuant to the authority of this act, whether as proceeds from the sale of bonds or as revenues, shall be deemed to be trust funds, to be held and applied solely as provided in this act. The Authority shall, in the resolution authorizing the issuance of bonds or in the trust agreement, provide for the payment of the proceeds of the sale of such bonds, and all revenues to be received, to any officer who, or to any agency, bank or trust company which, shall act as trustee of such funds and shall hold and apply the same to the purposes hereof, subject to such regulations as this act and such resolution or trust agreement may provide.

**SECTION 11. *Bonds Eligible for Investment.***—Bonds and refunding bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section forty of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by paragraph 2 of section fifty of chapter one hundred and sixty-eight of the General Laws. Such revenue bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any

agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

SECTION 12. *Remedies.*—Any holder of bonds or refunding bonds issued under the provisions of this act or of any of the coupons appertaining thereto, and the trustee under the trust agreement, if any, except to the extent the rights herein given may be restricted by such resolution or trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such resolution or trust agreement, and may enforce and compel the performance of all duties required by this act or by such resolution or trust agreement to be performed by the Authority or by any officer thereof, including the fixing, charging and collecting of tolls and charges for the use of the project.

SECTION 13. *Report.*—On or before the thirtieth day of January in each year, the Authority shall make an annual report of its activities for the preceding calendar year to the governor and to the general court. Each such report shall set forth a complete operating and financial statement covering its operations during the year. The Authority shall cause an audit of its books to be made at least once in each year by the state auditor, and the cost thereof may be treated as part of the operating expenses. Such audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

SECTION 14. *Finance Advisory Board.*—There is hereby created and established a board to be known as the finance advisory board of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority which shall consist of three members; one member to be elected by the voters of the town of Falmouth for a term of one year; one member to be elected by the voters of the county of Dukes county for a term of two years; one member to be elected by the voters of the town of Nantucket for a term of three years. Upon the expiration of the term of a member a successor shall be elected in like manner for a term of two years. Said board shall have the power to review the annual budget of the Authority and advise the Authority members concerning any financial aspect of the operation of the Authority, and may limit or modify any advertising expenditures. It shall have access to such books, records and files of the Authority it may deem necessary or desirable for the exercise of its powers. The members of the board shall serve without compensation but shall be reimbursed from the funds of the Authority for any actual expenses necessarily incurred in the performance of their duties.

SECTION 15. *Miscellaneous.*—If transportation of passengers on the steamship line of the Authority is interrupted by reason of any group of employees calling a strike or going out on strike, or causing any such stoppage or slow down, or by reason of any other labor dispute, the provisions of chapter one hundred and fifty B of the General Laws shall apply, in so far as they are applicable.

Any member, agent or employee of the Authority who contracts with the Authority or is interested, either directly or indirectly in any contract with the Authority, other than a contract relating to labor or wages, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year or both.

No member of the Authority shall be in the employ of, or be in any way, directly or indirectly, financially interested in any person, partnership, corporation or association having any business or financial transactions with the Authority, or which is furnishing any transportation of freight or passengers in the area of the Authority, or rendering any service similar to that performed by the Authority.

SECTION 16. *Abolition of New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority and transfer of its assets and liabilities to Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.*—Said New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority is hereby abolished; and all its assets, including its real property, shall, without further conveyance and by virtue of this act, be and become vested in said Woods Hole, Martha's Vineyard and Nantucket Steamship Authority; and all its outstanding indebtedness and liabilities shall, without further action and by virtue of this act, be assumed by said Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.

When used in any instrument acknowledging indebtedness or other obligation the words "New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority" shall mean said Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.

All books, records and papers in the possession of the said New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority shall, upon the effective date of this act, be turned over to said Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.

Nothing contained in this act or in said chapter five hundred and forty-four of the acts of nineteen hundred and forty-eight, as amended by chapter one hundred and forty-two of the acts of nineteen hundred and forty-nine, chapter four hundred and forty-nine of the acts of nineteen hundred and fifty-four, chapter six hundred and twenty-two of the acts of nineteen hundred and fifty-four, and chapter seven hundred and forty-seven of the acts of nineteen hundred and fifty-six, shall be deemed or construed to require that said Woods Hole, Martha's Vineyard and Nantucket Steamship Authority provide ferry runs or transportation of passengers, vehicles or freight to or from any point on the mainland of the commonwealth to or from any other such point or to or from the islands of Martha's Vineyard or Nantucket; provided, however, that except in cases of emergency or necessity ferry runs or such transportation shall be provided to and from the port of Woods Hole to and from said islands.

SECTION 17. *Act Liberally Construed.*—This act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 18. *Constitutional Construction.*—The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 19. *Inconsistent Laws Inapplicable.*—All other general or special laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act.

SECTION 20. *Effective Date.*—This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved October 18, 1960.*

**Chap. 702.** AN ACT PROVIDING SURVIVORSHIP BENEFITS TO CERTAIN ELIGIBLE CHILDREN OF FEMALE MEMBERS UNDER THE CONTRIBUTORY RETIREMENT LAW.

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

Section 12B of chapter 32 of the General Laws is hereby amended by inserting after the second paragraph, as appearing in section 2 of chapter 515 of the acts of 1959, the following paragraph:—

If a female member in service who has two full years of creditable service dies and leaves a husband and children of said deceased member who are under the age of eighteen or over said age and physically or mentally incapacitated from earning on the date of the death of the member, there shall be paid to the husband for the benefit of all such children an allowance of fifty dollars a month for one child plus an allowance of thirty-five dollars for each additional child. If there is no surviving husband of such member or her surviving husband dies, an additional allowance of one hundred dollars a month shall be added to the allowances payable for the benefit of such children, and such amount shall be paid as above provided in equal shares for such surviving children to a legally appointed guardian.

*Approved October 18, 1960.*

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**Chap. 703.** AN ACT RESTORING CERTAIN RIGHTS UNDER THE STATE RETIREMENT LAW TO THE WIDOW OF FRANK YATES.

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

Notwithstanding any provision of law to the contrary, Esther Yates of Fall River, widow of Frank Yates who was a former employee of the state department of public works and a veteran eligible for retirement under section fifty-eight of chapter thirty-two of the General Laws, and who died on December fourteenth, nineteen hundred and fifty-eight and prior to making application for such retirement, shall be entitled to the rights granted a surviving spouse of a veteran under the provisions of section fifty-eight B of said chapter thirty-two.

*Approved October 18, 1960.*

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**Chap. 704.** AN ACT TO CONSOLIDATE COMBINED JEWISH APPEAL OF GREATER BOSTON, INC. AND ASSOCIATED JEWISH PHILANTHROPIES, INC.

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

SECTION 1. Combined Jewish Appeal of Greater Boston, Inc., a corporation incorporated under chapter one hundred and eighty of the General Laws, is hereby authorized to consolidate with and into Associated Jewish Philanthropies, Inc., a corporation incorporated under said chapter one hundred and eighty, and said Associated Jewish Philanthropies, Inc. shall thereupon in all respects be a continuation of and shall have all of the powers, privileges and exemptions of each of the constituent corporations and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to the constituent corporations.

SECTION 2. Upon such consolidation, all property, real, personal and mixed, and all rights, claims, demands and interests, legal or equitable, of each of the constituent corporations and all devises, bequests, grants, conveyances and gifts heretofore and hereafter made to or for either of the constituent corporations shall vest in and for the benefit of the consolidated corporation and otherwise shall be held by the consolidated corporation subject to the same terms, conditions, limitations, uses and trusts to which they are now held by each respective constituent corporation or to which they would have been held by such respective constituent corporation but for this act, and the treasurers of each of the constituent corporations shall be and are hereby respectively authorized to execute and deliver all papers and documents that they may respectively deem necessary or proper for confirming in the consolidated corporation the record title to the property of the constituent corporations. The rights of creditors of each of the constituent corporations shall not in any manner be impaired, nor shall any liability or obligation or any claim or demand existing against the constituent corporations be released or impaired by such consolidation, but the consolidated corporation shall be deemed to have assumed, and shall be liable for, all liabilities and obligations of each of the constituent corporations in the same manner and to the same extent as if the consolidated corporation had itself incurred such liabilities or obligations. No action or proceeding pending at the time of the consolidation before any court or tribunal in which either constituent corporation is a party shall abate or be discontinued by reason of such consolidation but may be prosecuted to final judgment as though no consolidation had taken place, or such consolidated corporation may be substituted as a party in place of either constituent corporation by the court in which such action or proceeding is pending.

SECTION 3. Upon such consolidation the members of Associated Jewish Philanthropies, Inc. shall be the members of the consolidated corporation unless and until the consolidated corporation may, by an amendment to its by-laws, provide for a different membership, and the members of the board of trustees, executive committee and officers of Associated Jewish Philanthropies, Inc. shall be, until their successors are chosen and qualified, members of the board of trustees, executive committee and officers of the consolidated corporation, which shall be governed by the by-laws of said Associated Jewish Philanthropies, Inc. in effect at the time of consolidation, until amendment by the consolidated corporation.

SECTION 4. Associated Jewish Philanthropies, Inc. may, prior to or after such consolidation, effect such addition to or change of its purposes or change of its name as shall be approved by the commissioner of corporations and taxation pursuant to the procedure provided for by section eleven of said chapter one hundred and eighty.

SECTION 5. Such consolidation shall take effect when this act shall have been accepted by votes of the board of trustees of each of the constituent corporations, and copies of said respective votes of acceptance certified by the respective secretaries of such corporations shall have been filed with the state secretary, who is hereby authorized and directed to accept such filing.

SECTION 6. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as

the general court may constitutionally grant or confer without prejudice to any proceeding that may be instituted in the supreme judicial court or any court of competent jurisdiction to effect the purposes of this act.

SECTION 7. From and after the consolidation, the consolidated corporation may hold real and personal estate to an amount not exceeding twenty-five million dollars, anything in the laws of the commonwealth to the contrary notwithstanding.

*Approved October 20, 1960.*

**Chap. 705.** AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE SECOND DISTRICT COURT OF SOUTHERN WORCESTER AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

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

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws, as appearing in section 1 of chapter 675 of the acts of 1958, is hereby amended by inserting after the line reading "central district court of Worcester," the following line:—second district court of southern Worcester.

SECTION 2. Section 78 of said chapter 218, as appearing in section 2 of said chapter 675, is hereby amended by striking out line 33, reading "second district court of southern Worcester,".

*Approved October 21, 1960.*

**Chap. 706.** AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-ONE TO PROVIDE FUNDS FOR AN IN-SERVICE TRAINING PROGRAM FOR ENGINEERS.

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

SECTION 1. To provide funds for an in-service training program for engineers, the sum set forth in section two of this act is hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof and the conditions pertaining to appropriations in chapter five hundred and seven of the acts of nineteen hundred and sixty.

SECTION 2.

#### GENERAL FUND.

##### STATE PURPOSES APPROPRIATIONS.

**Boards and Commissions serving under Governor and Council.**

*Commission on Administration and Finance.*

Item		
0445-21	For the expenses of an in-service training program for engineering employees; provided, that the comptroller shall transfer to the General Fund the sum of eighty thousand dollars from the Highway Fund . . . . .	\$90,000 00

SECTION 3. This act shall take effect upon its passage.

*Approved October 24, 1960.*

**Chap. 707.** AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO APPROPRIATE MONEY ANNUALLY OR PERIODICALLY FOR THE PROPOSED CELEBRATION OF THE TWO HUNDRED AND FIFTIETH ANNIVERSARY OF THE INCORPORATION OF SAID TOWN.

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

SECTION 1. Notwithstanding the provisions of clause (27) of section five of chapter forty of the General Laws, the town of Tewksbury is hereby authorized to appropriate annually or periodically a sum of money to be expended for entertainment and other events in connection with the proposed celebration of the two hundred and fiftieth anniversary of its incorporation. Any money so appropriated shall be placed in a special fund, and the principal and accumulated income thereof shall be used in the year of the celebration of such anniversary.

SECTION 2. This act shall take effect upon its passage.

*Approved October 24, 1960.*

**Chap. 708.** AN ACT RELATIVE TO THE ANNUAL SURPLUS DISTRIBUTION ON INDUSTRIAL LIFE INSURANCE POLICIES.

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

Section 140 of chapter 175 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 12 of chapter 227 of the acts of 1943, and inserting in place thereof the following paragraph:—

On industrial life insurance policies the annual surplus distribution shall begin not later than the end of the fifth policy year, and shall annually be distributed in such manner as may be determined by the company with the approval of the commissioner, but such distribution shall not be made contingent upon the payment of future premiums.

*Approved October 24, 1960.*

**Chap. 709.** AN ACT PROVIDING THAT THE TERM OF OFFICE OF ANY PERSON APPOINTED TO FILL A VACANCY IN THE OFFICE OF COMMISSIONER OF MENTAL HEALTH OCCURRING DURING THE TERM EXPIRING IN NINETEEN HUNDRED AND SIXTY-TWO SHALL BE FOR A FULL TERM.

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

Notwithstanding the provisions of section ten of chapter thirty of the General Laws, the term of office of any person appointed after the passage of this act to fill a vacancy in the office of commissioner of mental health occurring during the term expiring in nineteen hundred and sixty-two shall be six years.

*Approved October 24, 1960.*

**Chap. 710.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE LAND OR EASEMENTS THEREIN FOR THE PURPOSE OF RELOCATING THE FACILITIES OF PUBLIC UTILITY COMPANIES.

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

Chapter 81 of the General Laws is hereby amended by inserting after section 7F the following section:—*Section 7G.* Whenever, in



connection with the laying out, widening, relocating, constructing or altering of a public way by the department, land or an easement therein owned by a public utility company is taken by the department by eminent domain under chapter seventy-nine, thereby necessitating the relocation of the facilities of such company, the department may acquire by purchase or otherwise or take by eminent domain under chapter seventy-nine such land or easements therein as such company may designate for the relocation of such facilities, and convey the same to such company. Such conveyance shall be in lieu of any damages for the value of the land or easements therein of such company so taken by the department, not including, however, any damages for the cost of such relocation for which the commonwealth may be liable.

*Approved October 24, 1960.*

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**Chap. 711.** AN ACT PLACING THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF MANSFIELD UNDER THE CIVIL SERVICE LAWS.

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

SECTION 1. Notwithstanding any provision of chapter five hundred and eighty-six of the acts of nineteen hundred and twenty to the contrary the office of chief of the fire department of the town of Mansfield shall, upon the effective date of this act, be subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws and rules. The person holding said office on said effective date shall be subjected to a qualifying examination by the division of civil service and, if he passes said examination, shall be certified for said office and deemed to be permanently appointed thereto without being required to serve a probationary period; if he fails to pass said examination, he may continue to serve in said office, but shall not be subject to said civil service laws.

SECTION 2. This act shall be submitted to the voters of the town of Mansfield at the annual town meeting in the year nineteen hundred and sixty-one, in the form of the following question which shall be placed upon the official ballot to be used at said meeting for the election of town officers:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled 'An Act placing the office of chief of the fire department of the town of Mansfield under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved October 24, 1960.*

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**Chap. 712.** AN ACT INCREASING THE SALARY OF THE DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT.

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

Section 15 of chapter 12 of the General Laws is hereby amended by striking out, in line 4, as appearing in section 1 of chapter 684 of the acts of 1956, the words "fourteen thousand one hundred" and inserting in place thereof the words:—seventeen thousand five hundred.

*Approved October 24, 1960.*

**Chap. 713.** AN ACT PROVIDING BENEFITS UNDER THE STATE RETIREMENT LAW FOR CERTAIN ORPHANS AND MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE PERMANENT SCHOOL PENSION FUND IN THE CITY OF BOSTON.

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

SECTION 1. Option (c) of subdivision (2) of section 12 of chapter 32 of the General Laws, as most recently amended by chapter 291 of the acts of 1958, is hereby further amended by adding at the end the following paragraph:—

If a spouse receiving an allowance as beneficiary under this option dies leaving any children of the deceased member and of such spouse who are under age eighteen, such amount as would have been paid to such spouse shall be divided into such number of equal shares as there are such children, and each such share shall be paid to a guardian for the benefit of each such child until the child reaches age eighteen.

SECTION 2. Section 2 of chapter 370 of the acts of 1959 is hereby amended by inserting after the word "Laws", in line 5, the words:— ; provided, that no such reimbursement shall be made with respect to any pension increase resulting from the enactment of this act.

SECTION 3. Section 1 shall take effect as of January first, nineteen hundred and fifty-nine and section 2 shall take effect as of September first, nineteen hundred and fifty-nine. *Approved October 24, 1960.*

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**Chap. 714.** AN ACT REPEALING THE REQUIREMENTS THAT POLL TAX BILLS HAVE PRINTED THEREON A NOTICE OF THE PERSONS ENTITLED TO EXEMPTION THEREFROM AND A CERTIFICATE FOR THE USE OF ANY PERSON CLAIMING SUCH EXEMPTION.

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

Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Seventeenth A, as most recently amended by chapter 316 of the acts of 1960, and inserting in place thereof the following clause:—

Seventeenth A, The poll of every male inhabitant of the commonwealth who is sixty-five years of age or over, or who, during the preceding calendar year, was a recipient of old age assistance or of aid furnished by a municipality from funds appropriated by it for the relief, support, maintenance and employment of the poor; provided, that such inhabitant makes written request for the exemption of his poll. If a male inhabitant who is sixty-five years of age or over shall in any year make such request, such request shall be deemed to continue in effect for subsequent years unless such inhabitant shall otherwise direct in writing.

*Approved October 24, 1960.*

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**Chap. 715.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO BORROW MONEY FOR CONSTRUCTING, EQUIPPING AND FURNISHING A COURT HOUSE IN THE TOWN OF STOUGHTON FOR THE DISTRICT COURT OF SOUTHERN NORFOLK, AND REPEALING THE LAW PROVIDING FOR SITTINGS OF SAID COURT IN THE TOWN OF CANTON.

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

SECTION 1. For the purpose of providing adequate court house ac-

commodations and facilities for the district court of southern Norfolk, the county commissioners of the county of Norfolk may erect in the town of Stoughton, equip and furnish, a suitable building.

SECTION 2. For the purpose aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding in the aggregate, four hundred thousand dollars, and may issue bonds or notes of the county thereof, which shall bear on their face the words, Norfolk County Court House Loan, District Court of Southern Norfolk, Act of 1960. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 4. Section 1 of chapter 218 of the General Laws, as amended, is hereby further amended by striking out all after the caption "*Norfolk*" and inserting in place thereof the following:—

The district court of northern Norfolk, held at Dedham; Dedham, Dover, Norwood, Westwood, Medfield, Needham and Wellesley.

The district court of East Norfolk, held at Quincy; Quincy, Randolph, Braintree, Cohasset, Weymouth, Holbrook and Milton; and, in criminal cases, concurrently with the second district court of Plymouth, that part of Scituate described in chapter three hundred and ninety-four of the acts of nineteen hundred and twelve. Arrests and service of process in such cases may be made by an officer qualified to serve criminal process in Cohasset. This provision shall not increase the judicial district of said court for the purposes of section seventy-eight.

The district court of southern Norfolk, held at Stoughton; Stoughton, Avon, Canton and Sharon.

The district court of western Norfolk, held at Wrentham; Franklin, Walpole, Bellingham, Foxborough, Medway, Millis, Norfolk, Wrentham and Plainville.

The municipal court of Brookline, held at Brookline; Brookline.

*Approved October 24, 1960.*

**Chap. 716.** AN ACT INCREASING THE REGISTRATION FEE FOR BEAUTY SHOPS WHICH LEASE BOOTHS THEREIN TO HAIRDRESSERS.

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

The fourth paragraph of section 87CC of chapter 112 of the General Laws, as appearing in section 8 of chapter 565 of the acts of 1943, is hereby amended by adding at the end the following two sentences:—  
Any shop which leases booths to hairdressers shall pay a fee of twenty-five dollars for the registration of such shop. The booth owners shall pay the regular shop fee.

*Approved October 26, 1960.*

**Chap. 717.** AN ACT RELATIVE TO THE FEES OF CERTAIN LICENSES ISSUED BY THE BOARD OF REGISTRATION OF HAIRDRESSERS.

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

Section 87CC of chapter 112 of the General Laws is hereby amended by striking out the schedule, as most recently amended by section 1 of chapter 388 of the acts of 1959, and inserting in place thereof the following schedule:—

APPLICANT.	Original.	Renewal.
School . . . . .	\$100 00	\$50 00
Beauty shop . . . . .	15 00	5 00
Manicure shop . . . . .	15 00	5 00
Hairdressers <sup>1</sup> . . . . .	15 00	3 00
Hairdressers <sup>2</sup> . . . . .	20 00	3 00
Hairdressers (non-residents) . . . . .	35 00	3 00
Hairdressers (re-examination) . . . . .	10 00	3 00
Operators . . . . .	15 00	3 00
Operators (re-examination) . . . . .	5 00	3 00
Operators (non-residents) . . . . .	25 00	3 00
Manicurist . . . . .	5 00	3 00
Manicurist (re-examination) . . . . .	3 00	3 00
Manicurist (non-residents) . . . . .	10 00	3 00
Instructors . . . . .	25 00	3 00
Instructors (re-examination) . . . . .	15 00	3 00
Demonstrators . . . . .	10 00	3 00
Duplicate certificate of registration, \$1.00.		
New certificate of registration to registered shop owners upon change of location, \$10.00.		
Temporary license for operator (non-resident), \$5.00.		
Temporary license for hairdresser (non-resident), \$10.00.		

<sup>1</sup> \$15.00 fee on hairdressers apply to such operators who have paid the \$15.00 fee for examination or the non-resident operators who have paid the \$25.00 fee.

<sup>2</sup> \$20.00 fee on hairdressers. This applies to such operators who have paid only \$10.00 for the operator's examination, or a \$20.00 fee for the non-resident operator's examination.

*Approved October 26, 1960.*

**Chap. 718.** AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY CERTAIN PARK LAND TO THE WILLIAM G. WALSH POST #369 AMERICAN LEGION INC., DEPARTMENT OF MASSACHUSETTS.

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

SECTION 1. The city of Boston acting by and through its parks

and recreation commission is hereby authorized to convey to William G. Walsh Post #369 American Legion Inc., Department of Massachusetts a parcel of land now held for park purposes, and being part of the T. V. Roberts playground located in said city, bounded and described as follows:—Beginning at a point on the southerly side of Dunbar avenue at the northwesterly corner of premises owned by the said Post #369, thence running in a southeasterly direction along land of said Post #369, 105 feet to a point; thence turning and running in a westerly direction 33.79 feet to a point, which point is 99.17 feet southerly from the point of beginning; thence turning and running in a northerly direction 99.17 feet to the point of beginning. Containing approximately 1675.5 square feet of land.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved October 26, 1960.*

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**Chap. 719.** AN ACT INCREASING THE NUMBER OF COURT OFFICERS WHO MAY BE APPOINTED IN THE SUPERIOR COURT FOR BRISTOL COUNTY.

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

Section 70 of chapter 221 of the General Laws is hereby amended by striking out the third paragraph, as appearing in chapter 697 of the acts of 1957, and inserting in place thereof the following paragraph:—

For Bristol, four for civil and criminal business, and one for civil business only, who shall, when required by the sheriff, attend the sessions of the supreme judicial or probate court when not in attendance on the superior court.

*Approved October 26, 1960.*

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**Chap. 720.** AN ACT AUTHORIZING THE TOWN OF CONCORD TO REFUND CERTAIN TAXES ERRONEOUSLY ASSESSED UPON AND COLLECTED FROM FINLEY MANUFACTURING CORP.

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

SECTION 1. The town of Concord is hereby authorized to refund to Finley Manufacturing Corp., a Massachusetts corporation having a usual place of business in said town, the sum of nine hundred and forty dollars and eighty cents, the same being the amount collected by said town from said corporation as taxes in the year nineteen hundred and fifty-seven upon certain personal property in said town which was exempt from local taxation.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Concord voting thereon at an annual or special town meeting called for the purpose.

*Approved October 26, 1960.*

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**Chap. 721.** AN ACT INCREASING EXAMINATION FEES CHARGED BY THE BOARD OF REGISTRATION OF CERTIFIED PUBLIC ACCOUNTANTS.

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

Section 87B of chapter 112 of the General Laws, as amended by sec-

tion 2 of chapter 510 of the acts of 1953, is hereby further amended by striking out, in line 5, the word "thirty-five" and inserting in place thereof the word:—forty,—so as to read as follows:—*Section 87B.* The board shall examine any citizen of the United States resident in the commonwealth and not less than twenty-one years of age, who may apply for a certificate, shall investigate his character and fitness, and shall require the payment of a fee of forty dollars. The fee for re-examination shall be fixed under regulations made by the board.

*Approved October 26, 1960.*

**Chap. 722.** AN ACT AUTHORIZING THE APPOINTMENT OF BUSINESS MANAGERS, ADJUTANTS AND ASSISTANT ADJUTANTS AT STATE INSTITUTIONS WITHOUT CIVIL SERVICE EXAMINATIONS.

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

Chapter 31 of the General Laws is hereby amended by striking out section 42, as amended by section 44 of chapter 238 of the acts of 1939, and inserting in place thereof the following section:—*Section 42.* Appointments of treasurers, stewards, business managers, adjutants and assistant adjutants in the institutional service of the commonwealth shall not be made from a civil service list established by examination. Whenever a vacancy occurs in the office of treasurer, or steward or business manager or adjutant or assistant adjutant at any institution of the commonwealth, the appointing authority shall certify to the director the name of a person believed to be competent by reason of training and experience to fill the vacancy, and shall give the director such information concerning the proposed appointee as he may require. The director shall immediately make a careful inquiry into the qualifications of the proposed appointee under such rules as the commission may, with the approval of the governor and council, establish; and if he is satisfied that the appointee is a competent person, with the requisite qualifications, he shall notify the appointing authority that the appointment is approved, and upon receipt of such notice the appointment shall take effect, subject to the provisions of law relating to the filing of bonds by the treasurers of institutions. If the director does not, within thirty days after the appointee is certified to him, notify the appointing authority of his approval, the appointment shall be void.

*Approved October 26, 1960.*

**Chap. 723.** AN ACT ESTABLISHING FEES FOR THE ISSUANCE OF ELECTRICIANS' LICENSES.

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

Section 3 of chapter 141 of the General Laws is hereby amended by striking out clause (3), as amended by section 1 of chapter 190 of the acts of 1954, and inserting in place thereof the following clause:—

(3) Persons desiring an examination shall make written application therefor, accompanied by an examination fee, which shall be twenty-five dollars for "Certificate A" and five dollars for "Certificate B". For each re-examination for "Certificate A", he shall pay fifteen

dollars and for "Certificate B", one dollar. A person passing an examination for a master electrician's license or a journeyman electrician's license shall, before being issued his license, pay a fee of twenty-five dollars for "Certificate A" or three dollars for "Certificate B", as the case may be. *Approved October 26, 1960.*

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**Chap. 724.** AN ACT PROVIDING BENEFITS FOR THE WIDOWS OF CERTAIN JUDGES.

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

SECTION 1. Chapter 32 of the General Laws is hereby amended by inserting after section 65B the following section:—*Section 65C.* A chief justice, justice, associate justice, judge or associate judge, hereinafter in this section called judge, who is retired or who resigns and who is entitled to a pension for life under the provisions of section sixty-five A, may elect to receive, in lieu thereof, a pension for life at a lesser annual rate with the provision that upon his death, leaving as a survivor a widow who was his spouse at the time of his retirement or resignation, two thirds of such pension for life at a lesser annual rate shall be paid to such widow. Such lesser annual rate shall be determined so that the value, on the date of such retirement or resignation, of the prospective payments to such judge and to such widow shall be the actuarial equivalent of the value of the pension for life to which such judge is entitled under the provisions of section sixty-five A. Such election shall be in writing on a prescribed form and filed with the appropriate retiring authority at the time of retirement or resignation or within thirty days thereafter. The computation of said actuarial equivalent shall be subject to supervision and verification in accordance with the provisions of section twenty-one by the actuary appointed by the commissioner of insurance.

If a judge who would be entitled, upon resigning, to a pension for life under section sixty-five A, dies before resigning, his widow shall receive a pension for life of two thirds of such pension for life at a lesser annual rate to which such judge would have been entitled had he, as of the date of death, resigned and had such pension for life at a lesser annual rate been computed under the first paragraph.

If a judge fifty-five years of age or over but under age seventy who would be entitled, upon resigning, to a pension for life under section sixty-five A except for not having attained age seventy, dies, his widow shall receive a pension for life computed as provided in the second paragraph except that, in making such computation, the proportion of the annual rate of salary payable to a judge under section sixty-five A, to wit, seventy-five per cent, shall be reduced by one per cent for each year or part thereof by which the date of death precedes the attainment of age seventy.

Pensions under this section shall be paid from the same source and in the same manner as the salaries of like judicial officers of the court from which the judge was retired or resigned or of which he was a judge at the time of death are paid.

The provisions of the second and third paragraphs shall not apply unless such widow and such deceased judge were living together at

the time of his death or, if living apart, they were living apart, in the opinion of the appropriate retiring authority, for justifiable cause other than desertion or moral turpitude on the part of such widow. Payments under said second and third paragraphs shall terminate upon the remarriage of such widow.

SECTION 2. This act shall take effect as of July first, nineteen hundred and sixty.

*Approved October 27, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, OCTOBER 27, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 724 of the Acts of 1960, entitled "An Act Providing Benefits for the Widows of Certain Judges" and the enactment of which received my approval on October 27, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose in that it will unnecessarily delay the retroactive effective date of the act.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, OCTOBER 27, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and twenty-four of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 725.** AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE MASSACHUSETTS REGIONAL GROUP OF THE BLINDED VETERANS ASSOCIATION, INC.

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

Chapter 8 of the General Laws is hereby amended by striking out



section 17, as most recently amended by section 2 of chapter 626 of the acts of 1960, and inserting in place thereof the following section:—*Section 17.* Whenever in the opinion of the superintendent of buildings there is space available, there shall be set apart and suitably furnished a room or rooms in the state house for the use of the Massachusetts department of The American Legion; of the United Spanish War Veterans, of the Disabled American Veterans of the World War, of the Veterans of Foreign Wars of the United States, of the American Veterans of World War II, AMVETS, of the Veterans of Indian Wars, of Italian American War Veterans of the United States, Incorporated, Department of Massachusetts, of the Jewish War Veterans of the United States, Department of Massachusetts, Inc., of the Polish-American Veterans of Massachusetts, Inc., of the Marine Corps League, Department of Massachusetts, Inc., of the Polish Legion of American Veterans, Department of Massachusetts, Inc., of the Veterans of World War I of the U.S.A., Department of Massachusetts, and of the Massachusetts Regional Group of the Blinded Veterans Association, Inc., respectively, such room or rooms to be under the charge of the state commanders of the respective departments, subject to this chapter. The headquarters thus established for each of the aforesaid departments shall be used for storing and preserving the records and other property of the department and relics and mementos of the World Wars and the Spanish War. *Approved October 27, 1960.*

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**Chap. 726.** AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE CERTAIN LAND FOR THE PURPOSE OF ENLARGING WALDEN POND STATE RESERVATION.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to authorize the department of natural resources to acquire forthwith certain land for the purpose of enlarging Walden Pond State Reservation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

The department of natural resources is hereby authorized and directed to acquire by purchase, subject to the approval of the governor and council, or to take by eminent domain a certain parcel of land situated in the towns of Concord and Lincoln, containing approximately twenty-five acres, and being bounded and described as follows:—Northerly by land of the town of Concord and land now or formerly of one Sliman, easterly by land now or formerly of the Woodland Trust, southerly by land now or formerly of George Tarbell and land of the county of Middlesex and westerly by land of the commonwealth. For such purposes, the department may expend such sums as may be necessary from the funds appropriated under item 8260-06 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine. *Approved October 27, 1960.*

**Chap. 727.** AN ACT REGULATING THE DISTRIBUTION AND SALE OF PACKAGES OF HAZARDOUS SUBSTANCES.

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

SECTION 1. Sections two, two A and two B of chapter two hundred and seventy of the General Laws are hereby repealed.

SECTION 2. The General Laws are hereby amended by inserting after chapter 94A the following chapter:—

CHAPTER 94B

HAZARDOUS SUBSTANCES.

*Section 1.* The following words as used in this chapter, unless the context otherwise requires, shall have the following meanings:—

“Commissioner”, the commissioner of public health.

“Corrosive”, any substance which in contact with living tissue will cause destruction of tissue by chemical action; it shall not refer to action on inanimate surfaces.

“Department”, the department of public health.

“Director”, the director of the division of food and drugs in the department.

“Division”, the division of food and drugs in the department.

“Extremely flammable”, when used with respect to a substance, any substance which has a flash point at or below twenty degrees Fahrenheit as determined by the Tagliabue Open Cup Tester.

“Flammable”, when used with respect to a substance, any substance which has a flash point of above twenty degrees to and including eighty degrees Fahrenheit, as determined by the Tagliabue Open Cup Tester; except that the flammability of solids and of the contents of self-pressurized containers shall be determined by methods generally recognized as applicable to such containers and established by regulations issued by the commissioner.

“Hazardous substance”, any substance or mixture of substances which is toxic, corrosive, an irritant, a strong sensitizer, flammable or which generates pressure through decomposition, heat, or other means, if such substance or mixture of substances may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children. It shall include any radioactive substance if, with respect to such substance as used in a particular class of article or as packaged, the commissioner determines by regulation that the substance is sufficiently hazardous to require labeling in accordance with this chapter in order to protect the public health. It shall not include economic poisons subject to the Federal Insecticide, Fungicide and Rodenticide Act, unless the commissioner finds that such economic poison is not adequately labeled for the protection of the public health, foods, drugs and cosmetics subject to the Federal Food, Drug, and Cosmetic Act or to chapter ninety-four, or substances intended for use as fuels when stored in containers and used in heating, cooking or refrigeration systems.

“Highly toxic”, when used with respect to a substance, any substance which (a) produces death within fourteen days in half or more

than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, at a single dose of fifty milligrams or less per kilogram of body weight, when orally administered; or (b) produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, when inhaled continuously for a period of one hour or less at an atmospheric concentration of two hundred parts per million by volume or less of gas or vapor or two milligrams per liter or less of mist or dust, provided such concentration is likely to be encountered by man when the substance is used in any reasonably foreseeable manner; or (c) produces death within fourteen days in half or more than half of a group of ten or more rabbits tested in a dosage of two hundred milligrams or less per kilogram of body weight, when administered by continuous contact with the bare skin for twenty-four hours or less; provided that if the commissioner finds that available data on human experience with any substance, indicate results different from those obtained on animals with the aforesaid dosages or concentrations, the human data shall take precedence.

"Immediate container", excludes a package liner.

"Inspector", an inspector of the division of food and drugs in the department.

"Irritant", any substance not corrosive which on immediate, prolonged or repeated contact with normal living tissue will induce a local inflammatory reaction.

"Label", a display of written, printed or graphic matter upon the immediate container of any substance. A requirement made by or under authority of this chapter that any word, statement or other information appear on the label shall not be considered to be complied with unless such word, statement or other information also appears on the outside container or wrapper, if any there be, unless it is easily legible through the outside container or wrapper and on all accompanying literature where there are directions for use, written or otherwise.

"Misbranded package" or "misbranded package of a hazardous substance", a hazardous substance in a container intended or suitable for household use which, except as otherwise provided by or pursuant to section two, fails to bear a label

(1) which states conspicuously (a) the name and place of business of the manufacturer, packer, distributor or seller; (b) the common or usual name or the chemical name (if there be no common or usual name) of the hazardous substance or of each component which contributes substantially to its hazard, unless the commissioner by regulation permits or requires the use of a recognized generic name; (c) the signal word "DANGER" on substances which are corrosive, extremely flammable or highly toxic; (d) the signal word "WARNING" or "CAUTION" on all other hazardous substances; (e) an affirmative statement of the principal hazard or hazards, such as "Flammable", "Vapor Harmful", "Causes Burns", "Absorbed Through Skin", or similar wording descriptive of the hazard; (f) precautionary measures describing the action to be followed or avoided, except when modified

by regulations of the commissioner pursuant to section two; (g) instructions, when necessary or appropriate, for first-aid treatment; (h) the word "POISON" for any hazardous substance which is defined as "highly toxic" by this section; (i) instructions for handling and storage of packages which require special care in handling or storage; and (j) the statement "Keep out of the reach of children", or its practical equivalent, and

(2) on which any statements required under subparagraph (1) are located prominently in the English language in conspicuous and legible type in contrast by topography, layout or color with other printed matter on the label.

"Radioactive substance", a substance which emits ionizing radiation.

"Strong sensitizer", a substance which will cause on normal living tissue, through an allergic or photodynamic process, a hypersensitivity which becomes evident on reapplication of the same substance and which is designated as such by the commissioner. Before designating any substance as a strong sensitizer, the commissioner, upon consideration of the frequency of occurrence and severity of the reaction, shall find that the substance has a significant potential for causing hypersensitivity.

"Toxic", when used with respect to a substance, any substance, other than a radioactive substance, which has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through any body surface.

*Section 2.* (a) Whenever in the judgment of the commissioner such action will promote the objectives of this chapter by avoiding or resolving uncertainty as to its application, the commissioner may by reasonable rules and regulations declare to be a hazardous substance any substance or mixture of substances which he finds satisfies its definition as provided in section one.

(b) If the commissioner finds that the label requirements of section one are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance, he may by regulation establish such reasonable variations or additional label requirements as he finds necessary for the protection of the public health and safety; and any package of such hazardous substance which fails to bear a label in accordance with such regulations shall be deemed to be a misbranded package of a hazardous substance.

(c) If the commissioner finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, full compliance with the labeling requirements otherwise applicable under this chapter is impracticable or is not necessary for the adequate protection of the public health and safety, he shall promulgate regulations exempting such substance from these requirements to the extent he determines to be consistent with adequate protection of the public health and safety.

(d) The commissioner may exempt from the requirements established by or pursuant to this chapter any package or container of a hazardous substance with respect to which he finds that adequate re-

quirements satisfying the purposes of this chapter have been established by or pursuant to any other provision of the General Laws or by any provision of the laws of the United States of America and regulations duly issued pursuant thereto.

*Section 3.* (a) No person shall sell, expose for sale, deliver, give away or have in his possession with intent to sell, deliver or give away any misbranded package of a hazardous substance.

(b) No person shall alter, mutilate, destroy, obliterate or remove in whole or in part the label on a package of a hazardous substance while any portion of the substance is still in the container if such act results in the hazardous substance being in a misbranded package.

(c) No person shall receive for delivery, deliver or proffer delivery of any misbranded package of a hazardous substance for pay or otherwise.

(d) No person shall give a guarantee or undertaking referred to in section four which guarantee or undertaking is false, except in reliance upon a guarantee or undertaking to the same effect signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the hazardous substance.

(e) No person shall sell, expose for sale, deliver, give away or have in his possession with intent to sell, deliver or give away a hazardous substance in a container which is a food, drug or cosmetic container still bearing original labeling or identification. The re-use of a food, drug or cosmetic container as a container for a hazardous substance shall be deemed to be an act which results in the hazardous substance being in a misbranded package. As used in this paragraph, the terms "food" and "drug" shall have the same meaning as set forth in section one of chapter ninety-four and "cosmetic" shall have the same meaning as in the Federal Food, Drug, and Cosmetic Act, as amended.

(f) No person shall manufacture any hazardous substance that is misbranded with the intent that the same be distributed or sold in violation of this chapter.

(g) No person shall use to his own advantage, or reveal other than to the commissioner or officers or employees of the department or to the courts when relevant in any judicial proceeding under this chapter or to a physician treating a patient for potential poisoning any information acquired under authority of sections six and seven concerning any method or process which as a trade secret is entitled to protection.

*Section 4.* An act prohibited by section three (a) shall not be an offense if committed by a person in possession of a guarantee or undertaking signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the hazardous substance, to the effect that the hazardous substance is not in misbranded packages within the meaning of that term as provided in this chapter and prior to his being notified by the department of the fact that the hazardous substance is in fact misbranded; nor shall it be an offense to have committed an act prohibited by paragraph (a) of section three in respect to any hazardous substance shipped or delivered for shipment for export to any foreign country, in a package marked for export on the outside of the shipping container and labeled

in accordance with the specifications of the purchaser and in accordance with the laws of the United States or of the foreign country; nor shall an act prohibited by paragraph (c) of section three be an offense if the receipt, delivery or proffered delivery of the hazardous substance was made in good faith, unless the person refuses to furnish on request of the director or to an employee of the division duly designated by the director, the name and address of the person from whom he purchased or received such hazardous substance, together with copies of all documents, if any, pertaining to the delivery of the hazardous substance to him.

*Section 5.* Any hazardous substance that is in a misbranded package which has been manufactured in violation of paragraph (f) of section three shall be embargoed by a representative of the division in the manner provided in section one hundred and eighty-nine A of chapter ninety-four, and said misbranded package shall be submitted to the jurisdiction of the courts as provided thereunder as a misbranded article. This section shall not apply to a hazardous substance intended for export to any foreign country if it (1) is in a package branded in accordance with the specifications of the foreign purchaser, (2) is labeled in accordance with the laws of the foreign country, and (3) is labeled on the outside of the shipping package to show that it is intended for export, and (4) is so exported.

*Section 6.* For the purpose of enforcing the provisions of this chapter and the rules and regulations promulgated thereunder, the director and inspectors are hereby authorized to make whatever inspections they deem necessary and shall have access and entry at reasonable times to any premises upon which they suspect the presence of any hazardous substance that is misbranded; provided, that access to residential premises shall be only with the permission of the owner or occupant thereof or pursuant to a search warrant duly issued; and provided, further, that no sample of an alleged hazardous substance obtained in the course of such inspection and no result of any analysis or test of any such sample shall be received in evidence in any criminal proceeding under this chapter unless the sample shall have been taken and the analysis or test conducted in accordance with the procedure provided in sections one hundred and eighty-eight and one hundred and eighty-nine of chapter ninety-four.

*Section 7.* For the purpose of enforcing the provisions of this chapter, persons manufacturing, storing or receiving hazardous substances or holding such hazardous substances so received shall, upon the request of the director or inspector permit said director or inspector, at reasonable times, to have access to and to copy all records showing the movement of any such hazardous substance, or the holding thereof during or after such movement, and the quantity, shipper and consignee thereof.

*Section 8. (a)* The commissioner may cause to be published from time to time reports summarizing any judgments, decrees or court orders which have been rendered under this chapter, including the nature of the charge and the disposition thereof.

*(b)* The commissioner may also cause to be disseminated information regarding hazardous substances in situations involving, in the

opinion of the commissioner, imminent danger to health. Nothing in this section shall be construed to prohibit the commissioner from collecting, reporting and illustrating the results of the investigations of the department.

*Section 9.* Any person who obstructs the director or an inspector from entering premises where a hazardous substance is kept as provided in section six, or any person who does not comply with the provisions of section seven, shall be punished by a fine of not more than two thousand dollars or by imprisonment for not more than six months, or both.

*Section 10.* Sections one to nine, inclusive, may be cited and referred to as the hazardous substances labeling law.

### PESTICIDES.

*Section 11.* The following words and phrases as used in this section and in sections twelve to seventeen, inclusive, which sections may be cited and referred to as the pesticide law, shall have the following meanings unless the context otherwise requires:—

“Active ingredient”, when used with respect to a pesticide other than a plant regulator, defoliant or desiccant, an ingredient which will prevent, destroy, repel or mitigate insects, nematodes, fungi, rodents, weeds or other pests; when used with respect to a plant regulator, an ingredient which, through physiological action, will accelerate or retard the rate of growth or rate of maturation or otherwise alter the behavior of ornamental or crop plants or the produce thereof; when used with respect to a defoliant, an ingredient which will cause the leaves or foliage to drop from a plant; when used with respect to a desiccant, an ingredient which will artificially accelerate the drying of plant tissue.

“Adulterated”, shall apply to any pesticide if its strength or purity falls below the professed standard or quality as expressed on labeling or under which it is sold, or if any substance has been substituted wholly or in part for the article, or if any valuable constituent of the article has been wholly or in part abstracted.

“Antidote”, the most practical immediate treatment in case of poisoning, including first aid treatment.

“Defoliant”, any substance or mixture of substances intended for causing the leaves or foliage to drop from a plant, with or without causing abscission.

“Desiccant”, any substance or mixture of substances intended for artificially accelerating the drying of plant tissues.

“Device”, any instrument or contrivance intended for trapping, destroying, repelling or mitigating insects or rodents, or destroying, repelling or mitigating fungi, nematodes, or such other pests as may be designated by the commissioner, but not including equipment used for the application of pesticides when sold separately therefrom.

“Establishment”, a place where a pesticide is manufactured, packaged or repackaged.

“Fungi”, all non-chlorophyll-bearing thallophytes, being all non-chlorophyll-bearing plants of a lower order than mosses and liverworts, such as rusts, smuts, mildews, molds, yeasts and bacteria, except those on or in living man or other animals.

“Fungicide”, any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any fungi.

“Herbicide”, any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any weed.

“Inert ingredient”, an ingredient which is not an active ingredient.

“Ingredient statement”, (1) a statement of the name and percentage of each active ingredient, together with the total percentage of the inert ingredients, in the pesticide; or (2) a statement of the name of each active ingredient, together with the name of each inert ingredient, if any, and the total percentage thereof in the pesticide, except that a statement as provided in subparagraph (1) shall apply if the preparation is highly toxic to man; and (3) in case the pesticide contains arsenic in any form, a statement of the percentages of total and water soluble arsenic, each calculated as elemental arsenic, in addition to the statement required in subparagraph (1) or (2).

“Insect”, any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class Insecta, comprising six-legged, usually winged forms, such as beetles, bugs, bees, flies, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, such as spiders, mites, ticks, centipedes and wood lice.

“Insecticide”, any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any insects which may be present in any environment whatsoever.

“Label”, the written, printed or graphic matter on, or attached to, the pesticide or device, or the immediate container thereof, and the outside container or wrapper of the retail package, if any, of the pesticide or device.

“Labeling”, all labels and other written, printed or graphic matter (1) upon the pesticide or device, or any of its containers or wrappers; (2) accompanying the pesticide or device at any time; (3) to which reference is made on the label or in literature accompanying the pesticide or device, except when accurate, nonmisleading reference is made to current official publications of the United States Department of Agriculture or Interior, the United States Public Health Service, State Experiment Stations, State Agricultural Colleges or other similar federal institutions or official agencies of this commonwealth or other states authorized by law to conduct research in the field of pesticides.

“Misbranded”, shall apply (1) to any pesticide or device if its labeling bears any statement, design or graphic representation relative thereto, or to its ingredients, which is false or misleading in any particular; (2) to any pesticide (a) if it is an imitation of, or is offered for sale under the name of another, pesticide; (b) if its labeling bears any reference to registration under the pesticide law; (c) if the labeling accompanying it does not contain directions for use which are necessary and adequate for the protection of the public; (d) if the label does not contain a warning or caution statement which may be necessary and, adequate to prevent injury to living man and other vertebrate animals, vegetation and useful invertebrate animals; (e) if the label does not bear an ingredient statement on that part of the immediate container and on the outside container or wrapper, if there be one through which the ingredient statement on the immediate container cannot be clearly read, of the retail package which is presented



or displayed under customary conditions of purchase; (f) if any word, statement or other information required by or under authority of the pesticide law to appear on the label or labeling is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs or graphic matter in the labeling, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; (g) if in the case of an insecticide, nematocide, fungicide, or herbicide when used as directed, or in accordance with commonly recognized practice, it shall be injurious to living man or other vertebrate animals, or vegetation, except weeds, to which it is applied, or to the person applying such pesticide; or (h) if in the case of a plant regulator, defoliant or desiccant when used as directed, it shall be injurious to living man or other vertebrate animals, or vegetation to which it is applied, or to the person applying such pesticide; provided, that physical or physiological effects on plants or parts thereof shall not be deemed to be injury, when this is the purpose for which the plant regulator, defoliant or desiccant was applied, in accordance with the label claims and recommendations.

"Nematocide", any substance or mixture of substances intended for preventing, destroying, repelling or mitigating nematodes.

"Nematode", "nema" or "eelworm", any invertebrate animal of the phylum nemathelminthes and class nematoda, being unsegmented round worms with elongated, fusiform, or saclike bodies covered with cuticle, and inhabiting soil, water, plants or plant parts.

"Pesticide", (1) any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any insects, rodents, nematodes, fungi, weeds and other forms of plant or animal life or virus, except a virus on or in living man or other animals, which the commissioner shall declare to be a pest, and (2) any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

"Plant regulator", any substance or mixture of substances, intended through physiological action, for accelerating or retarding the rate of growth or rate of maturation, or for otherwise altering the behavior, of ornamental or crop plants or the produce thereof, but not including a substance to the extent that it is intended as a plant nutrient, trace element, nutritional chemical, plant inoculant, and soil amendment.

"Registrant", the person registering any pesticide pursuant to the provisions of the pesticide law.

"Rodenticide", any substance or mixture of substances intended for preventing, destroying, repelling or mitigating rodents or any other vertebrate animal which the commissioner shall declare to be a pest.

"Weed", any plant which grows where it is not wanted.

*Section 12. A.* It shall be unlawful for any person to distribute, sell or offer for sale within this commonwealth or deliver for transportation or transport in intrastate commerce or between points within this commonwealth through any point outside this commonwealth any of the following:—

(1) Any pesticide which has not been registered pursuant to the provisions of section thirteen or any pesticide if any of the claims

made for it or any of the directions for its use differ in substance from the representations made in connection with its registration, or if the composition of a pesticide differs from its composition as represented in connection with its registration; provided, that, in the discretion of the commissioner, a change in the labeling or formula of a pesticide may be made within a registration period without requiring re-registration of the product.

(2) Any pesticide unless it is in the registrant's or the manufacturer's unbroken immediate container, and there is affixed to such container, and to the outside container or wrapper of the retail package, if there be one through which the required information on the immediate container cannot be clearly read, a label bearing (a) the name and address of the manufacturer, registrant or person for whom manufactured; (b) the name, brand or trade-mark under which said article is sold; and (c) the net weight or measure of the content subject, however, to such reasonable variations as the commissioner may permit.

(3) Any pesticide which contains any substance or substances in quantities highly toxic to man, determined as provided in this chapter, unless the label shall bear, in addition to any other matter required by the pesticide law, (a) the skull and crossbones; (b) the word "poison" prominently, in red, on a background of distinctly contrasting color; and (c) a statement of an antidote for the pesticide.

(4) The pesticide commonly known as standard lead arsenate, basic lead arsenate, calcium arsenate, magnesium arsenate, zinc arsenate, zinc arsenite, sodium fluoride, sodium fluosilicate, and barium fluosilicate, unless it has been distinctly colored or discolored as provided by regulations issued in accordance with the pesticide law, or any other white powder pesticide which the commissioner, after investigation of and public hearing on the necessity for such action for the protection of the public health and the feasibility of such coloration or discoloration, shall, by regulation, require to be distinctly colored or discolored, unless it has been so colored or discolored; provided, that the commissioner may exempt any pesticide to the extent that it is intended for a particular use or uses from the coloring or discoloring required or authorized by this section, if he determines that such coloring or discoloring for such use or uses is not necessary for the protection of the public health.

(5) Any pesticide which is adulterated or misbranded, or any device which is misbranded.

B. It shall be unlawful—

(1) For any person to detach, alter, deface or destroy, in whole or in part, any label or labeling provided for in the pesticide law or regulations promulgated hereunder, or to add any substance to, or take any substance from, a pesticide in a manner that may defeat the purpose of the pesticide law.

(2) For any person to use for his own advantage or to reveal, other than to the commissioner or proper officials or employees of the commonwealth or to the courts of this commonwealth in response to a subpoena, or to physicians, or in emergencies to pharmacists and other qualified persons, for use in the preparation of antidotes, any information relative to formulas of products acquired by authority of this chapter.

*Section 13.* (a) Every pesticide which is distributed, sold or offered for sale within this commonwealth or delivered for transportation or transported in intrastate commerce or between points within this commonwealth through any point outside this commonwealth shall be registered with the director, and such registration shall be renewed annually; provided, that products having the same formula and manufactured by the same person, the labeling of which contains the same claims, and the labels of which bear a designation identifying the product as the same pesticide may be registered as a single pesticide; and additional names and labels shall be added by supplemental statements during the current period of registration; and provided, further, that any pesticide imported into this commonwealth which is subject to the provisions of any federal act providing for the registration of pesticides and which has been duly registered under the provisions thereof shall be accepted for registration under the pesticide law when sold or distributed in the unbroken immediate container in which it was originally shipped. The registrant shall file with the commissioner, a statement including

(1) The name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant;

(2) The name of the pesticide;

(3) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it including directions for use; and

(4) If requested by the commissioner, a full description of the tests made and the results thereof upon which the claims are based. In the case of renewal of registration, a statement shall be required only with respect to information which is different from that furnished when the pesticide was registered or last re-registered.

(b) The registrant shall pay an annual fee of seven dollars and fifty cents per brand for the first ten brands registered, and two dollars per brand for each brand registered in excess thereof.

(c) The commissioner, whenever he deems it necessary in the administration of the pesticide law, may require the submission of the complete formula of any pesticide. If it appears to the commissioner that the composition of the article is such as to warrant the proposed claims for it and if the article and its labeling and other material required to be submitted comply with the requirements of the pesticide law, he shall register the article.

(d) If it does not appear to the commissioner that the article is such as to warrant the proposed claims for it or if the article and its labeling and other material required to be submitted do not comply with the provisions of the pesticide law, he shall notify the registrant in what respect the article, labeling or other material required to be submitted fail to comply with the pesticide law so as to afford the registrant an opportunity to make the necessary corrections. If, upon receipt of such notice, the applicant is aggrieved with the corrections ordered by the commissioner, he shall so notify the commissioner in writing. The commissioner shall register the article under protest and such registration shall be accompanied by a warning in writing to

the registrant of the apparent failure of the article to comply with the provisions of the pesticide law. In order to protect the public, the commissioner, on his own motion, may at any time cancel the registration of a pesticide and in lieu thereof issue a registration under protest in accordance with the foregoing procedure. In no event shall registration of an article whether or not protested, be construed as a defense for the commission of any offense prohibited by this chapter.

(e) Notwithstanding any other provision of the pesticide law, registration is not required in the case of a pesticide shipped from one plant within this commonwealth to another plant within this commonwealth operated by the same person.

*Section 14.* In order to avoid confusion endangering the public health, resulting from diverse requirements, particularly as to the labeling and coloring of pesticides, and to avoid increased costs to the people of this commonwealth due to the necessity of complying with such diverse requirements in the manufacture and sale of such pesticides, it is desirable that there should be uniformity between the requirements of the several states and the federal government relating to such pesticides. To this end the commissioner is authorized, after public hearing, to adopt such regulations, applicable to and in conformity with the primary standards established by the pesticide law, as have been or may be prescribed by federal regulatory agencies with respect to pesticides.

*Section 15.* The examination of pesticides or devices shall be made under the direction of the director for the purpose of determining whether they comply with the requirements of the pesticide law. If it shall appear from such examination that a pesticide or device fails to comply with the provisions of the pesticide law, the director need not cause formal complaint to be entered at once but shall cause reasonable notice thereof, together with a copy of the results of any analysis or test or a statement in case of misbranding, to be given to the party from whom the samples were obtained or to the party believed to be responsible for the condition of the samples and to the party, if any, whose name appears upon the label as manufacturer, packer, producer, wholesale dealer or other dealer. Before any formal complaint is entered, any person so notified shall be given an opportunity to be heard before the director. Such notice shall specify the date, hour and place of hearing, and the parties interested therein may appear in person or by attorney. If after such opportunity to be heard, it appears that any provision of the pesticide law has been violated, the director may authorize a formal complaint to be made to a court or justice having jurisdiction in such cases.

*Section 16.* The penalties provided for violations of any provisions of this chapter shall not apply to—

(1) Any carrier while lawfully engaged in transporting a pesticide within this commonwealth, if such carrier shall, upon request, permit the commissioner or his designated agent to copy all records showing the transactions in and movement of the articles;

(2) Public officials of this commonwealth and the federal government engaged in the performance of their official duties;

(3) The manufacturer or shipper of a pesticide for experimental

use only (a) by or under the supervision of an agency of this commonwealth or of the federal government authorized by law to conduct research in the field of pesticides; or (b) if the container of the pesticide thereof is plainly and conspicuously marked "For experimental use only", together with the manufacturer's name and address; provided that a permit has been obtained from the director for the use of the pesticide for experimental purposes subject to such restrictions and conditions as may be set forth in the permit.

No article shall be deemed in violation of the pesticide law when intended solely for export to a foreign country, and when prepared or packaged according to the specifications or directions of the purchaser. If not so exported, all the provisions of the pesticide law shall apply.

*Section 17.* Any pesticide, or device, that is distributed, sold or offered for sale within this commonwealth or delivered for transportation or transported in intrastate commerce or between points within this commonwealth through any point outside this commonwealth shall be detained and embargoed as provided in section one hundred and eighty-nine A of chapter ninety-four

(1) in the case of a pesticide: (a) if it is adulterated or misbranded; (b) if it has not been registered under the provisions of this chapter; (c) if it fails to bear on its label the information required by the pesticide law; (d) if it is a white powder pesticide and is not colored as required under the pesticide law.

(2) in the case of a device, if it is misbranded.

When a decree of condemnation is entered against the article, court costs and fees and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article.

*Section 18.* The commissioner is authorized, in accordance with chapter thirty A, to promulgate, adopt, amend or repeal rules and regulations for executing and enforcing the provisions of this chapter.

*Section 19.* All authority vested in the commissioner by virtue of the provisions of this chapter may with like force and effect be executed by such employees of the department of public health as the commissioner may from time to time designate for said purpose.

*Section 20.* The superior court shall have jurisdiction in equity upon petition brought by the department in the name of the commonwealth, to restrain violations of this chapter.

*Section 21.* Except as otherwise provided in sections four and nine, whoever himself or by his servant or agent, violates any provision of this chapter shall, for a first offense, be punished by a fine of not less than fifty nor more than two hundred dollars; and, for a second or subsequent offense, by a fine of not less than two hundred nor more than one thousand dollars, or by imprisonment for not more than ninety days, or both.

Regulations issued by the commissioner hereunder may provide penalties for violations thereof not exceeding, for a first offense, a fine of one hundred dollars and, for a second or subsequent offense, a fine of five hundred dollars.

*Section 22.* If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is

held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

SECTION 3. This act shall take effect on July first, nineteen hundred and sixty-one.

*Approved October 27, 1960.*

**Chap. 728.** AN ACT TO TRANSFER TO RETIREMENT BOARDS THE RESPONSIBILITY FOR ADMINISTRATION OF CERTAIN NON-CONTRIBUTORY PENSION LEGISLATION.

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

SECTION 1. Section 43 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 748 of the acts of 1949, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The appropriate city or town retirement board, established under section twenty, upon the recommendation of the school committee of any such city or town may retire from active service and place upon the pension roll any teacher of such city or town who is sixty or over or who, in the judgment of said committee, is incapacitated for useful service, and who has faithfully served such city or town for twenty-five years.

SECTION 2. The first paragraph of section 44 of said chapter 32, as appearing in chapter 223 of the acts of 1936, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The appropriate city or town retirement board, established under section twenty, upon the recommendation of the school committee, official, board or other body having control of janitors employed in the public schools of any city or town which has accepted this section or corresponding provisions of earlier laws, may retire, with an annual pension, any janitor so employed who has reached the age of sixty, after completing a service of not less than twenty-five years, and is physically incapacitated, and any janitor so employed, who has completed a service of not less than fifteen years, and is physically incapacitated by reason of injury received in the performance of his duties for such city or town.

SECTION 3. Said chapter 32 is hereby further amended by striking out section 46, as most recently amended by section 2 of chapter 770 of the acts of 1955, and inserting in place thereof the following section:—*Section 46.* The state board of retirement upon the recommendation of the commissioner of correction may retire from active service and place upon a pension roll any officer of the Massachusetts correctional institutions or any jail or house of correction, or any person employed to instruct the prisoners in any Massachusetts correctional institution, as provided in section fifty-two of chapter one hundred and twenty-seven, or any other employee of the Massachusetts state correctional institutions, who has attained the age of sixty-five and has been employed in prison service in the commonwealth, with a good record for not less than twenty years; or who, without fault of his own, has become permanently disabled by injuries sustained in the performance of his duty; or who has performed faithful prison service for not less than thirty years; provided, that no officer of any

jail or house of correction shall so be retired except upon the recommendation of the sheriff and county commissioners of the county, except in the county of Suffolk, where the recommendations as to the officers of the jail shall be made by the sheriff and the mayor of Boston, and, as to the officers of the house of correction, by the penal institutions commissioner and the mayor of Boston; and provided, further, that no such officer, instructor or employee shall be retired unless he began employment as such in one of the above-named institutions or the prison camp and hospital, or as an officer or instructor in one of the institutions named in section forty-seven, on or before June seventh, nineteen hundred and eleven. The word "officer", as used in this section and sections forty-seven and forty-eight, shall extend to include prison officer, correction officer and matron.

SECTION 4. Said chapter 32 is hereby further amended by striking out section 59, as appearing in the Tercenary Edition, and inserting in place thereof the following section:—*Section 59.* The words "retiring authority", as used in sections fifty-six to sixty, inclusive, shall mean as to the commonwealth, the state board of retirement; as to a county, city, town or district, the appropriate retirement board, established under section twenty, having jurisdiction in the governmental unit in which a veteran was employed at the time of his retirement or death, or, if there is no such board in the case of a town, the selectmen; or, in the case of a district, the prudential committee.

SECTION 5. Said chapter 32 is hereby further amended by striking out section 69, as amended by section 1 of chapter 576 of the acts of 1946, and inserting in place thereof the following section:—*Section 69.* The state board of retirement upon the recommendation of the metropolitan district commission shall retire any permanent member of its police department, who began continuous service therein prior to July first, nineteen hundred and twenty-one, as follows:—

(a) If such member has become permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of his duty, from further performing duty as such member.

(b) If such member has performed faithful service in said department for not less than twenty years continuously and has become permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Upon the request of any such member, if he has performed faithful service in said department for not less than twenty years continuously, at any time after such member has attained the age of sixty and before attaining the age of sixty-five.

(d) Any member of said department, without any request on his part, on attaining the age of sixty-five and no permanent member of said department shall remain in service after he has attained or shall attain the age of sixty-five.

(e) Any member of said department retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the regular annual compensation received by him at the time of his retirement.

(f) Any member of said department retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual

pension, equal to one half of his regular compensation at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent of said compensation for each year of service after the first twenty; provided, that the total amount of such pension shall not exceed sixty-five per cent of said annual compensation.

(g) The commission may, in case of an emergency, call upon any person pensioned under this section for such temporary service as a police officer as he may be fitted to perform, and during such service there shall be paid to him the difference between the rate of full pay for such employment and the rate of pension received by him.

SECTION 6. Said chapter 32 is hereby further amended by striking out section 75, as most recently amended by section 1 of chapter 643 of the acts of 1957, and inserting in place thereof the following section:—*Section 75.* Any probation officer whose whole time is given to the duties of his office shall, at his request, be retired from active service and placed upon a pension roll by the appropriate county retirement board, established under section twenty, or in the case of Suffolk county, the Boston retirement board, upon recommendation of the court upon which it is his duty to attend with the approval, in the case of a probation officer in a district court, the municipal court of the city of Boston, or the Boston juvenile court, of the county commissioners of the county in which the court is situated; provided, that he is certified in writing by a physician designated by such court to be permanently disabled, mentally or physically, for further service by reason of injuries or illness sustained or incurred through no fault of his own in the actual performance of his duty as such officer. Any such probation officer who has faithfully performed his duties for not less than twenty consecutive years, and who is not less than sixty years of age, shall be retired at his request without the aforesaid certification. Every probation officer shall be retired upon attaining the age of seventy.

No probation officer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section.

SECTION 7. Paragraph (a) of section 77 of said chapter 32, as most recently amended by chapter 243 of the acts of 1939, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Any laborer in the employ of a city or town, except Boston, which accepted chapter five hundred and three of the acts of nineteen hundred and twelve, who has reached the age of sixty and has been in such employ for not less than twenty-five years and has become physically or mentally incapacitated for labor, and any laborer in the employ of such city or town who has been in such employ for not less than fifteen years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of his duties for such city or town may, at his request be retired from service by the appropriate retirement board, established under section twenty, or, if there is no such board in the case of a town, the selectmen; and if so retired he shall receive from the city or town for the remainder of his life an annual pension equal to one half of his annual rate of regular compensation for full time service as a laborer at his retirement.



SECTION 8. Section 80 of said chapter 32, as most recently amended by section 5 of chapter 483 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—In cities, except Boston, which have accepted this section or corresponding provisions of earlier laws by vote of the city council, the appropriate retirement board, established under section twenty, shall retire from active service and place upon the pension roll any fireman, call fireman or substitute call fireman of the city whom the city physician certifies in writing to be permanently disabled, mentally or physically, by injuries sustained or illness incurred through no fault of his own in the actual performance of duty, from further performing duty as such member; or any permanent member of said department who has performed faithful service therein for not less than twenty-five years as such or as a call member and permanent member of said department, if in the judgment of said board such member is disabled for useful service in the department; provided, that any permanent member of said department who has performed faithful service therein for twenty-five years as aforesaid shall, at any time after attaining the age of sixty and before attaining the age of seventy, be retired at his request and shall, on attaining the age of seventy, be retired without any request on his part, and no other permanent member of said department shall remain in service after he has attained or shall attain the age of seventy.

SECTION 9. Said chapter 32 is hereby further amended by striking out section 81A, inserted by section 2 of chapter 576 of the acts of 1946, and inserting in place thereof the following section:—*Section 81A.* In cities, except Boston, which have accepted this section and section eighty-one B by vote of the city council subject to the provisions of the city charter, the appropriate retirement board, established under section twenty, shall retire from active service:

(a) Any fireman, call fireman or substitute call fireman who becomes permanently disabled, mentally or physically, by injuries sustained or illness incurred through no fault of his own in the actual performance of duty, from further performing duty as such member.

(b) Any permanent member of the fire department who has performed faithful service therein for not less than twenty years continuously, who becomes permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Any permanent member of said department, at his request, at any time after attaining the age of sixty and before attaining the age of sixty-five if he has performed faithful service therein for not less than twenty years continuously.

(d) Any permanent member of said department on attaining the age of sixty-five without any request on his part. No permanent member of said department shall remain in service after he has attained or shall attain the age of sixty-five.

No fireman whose employment began after June thirtieth, nineteen hundred and thirty-seven shall be subject to the provisions of this section and section eighty-one B.

The provisions of sections eighty and eighty-one, or of any special law authorizing the granting of non-contributory pensions to members of the fire department thereof, shall no longer apply in any city which accepts this section and section eighty-one B.

SECTION 10. Section 83 of said chapter 32, as most recently amended by section 6 of chapter 483 of the acts of 1945, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—In every city, except Boston, which has accepted this section or corresponding provisions of earlier laws, the appropriate retirement board, established under section twenty, shall, at his own request or at the request of the chief or superintendent of police if, in the judgment of said board, he is disabled for useful service in said department, retire from active service and place upon a pension roll any member of the police department of such city whom the city physician of such city certifies in writing to be permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of duty, from further performing duty as such member, or any member of said department who has performed faithful service therein for not less than twenty years continuously if, in the judgment of said board, such member is disabled for useful service in the department; provided, that any permanent member of said department who has performed faithful service therein for twenty-five years as aforesaid shall, at any time after attaining the age of sixty and before attaining the age of seventy, be retired at his request and shall, on attaining the age of seventy, be retired without any request on his part, and no other permanent member of said department shall remain in service after he has attained or shall attain the age of seventy.

SECTION 11. Said chapter 32 is hereby further amended by striking out section 83A, as amended by chapter 222 of the acts of 1960, and inserting in place thereof the following section:—*Section 83A.* In cities, except Boston, which have accepted this section by vote of the city council, subject to the provisions of the city charter, the appropriate retirement board, established under section twenty, shall retire from active service:

(a) Any member of the police department of such city who becomes permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of duty, from further performing duty as such member.

(b) Any permanent member of said department who has performed faithful service therein for not less than twenty years continuously and becomes permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Any permanent member of said department, at his request, at any time after attaining the age of sixty and before attaining the age of sixty-five, if he has performed faithful service therein for not less than twenty years continuously.

(d) Any permanent member of said department on attaining the age of sixty-five without any request on his part. No permanent member of said department shall remain in service after he has attained or shall attain the age of sixty-five.

Any member of said department retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement. Any member of said department, retired under the provisions of sub-

division (b), (c) or (d) of this section shall receive an annual pension equal to one half of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement, if he has completed twenty years of service, and an additional amount equal to one per cent of said compensation for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said compensation.

The board of police, or the mayors in cities having no such board, may in an emergency call upon any person so pensioned for such temporary service in the department as he may be fitted to perform and during such service he shall be entitled to be paid the difference between the rate of full pay for such employment and the rate of pension received by him.

No police officer or fireman whose employment began after June thirtieth, nineteen hundred and thirty-seven shall be subject to the provisions of this section.

The provisions of section eighty-three, or of any special law authorizing the granting of non-contributory pensions to members of the police department thereof, shall no longer apply to any city which accepts this section.

SECTION 12. Section 85 of said chapter 32 is hereby amended by striking out the first sentence, as most recently amended by chapter 283 of the acts of 1960, and inserting in place thereof the following sentence:—In any town which accepts this section prior to January first, nineteen hundred and sixty-two, or has accepted corresponding provisions of earlier laws by a two thirds vote at an annual town meeting the appropriate retirement board, established under section twenty, or if there is no such board, the selectmen, shall retire from active service and place upon the pension roll any permanent member of the police department and any permanent member of the fire department of such town found by it or them to be permanently incapacitated, mentally or physically, for useful service in the department to which he belongs, by injuries received through no fault of his own in the actual performance of his duty.

SECTION 13. Section 85B of said chapter 32, as amended by section 10 of said chapter 483, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—In any city or town having a police force serving in its park department and which has accepted this section, the appropriate retirement board, established under section twenty, or, if there is no such board in the case of a town, the selectmen, shall retire from active service and place upon the pension roll any permanent member of said police force found by it or them to be permanently incapacitated, mentally or physically, for useful service therein, by injuries received through no fault of his own in the actual performance of his duty.

SECTION 14. Said section 32 is hereby further amended by striking out section 85E, as amended by chapter 221 of the acts of 1960, and inserting in place thereof the following section:—*Section 85E.* The appropriate retirement board, established under section twenty, or, if there is no such board, the selectmen of every town which has accepted this section shall retire from active service:

(a) Any permanent member of the police department and any permanent member of the fire department of such town who becomes permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of duty, from further performing duty as such member.

(b) Any permanent member of either of said departments who has performed faithful service therein for not less than twenty years continuously and becomes permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Any permanent member of either of said departments, at his request, at any time after attaining the age of sixty and before attaining the age of sixty-five, if he has performed faithful service therein for not less than twenty years continuously.

(d) Any permanent member of either of said departments on attaining the age of sixty-five without any request on his part. No permanent member of either of said departments shall remain in service after he has attained or shall attain the age of sixty-five.

If a permanent member of a police department of such a town was, prior to the establishment of a police department therein, employed in said town as a police officer by appointment under section ninety-six of chapter forty-one, the period of such appointment shall be counted as a part of his continuous service as a permanent member of its police department.

Any member of either of said departments retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement. Any member of either of said departments retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual pension equal to one half of the highest annual rate of compensation received by him while holding the grade held by him at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said compensation.

The selectmen may in an emergency call upon any person so pensioned for such temporary service in the department from which he was retired as they may deem him fitted to perform, and during such service he shall be entitled to be paid the difference between the rate of full pay for such employment and the rate of pension received by him.

No police officer or fireman whose employment began after June thirtieth, nineteen hundred and thirty-seven shall be subject to the provisions of this section.

The provisions of section eighty-five, or of any special law authorizing the granting of non-contributory pensions to members of the police department or the fire department, as the case may be, of a town which accepts this section shall no longer apply thereto.

SECTION 15. Section 89 of said chapter 32 is hereby amended by striking out the third paragraph, as most recently amended by chapter 96 of the acts of 1947, and inserting in place thereof the following paragraph:—

The words "appropriate public authority", as used in this section, shall mean, as to the commonwealth, the state board of retirement; as to Suffolk county, the Boston retirement board; as to other counties and cities or towns, the appropriate retirement board, established under section twenty, having jurisdiction in the governmental unit in which person was employed, or, if there is no such board in the case of a town, the selectmen.

SECTION 16. Section 89A of said chapter 32 is hereby amended by striking out the third paragraph, as appearing in chapter 552 of the acts of 1948, and inserting in place thereof the following paragraph:—

The words "appropriate public authority" as used in this section, shall mean as to the commonwealth, the state board of retirement; as to a county, city, town or district, the appropriate retirement board, established under section twenty, having jurisdiction in the governmental unit in which person was employed, or, if there is no such board in the case of a town, the selectmen; or, in the case of a district, the prudential committee thereof.

SECTION 17. Section 89B of said chapter 32 is hereby amended by striking out the sixth paragraph, as appearing in chapter 733 of the acts of 1956, and inserting in place thereof the following paragraph:—

The words "appropriate public authority" as used in this section shall mean the appropriate retirement board, established under section twenty, or, if there is no such board in the case of a town, the selectmen.

SECTION 18. This act shall take effect on July first, nineteen hundred and sixty-one.

*Approved October 27, 1960.*

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**Chap. 729.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO CONVEY TO AGAVNI BILAZARIAN A CERTAIN PARCEL OF LAND LOCATED IN THE TOWN OF BOYLSTON.

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

SECTION 1. Notwithstanding any provision of any general or special law to the contrary, the commissioners of Worcester county, in consideration of six thousand dollars are hereby authorized to sell and convey to Agavni Bilazarian of Boylston, a certain tract of land with the buildings thereon located in said town, commonly known as 181 Main street, Boylston, bounded and described as follows:—

Beginning at a stone monument at a point in the westerly line of the county road commonly known as Main street in Boylston, at the southeasterly corner of land now or formerly of Sorenson or Werme; thence northwesterly along said Sorenson or Werme land one hundred thirty-three (133) feet, more or less, to a stone bound; thence still northwesterly along said Sorenson or Werme land and along a stone wall, one hundred fifteen (115) feet, more or less, to a point in said wall; thence at right angles to the course last mentioned above two hundred forty-three (243) feet, more or less, to a point at the northerly edge of a brook; thence southeasterly one hundred eighteen (118) feet, more or less, to the northerly line of the connecting road leading from the said county road above mentioned to the Worcester

County Tuberculosis Sanatorium; thence northeasterly along the northwesterly line of said connecting road one hundred thirty-three (133) feet, more or less, to a stone bound; thence still northeasterly along the northwesterly line of said road and along a curve to the left one hundred seventy-five (175) feet, more or less, to the point of beginning.

SECTION 2. This act shall take effect upon its passage.

*Approved October 27, 1960.*

**Chap. 730.** AN ACT INCREASING THE SALARY OF THE DIRECTOR OF EMPLOYMENT SECURITY.

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

Section 9I of chapter 23 of the General Laws is hereby further amended by striking out paragraph (b), as amended by section 33 of chapter 730 of the acts of 1955, and inserting in place thereof the following paragraph:—

(b) The director shall receive a salary of thirteen thousand dollars.

*Approved October 27, 1960.*

**Chap. 731.** AN ACT PROVIDING LIFE TENURE FOR CERTAIN MEMBERS OF THE POLICE FORCE OF THE TOWN OF WESTPORT.

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

SECTION 1. The tenure of office of any permanent member of the police force of the town of Westport who has served in his respective office or position for a period of three consecutive years shall be unlimited and he shall hold office during good behavior unless incapacitated by physical or mental disability from performing his duties or removed for just cause by the selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at its next annual town meeting in the form of the following question, which shall be placed on the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty entitled, 'An Act providing life tenure for certain members of the police force of the town of Westport', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved October 27, 1960.*

**Chap. 732.** AN ACT PROVIDING LIFE TENURE FOR CERTAIN MEMBERS OF THE HIGHWAY DEPARTMENT OF THE TOWN OF WESTPORT.

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

SECTION 1. The tenure of office of any permanent member of the highway department of the town of Westport who has served in his respective office or position for a period of three consecutive years shall be unlimited and he shall hold office during good behavior un-

less incapacitated by physical or mental disability from performing his duties or removed for just cause by the selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled, 'An Act providing life tenure for certain members of the highway department of the town of Westport', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved October 27, 1960.*

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**Chap. 733.** AN ACT PROVIDING LIFE TENURE FOR CERTAIN MEMBERS OF THE FIRE FIGHTING FORCE OF THE TOWN OF WESTPORT.

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

SECTION 1. The tenure of office of any permanent member, including the fire chief, of the fire fighting force of the town of Westport who has served in his respective office or position for a period of three consecutive years shall be unlimited and he shall hold office during good behavior unless incapacitated by physical or mental disability from performing his duties or removed for just cause by the selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and sixty, entitled, 'An Act providing life tenure for certain members of the fire fighting force of the town of Westport', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

*Approved October 27, 1960.*

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**Chap. 734.** AN ACT AUTHORIZING THE CITY OF PEABODY TO USE CERTAIN PARK LAND FOR MUNICIPAL LIGHTING PURPOSES.

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

SECTION 1. The city of Peabody is hereby authorized to use for the erection of a municipal electric light substation and for other municipal electric light purposes, and for all purposes incidental thereto, the following described premises, being a portion of the West Peabody playgrounds now owned and held by said city for park, playground or recreation purposes:—A certain parcel of land shown on a plan entitled, "Plan of Land Owned by City of Peabody, Peabody, Mass., Scale one inch equals forty feet, Aug. 20, 1960, Osborn

Palmer, Inc., 15 Wallis St., Peabody," and bounded and described as follows:—Southeasterly by Boston and Maine Railroad, one hundred and ninety-four (194) feet; southwesterly by Boston and Maine Railroad, two hundred and ten and 68/100 (210.68) feet; northwesterly by land of the city of Peabody, three hundred and fifty-three and 83/100 (353.83) feet; northeasterly by land of the city of Peabody and the land of Carpenter, two hundred and sixty-nine and 39/100 (269.39) feet; and southeasterly by land now or formerly of Needham, one hundred and seventy-eight and 73/100 (178.73) feet. Said parcel of land contains 86,500 square feet, more or less.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Peabody, subject to the provisions of its charter, but not otherwise.

*Approved October 27, 1960.*

**Chap. 735.** AN ACT INCREASING THE SALARIES OF THE CHAIRMAN AND MEMBERS OF THE CIVIL SERVICE COMMISSION.

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

Section 2A of chapter 13 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended by section 10 of chapter 730 of the acts of 1955, and inserting in place thereof the following sentence:—The chairman shall receive forty dollars a day, and each other commissioner shall receive thirty-five dollars a day, while attending meetings of the commission or while performing any duties of his office required of him by the chairman or by this chapter or chapter thirty-one, but in any state fiscal year, not more than seventy-five hundred dollars shall be paid to the chairman and not more than sixty-five hundred dollars shall be paid to any other commissioner.

*Approved October 27, 1960.*

**Chap. 736.** AN ACT INCREASING THE SALARIES OF JUDGES OF PROBATE AND ESTABLISHING THE SALARIES OF CERTAIN REGISTERS OF PROBATE AND OF ASSISTANT REGISTERS OF PROBATE AS A PROPORTION OF THE SALARIES OF THE JUDGES OR REGISTERS.

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

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 7 of chapter 733 of the acts of 1955, and inserting in place thereof the following section:—*Section 34.* The salaries of all judges of probate shall be paid by the commonwealth and are hereby established as follows:—

	COUNTY.	SALARIES.
Group I . . . . .	Suffolk	\$18,000
	Middlesex	18,000
	Norfolk	18,000
Group II . . . . .	Worcester	17,000
	Essex	17,000
Group III . . . . .	Hampden	16,000
	Bristol	16,000



Group IV . . . . .	Barnstable	\$14,000
	Berkshire	14,000
	Franklin	14,000
	Hampshire	14,000
	Plymouth	14,000
Group V . . . . .	Dukes	6,000
	Nantucket	6,000

SECTION 2. Said chapter 217 is hereby further amended by striking out section 35A, as most recently amended by section 1 of chapter 671 of the acts of 1956, and inserting in place thereof the following section:—*Section 35A.* The salaries of the registers of probate, except the registers of probate in Dukes and Nantucket counties, shall be seventy-five per cent of the judges' salaries in their respective counties. The salaries of the registers of probate in the counties of Dukes and Nantucket shall be four thousand nine hundred and fifty dollars.

SECTION 3. Said chapter 217 is hereby further amended by striking out section 35B, as most recently amended by chapter 508 of the acts of 1957, and inserting in place thereof the following section:—*Section 35B.* The salary of a first assistant register of probate shall be seventy-five per cent of the salary of the register in his county.

The salary of a second assistant register of probate shall be seventy per cent of the salary of the register in his county.

The salary of a third assistant register of probate shall be sixty-five per cent of the salary of the register in his county.

The salary of a fourth assistant register shall be sixty per cent of the salary of the register in his county.

The salary of a fifth assistant register of probate shall be fifty-five per cent of the salary of the register in his county.

*Approved October 27, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, OCTOBER 28, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 736 of the Acts of 1960, entitled "An Act Increasing the Salaries of Judges of Probate and Establishing the Salaries of Certain Registers of Probate and of Assistant Registers of Probate as a Proportion of the Salaries of the Judges or Registers" and the enactment of which received my approval on October 27, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to establish forthwith the salaries of judges, registers and assistant registers of probate and insolvency.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, OCTOBER 28, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at twelve o'clock and thirty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and thirty-six of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 737.** AN ACT PROVIDING FOR THE PROMULGATION OF UNIFORM RULES AND REGULATIONS TO GOVERN GAS FITTING IN BUILDINGS THROUGHOUT THE COMMONWEALTH.

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

SECTION 1. Chapter 25 of the General Laws is hereby amended by adding after section 12G the following section:—*Section 12H.* There shall be in the department a board consisting of the chairman of the commission or a representative from his department designated by him, the commissioner of public safety or a representative from his department designated by him and the commissioner of public health or a representative from his department designated by him. Subject to the provisions of chapter thirty A and after public hearing, notice of which shall have been given by advertising in at least one newspaper in each of the cities of Boston, Worcester, Springfield, Fall River, Lowell and Lynn, at least ten days before such hearing, said board shall make, and from time to time in like manner may alter, amend and repeal, rules and regulations relative to gas fitting in buildings throughout the commonwealth, which rules and regulations shall be reasonable, uniform, based on generally accepted standards of engineering practice, and designed to prevent fire, explosion, injury and death, and not inconsistent with regulation No. 11725 of the department or the provisions of chapter one hundred and forty-two or the rules and regulations made under the authority thereof, or the qualification of master plumbers and journeymen plumbers as gas fitters contained in section three of said chapter one hundred and forty-two. As used in this section the word “gas fitting” shall be construed to include the installation, alteration and replacement of fixtures, appliances and facilities, used or intended for use, in connection with fuel gas of any kind, including, without limitation, natural gas, manufactured gas, and liquefied petroleum gas-air or mixtures thereof.

Any person aggrieved by a ruling interpreting rules and regulations made under this section, including any person aggrieved by any such ruling made by the building commissioner of Boston, may appeal to the aforesaid board in writing within ten days after such ruling; and, subject to the provisions of chapter thirty A relative to adjudicatory proceedings, said board shall hear and decide such appeal. Subject to said provisions of chapter thirty A, such decision shall be final and binding upon, and complied with by, all parties in interest.

SECTION 2. Chapter 143 of the General Laws is hereby amended by inserting after section 3L the following two sections:—

*Section 3N.* No person shall engage in gas fitting in the city of Boston without first making application to the building commissioner of said city and obtaining a permit therefor in accordance with the Boston Building Code; nor shall any person engage in gas fitting in any other city or town without first giving such notice as shall be prescribed by rules and regulations made by the board established under section twelve H of chapter twenty-five.

Whoever violates any provision of this section shall be punished by a fine of not more than five hundred dollars.

Rules and regulations adopted under section twelve H of chapter twenty-five may provide penalties for the violation thereof not exceeding five hundred dollars for any one offence and may provide that each day during any portion of which a violation is permitted to exist shall be a separate offence.

*Section 3O.* Each city and town shall provide by ordinance or by-law for the appointment of an inspector of gas piping and gas appliances in buildings whose duty shall be the enforcement of the rules and regulations adopted by the board established under section twelve H of chapter twenty-five.

SECTION 3. Notwithstanding the provisions of section three O of chapter one hundred forty-three of the General Laws, as appearing in section two of this act, any city or town officer or employee who on the effective date of this act is charged with the duty of inspecting gas piping and gas appliances in buildings shall continue to perform such duties and shall also be designated and named the inspector of gas piping and gas appliances, as provided in said section three O.

SECTION 4. All by-laws and ordinances of cities and towns relating to gas fitting within buildings are hereby annulled.

SECTION 5. Section one hundred and sixteen of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight is hereby amended by striking out paragraph (i) and inserting in place thereof the following paragraph:—

(i) The owners of buildings in Boston shall comply with, and all materials used and work performed in gas fitting in Boston shall be in accordance with, the rules and regulations from time to time in effect under the provisions of section twelve H of chapter twenty-five of the General Laws, except as such rules and regulations may be varied under the provisions of sections one hundred and seventeen, one hundred and eighteen and one hundred and nineteen of this code. The commissioner and the health commissioner of the city of Boston shall severally have power to inspect from time to time gas fixtures and appliances in any and all buildings in Boston and to compel compliance in Boston with the rules and regulations aforesaid.

SECTION 6. The board established by section twelve H of chapter twenty-five of the General Laws, shall, in the manner prescribed in said section, adopt as its rules and regulations, the regulations and standards contained in the code embodied in Senate document numbered 490 of the current year.

SECTION 7. Sections two, three, four and five of this act shall take effect on the effective date of the rules and regulations first adopted under section twelve H of chapter twenty-five of the General Laws.

*Approved October 27, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, OCTOBER 28, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 737 of the Acts of 1960, entitled "An Act Providing for the Promulgation of Uniform Rules and Regulations to Govern Gas Fitting in Buildings Throughout the Commonwealth" and the enactment of which received my approval on October 27, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to establish forthwith uniform rules and regulations to govern gas fitting in buildings throughout the commonwealth.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, OCTOBER 28, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at twelve o'clock and thirty minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and thirty-seven of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 738.** AN ACT REQUIRING REGISTRATION OF THE USE OF IMPORTED LABOR REPLACEMENTS OR STRIKE BREAKERS IN LABOR DISPUTES.

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

The General Laws are hereby amended by inserting after chapter 150C the following chapter:—

CHAPTER 150D.

REGISTRATION OF LABOR REPLACEMENTS  
OR STRIKE BREAKERS.

*Section 1.* It is hereby declared that the employment of non-residents of the commonwealth as labor replacements or strike breakers during a strike or lockout tends to produce and prolong industrial strife, violence and other crimes and disorders which would be to some extent mitigated if persons importing such labor replacements or strike breakers during a labor dispute were required to register such persons and provide the information required by section three.

*Section 2.* When used in this chapter —

“Person” includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

“Employer” includes any person acting in the interest of an employer, directly or indirectly, but shall not include the commonwealth or any political subdivision thereof, any educational institution, or any labor organization, other than when acting as an employer, or anyone acting in the capacity of officer or agent of such labor organization.

“Labor replacement” or “strike breaker” includes any person, except a professional engineer or scientist, who enters into the employment of an employer involved in a labor dispute when a lockout has started or after a strike has been called against that employer and before the labor dispute has ended, but shall not include any such person who does not perform any services which prior to such labor dispute, lockout or strike were performed by a person whose work has ceased as a direct consequence of such labor dispute, lockout or strike.

“Labor dispute” includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment regardless of whether the disputants stand in the proximate relation of employer and employee.

*Section 3.* Any person not an employer of employees involved in a labor dispute who directly or indirectly arranges for the importation of labor replacements or strike breakers from outside the commonwealth to work in any establishment within the commonwealth where a labor dispute exists shall file a written report with the commissioner of labor and industries within five days of the time of his making any such arrangements. The report shall contain the following information:—(a) names and addresses of persons hired or about to be hired and the date or dates on which such persons were imported or are to

be imported; (b) the total amount of compensation paid or to be paid to these persons; (c) amount of expenses paid or to be paid; and (d) the amount received by the person for his services for arranging the hiring of the labor replacements or strike breakers.

Any employer of employees involved in a labor dispute who directly arranges for or who contracts with any person for the importation of labor replacements or strike breakers from outside the commonwealth to work in any establishment within the commonwealth where a labor dispute exists shall file a written report with the commissioner of labor and industries within five days of the time of his making any such arrangement or contract. The report shall contain the following information:—(a) the name and address of the person with whom he has made such an arrangement or executed any such contract and of each person to be imported by the employer; (b) the date on which labor replacements or strike breakers have been or are to be imported or the date on which any such contract was entered into; and (c) the total amount of compensation and expenses paid or to be paid to any person for such importation of labor replacements or strike breakers and to each person who acts as a labor replacement or strike breaker.

Such reports shall be public records.

*Section 4.* No person shall directly or indirectly engage a labor replacement or strike breaker knowing that within seven years prior thereto the person so engaged has been convicted of an offense constituting a felony in the jurisdiction within which he was convicted.

*Section 5.* Whoever being required by section three to file a report fails to file such report or whoever violates the provisions of section four shall for the first offense be punished by a fine of not less than one hundred nor more than five hundred dollars, and for a second or subsequent offense by a fine of not less than one thousand nor more than five thousand dollars.

The commissioner of labor and industries or any person involved in the labor dispute or his representative may bring a complaint under this section in the district court within the jurisdiction of which the employer has his place of business.

*Section 6.* If any provision of this chapter, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this chapter, or the application of the provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

*Approved October 28, 1960.*

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**Chap. 739.** AN ACT AUTHORIZING THE MAINTENANCE WITHOUT A DRAW OF THE MAIN STREET BRIDGE ACROSS THE POWOW RIVER IN THE TOWN OF AMESBURY.

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

**SECTION 1.** The county of Essex is hereby authorized to maintain, without a draw, subject to the provisions of chapter ninety-one of the General Laws, the Main Street bridge across the Powow river in the town of Amesbury.

**SECTION 2.** This act shall take effect upon its passage.

*Approved October 29, 1960.*

**Chap. 740.** AN ACT FURTHER DEFINING "LODGING HOUSE".

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

Section 22 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "include", in line 4, the words:—convalescent or nursing homes licensed under section seventy-one of chapter one hundred and eleven or rest homes so licensed or,—so as to read as follows:—*Section 22.* "Lodging house", as used in sections twenty-two to thirty-one, inclusive, shall mean a house where lodgings are let to five or more persons not within the second degree of kindred to the person conducting it, and shall not include convalescent or nursing homes licensed under section seventy-one of chapter one hundred and eleven or rest homes so licensed or dormitories of charitable, educational or philanthropic institutions.

*Approved October 29, 1960.*

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**Chap. 741.** AN ACT INCREASING THE SALARIES OF THE DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS FOR THE MIDDLE DISTRICT AND PROVIDING FOR THE APPOINTMENT OF TWO ADDITIONAL ASSISTANT DISTRICT ATTORNEYS FOR SAID DISTRICT AND ESTABLISHING THEIR SALARIES.

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

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby amended by striking out the fifth paragraph, as amended by section 1 of chapter 432 of the acts of 1951, and inserting in place thereof the following paragraph:—

For the middle district, six assistant district attorneys.

SECTION 2. Section 15 of said chapter 12 is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 684 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the middle district, twelve thousand dollars.

SECTION 3. Section 16 of said chapter 12 is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 686 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the middle district, one assistant, six thousand five hundred dollars; one assistant, five thousand five hundred dollars; and four assistants, four thousand five hundred dollars.

*Approved October 29, 1960.*

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**Chap. 742.** AN ACT INCREASING THE SALARIES OF THE DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS FOR THE WESTERN DISTRICT AND PROVIDING FOR THE APPOINTMENT OF TWO ADDITIONAL ASSISTANT DISTRICT ATTORNEYS FOR SAID DISTRICT AND ESTABLISHING THEIR SALARIES.

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

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby

amended by striking out the ninth paragraph, as amended by section 1 of chapter 678 of the acts of 1955, and inserting in place thereof the following paragraph:—

For the western district, an assistant district attorney, a second assistant district attorney and three third assistant district attorneys. Two of such assistants shall reside in Berkshire county and the other three in Hampden county.

SECTION 2. Section 15 of said chapter 12 is hereby amended by striking out the ninth paragraph, as appearing in section 1 of chapter 684 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the western district, eleven thousand dollars.

SECTION 3. Section 16 of said chapter 12 is hereby amended by striking out the ninth paragraph, as appearing in section 1 of chapter 686 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the western district, one assistant, five thousand four hundred dollars; one assistant, four thousand seven hundred dollars; one assistant, four thousand three hundred dollars; and two assistants, three thousand three hundred dollars.

*Approved October 29, 1960.*

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**Chap. 743.** AN ACT ESTABLISHING THE SALARY OF THE CLERK OF THE SUPREME JUDICIAL COURT, AND THE SALARIES OF THE CLERK OF THE SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY AND HIS ASSISTANTS.

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

SECTION 1. Section 93 of chapter 221 of the General Laws, as most recently amended by section 6 of chapter 733 of the acts of 1955, is hereby further amended by striking out, in line 4, the word "sixty-five" and inserting in place thereof the word:—seventy-five,—so as to read as follows:—*Section 93.* The clerk of the supreme judicial court for the commonwealth shall receive from the commonwealth as salary a sum equivalent to seventy-five per cent of the salary of an associate justice of the supreme judicial court. Said clerk may employ necessary clerical assistance and may expend for said purpose such sums as may be appropriated therefor, subject, however, to the approval of the chief justice.

SECTION 2. Section 94 of said chapter 221, as most recently amended by section 2 of chapter 774 of the acts of 1949, is hereby further amended by striking out the eight lines under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY and inserting in place thereof the following:—

*Clerk.*—A sum equivalent to seventy-five per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

*Assistant Clerk.*—A sum equivalent to seventy-five per cent of the salary of the clerk, of which the sum of sixteen hundred and fifty dollars shall be paid by the commonwealth.

*Second Assistant Clerk.*—A sum equivalent to sixty per cent of the salary of the clerk, of which the sum of thirteen hundred and twenty dollars shall be paid by the commonwealth.

*Approved October 29, 1960.*



**Chap. 744.** AN ACT AUTHORIZING RETIREMENT BOARDS TO EMPLOY CUSTODIANS FOR THEIR SECURITIES AND TO EMPLOY INVESTMENT ADVISERS.

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

SECTION 1. Paragraph (c) of subdivision (2) of section 23 of chapter 32 of the General Laws, as appearing in section 1 of chapter 658 of the acts of 1945, is hereby amended by striking out the third sentence and inserting in place thereof the following three sentences:—Such securities may be kept under the joint custody of the treasurer-custodian and a member of the board other than the treasurer-custodian, who shall be designated by the board, or such securities may be kept by a custodian who shall be designated by the board, which custodian shall be a bank or trust company, organized under the laws of the commonwealth or of the United States. Such custodian shall collect the interest and dividends on all securities deposited with it, shall collect all called and matured securities deposited with it, and shall deposit the same in a bank or trust company as directed by the board; shall advise the board of all such deposits, of all stock dividends, rights, calls and maturities of all securities deposited with it; shall purchase, sell, deliver, and receive securities on the order of the board; and shall prepare and deliver to the board a list, at such time as the board may require, of all securities held by it with their current market values. Such custodian may make a reasonable charge for such services.

SECTION 2. Said subdivision (2) of said section 23 of said chapter 32 is hereby amended by adding at the end the following paragraph:—

(f) The board may employ any qualified bank, trust company, corporation, firm, or person to advise it on the investment of the fund and may pay for such advice.

*Approved October 29, 1960.*

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**Chap. 745.** AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF MARLBOROUGH AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

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

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws, as appearing in section 1 of chapter 675 of the acts of 1958, is hereby amended by inserting after line 22, reading “first district court of northern Middlesex,” the following line:—district court of Marlborough.

SECTION 2. Section 78 of said chapter 218, as appearing in section 2 of said chapter 675, is hereby amended by striking out line 20, reading “district court of Marlborough.”

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved October 29, 1960.*

**Chap. 746.** AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE THIRD DISTRICT COURT OF SOUTHERN WORCESTER AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS OFFICIAL DUTIES.

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

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws is hereby amended by inserting after the line reading "second district court of southern Worcester," inserted by section 1 of chapter 705 of the acts of 1960, the following line:—third district court of southern Worcester,.

SECTION 2. Section 78 of said chapter 218, as appearing in section 2 of chapter 675 of the acts of 1958, is hereby amended by striking out line 29, reading "third district court of southern Worcester,".

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved October 29, 1960.*

**Chap. 747.** AN ACT EXTENDING THE DATE PRIOR TO WHICH PAYMENT OF TAXES FOR THE CURRENT YEAR ON REAL AND PERSONAL PROPERTY MAY BE MADE IN THE CITY OF SPRINGFIELD WITHOUT INCURRING LIABILITY FOR INTEREST.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, interest on taxes on real and personal property, assessed for the year nineteen hundred and sixty by the city of Springfield shall be waived by the collector if payment is tendered to him on or before January thirty-first, nineteen hundred and sixty-one; and after said date the amount of said taxes remaining unpaid shall be subject to interest at the rate of four per cent per annum computed from January first, nineteen hundred and sixty-one.

SECTION 2. This act shall take effect upon its passage.

*Approved October 31, 1960.*

**Chap. 748.** AN ACT EXTENDING THE TIME WITHIN WHICH APPLICATIONS FOR ABATEMENT OF TAXES ON REAL AND PERSONAL PROPERTY MAY BE FILED IN THE CITY OF SPRINGFIELD.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, a person upon whom a tax on real or personal property has been assessed by the city of Springfield for the year nineteen hundred and sixty, or the administrator of the estate of such a person or the executor or trustee under the will of such a person, if aggrieved by such tax, may, on or before January thirty-first, nineteen hundred and sixty-one, apply in writing to the assessors, on a form approved by the commissioner of corporations and taxation, for an abatement thereof, and if they find him taxed at more than his just proportion, or upon an assessment of any of his property in excess of its fair cash value, they shall make a reasonable abatement; provided, that a person aggrieved by a tax assessed upon him under section

seventy-five of chapter fifty-nine of the General Laws or reassessed upon him under section seventy-seven of said chapter fifty-nine may apply for such abatement at any time within three months after the bill or notice of such assessment or reassessment is first sent to him. A tenant of real estate paying rent therefor and under obligation to pay more than one half of the taxes thereon may apply for such abatement. If a person other than the person to whom a tax on real estate is assessed is the owner thereof, or has an interest therein, or is in possession thereof, and pays the tax, he may thereafter prosecute in his own name any application, appeal or action provided by law for the abatement or recovery of such tax, which after the payment thereof shall be deemed for the purposes of such application, appeal or action, to have been assessed to the person so paying the same. The holder of a mortgage on real estate who has paid not less than one half of the tax thereon may within the ten days before January thirty-first, nineteen hundred and sixty-one, apply in the manner above set forth for an abatement of such tax provided the person assessed has not previously applied for abatement of such tax, and thereupon the right of the person assessed to apply shall cease and determine. The holder of a mortgage so applying for abatement may thereafter prosecute any appeal or action provided by law for the abatement or recovery of such tax in the same manner and subject to the same conditions as a person aggrieved by a tax assessed upon him.

SECTION 2. This act shall take effect upon its passage.

*Approved October 31, 1960.*

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**Chap. 749.** AN ACT RELATIVE TO THE PAYMENT OF TAXES FOR THE CURRENT YEAR IN THE TOWN OF LUDLOW ON REAL AND PERSONAL PROPERTY AND THE TIME WITHIN WHICH INTEREST THEREON SHALL BEGIN.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, taxes assessed by the town of Ludlow on tangible personal property and real estate in the year nineteen hundred and sixty shall be due and payable sixty days after the date of mailing of tax bills. Interest shall begin thirty days after the date of such mailing on all taxes unpaid after the expiration of the sixty day period hereinbefore provided.

SECTION 2. This act shall take effect upon its passage.

*Approved October 31, 1960.*

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**Chap. 750.** AN ACT PROVIDING FOR THE INSTRUCTION AND TRAINING OF CERTAIN EMOTIONALLY DISTURBED CHILDREN, AND REIMBURSING CITIES AND TOWNS AND SCHOOL DISTRICTS FOR EXPENSES INCURRED IN CONNECTION THEREWITH.

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

SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 46G the following two sections:—*Section 46H.* The school committee of every town and regional school district shall ascertain, under regulations prescribed jointly by the department of

education and the department of mental health, the number of children of school age resident therein who are emotionally disturbed.

In any town or regional school district where there is a child of school age resident therein who is so emotionally disturbed as to make attendance at a public school not feasible, and who is not otherwise provided for, the school committee shall employ a teacher or teachers, on full or part time, who shall, with the approval in each case of the departments of education and mental health, offer instruction to each such child in his home or at such place and under such conditions as the committee may arrange, and may purchase, lease and maintain special audio-equipment approved by the department for the instruction of such emotionally disturbed children.

In every town, regional school district or school superintendency union where there are five or more emotionally disturbed children unable to attend regular classes but who are able to attend classes for emotionally disturbed children, such children may be given such special training as approved by the department.

In any town, regional school district or superintendency union where there is a child of school age resident therein able to attend school, but who is emotionally disturbed to such an extent as to prevent normal educational growth and development, such child may be given that type of training recommended by the departments of education and mental health.

If a town furnishing instruction under this section to a child in a school, hospital, sanatorium or similar institution located therein is not the legal residence of the parent or guardian of such child, the town where the parent or guardian has a legal residence shall pay tuition to the town furnishing such instruction.

On or before the fifteenth day of July in each year the town furnishing such instruction shall submit to the department an itemized statement of the following items of actual cost of instruction to children confined in hospitals, sanatoriums, and similar institutions located therein for the preceding school year; teachers, textbooks, supplies and general control. The department shall determine the reasonableness of such cost, and shall, on or before the first day of September following, either notify said town that the cost is approved or shall send the town its own determination of reasonable cost. Such costs as approved or determined shall be divided by the pupil days of instruction given, and the result shall constitute the daily tuition for each pupil to be paid by the town where the parent or guardian has a legal residence to the town furnishing such instruction.

*Section 461.* The department may, upon the request of the parents or guardians and with the approval of the governor, send such emotionally disturbed children as it considers proper subjects for education to any school, hospital, sanatorium or like institution, within or without the commonwealth, affording remedial treatment for emotionally disturbed children for terms not exceeding twelve years, under regulations prescribed by the departments of education and mental health. The department may, upon like request and with like approval, continue for longer terms the education of any children therein who are meritorious pupils recommended by the principal or other chief administrative officer of such school, hospital, sanatorium or like institution.

The expenses of the instruction and support of such children therein, actually rendered or furnished, including their necessary traveling expenses, whether daily or otherwise, but not exceeding ordinary and reasonable compensation therefor, shall be paid by the commonwealth; but the parents or guardians of such children, who are able wholly or in part to provide for their support and care, to the extent of their ability may be required by the department to reimburse the commonwealth therefor.

SECTION 2. Section 29B of chapter 69 of the General Laws, as most recently amended by chapter 627 of the acts of 1960, is hereby further amended by striking out, in line 3, the words "or forty-six A" and inserting in place thereof the words:—, forty-six A or forty-six H.

SECTION 3. Section twenty-nine B of chapter sixty-nine of the General Laws, as amended by section two of this act, and so much of sections forty-six H and forty-six I of chapter seventy-one of the General Laws, inserted by section one of this act, as provides for the training, instruction and support of emotionally disturbed children, or special training therefor, and the acquisition of special audio-equipment for the instruction of such children, shall take effect on January first, nineteen hundred and sixty-two; but so much of said sections forty-six H and forty-six I of said chapter seventy-one as authorizes the departments of education and mental health to prescribe regulations relative to emotionally disturbed children, to such children whose attendance at public schools is not feasible, to the census in cities and towns of emotionally disturbed children of school age, and to the methods and places of instructing, training and supporting such children, shall take effect conformably to the provisions of law.

*Approved November 1, 1960.*

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**Chap. 751.** AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, THEIR DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A SUPPLEMENTAL COUNTY TAX FOR SAID COUNTIES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for supplementing certain appropriations previously made for the fiscal year nineteen hundred and sixty, therefore it is hereby declared an emergency law necessary for the immediate preservation of the public convenience.

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

To provide for supplementing certain items in the annual appropriation act for each of the following counties, the following sums are hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, for the year nineteen hundred and sixty.

BARNSTABLE COUNTY.

Item		
6.	For county treasurer, salaries and expenses .....	\$405 00
7.	For sheriff, salary and expenses .....	405 00
8.	For registry of deeds, salaries and expenses .....	603 00
12.	For criminal costs in superior court .....	20 47
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	2,000 00
14.	For district courts, salaries and expenses .....	2,377 27
16.	For jail and house of correction, maintenance and operation .....	2,500 00
18.	For court houses and registry buildings, mainte- nance and operation .....	500 00
20.	For agricultural school or county aid to agricul- ture, maintenance and operation .....	100 00
23.	For preventorium or health service .....	1,098 50
26.	For miscellaneous and contingent expenses .....	1,500 00
41.	For sewage system, maintenance and operation ..	873 00

Total Amount of Appropriations ..... \$12,382 24

And the county commissioners of Barnstable  
County are hereby authorized to levy as the  
county tax of said county for the current year,  
in the manner provided by law, in addition to  
the tax previously authorized by chapter four  
hundred and fifty-two of the acts of the current  
year, the sum of ..... \$12,382 24

BERKSHIRE COUNTY.

6.	For county treasurer, salaries and expenses .....	\$325 00
7.	For sheriff, salary and expenses .....	350 00
8.	For registries of deeds, salaries and expenses ....	915 00
12.	For criminal costs in superior court .....	29 25
14.	For district courts, salaries and expenses .....	6,147 00
18.	For court houses and registry buildings, mainte- nance and operation .....	225 95
20.	For agricultural school or county aid to agricul- ture, maintenance and operation .....	360 75
22.	For hospital or sanatorium .....	5,408 25
28.	For reserve fund .....	2,000 00
34.	For soil conservation district .....	450 00
39.	For group insurance .....	1,775 00

Total Amount of Appropriations ..... \$17,986 20

And the county commissioners of Berkshire County  
are hereby authorized to levy as the county tax  
of said county for the current year, in the man-  
ner provided by law, in addition to the tax pre-  
viously authorized by chapter three hundred and  
thirty-six of the acts of the current year, the  
sum of ..... \$17,986 20

## BRISTOL COUNTY.

Item		
5.	For clerk of courts, salaries and expenses .....	\$497 50
6.	For county treasurer, salaries and expenses .....	520 00
7.	For sheriff, salary and expenses .....	435 00
8.	For registries of deeds, salaries and expenses ....	1,378 50
12.	For criminal costs in superior court .....	516 03
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	4,000 00
14.	For district courts, salaries and expenses .....	4,253 50
16.	For jail and house of correction, maintenance and operation .....	2,575 00
18.	For court houses and registry buildings, mainte- nance and operation .....	5,938 00
20.	For agricultural school or county aid to agricul- ture, maintenance and operation .....	15,679 25

Total Amount of Appropriations .....	\$35,792 78
And the county commissioners of Bristol County are hereby authorized to levy as the county tax of said county for the current year, in the man- ner provided by law, in addition to the tax pre- viously authorized by chapter four hundred and fifty-one of the acts of the current year, the sum of .....	\$35,792 78

## DUKES COUNTY.

6.	For county treasurer, salaries and expenses .....	\$125 00
7.	For sheriff, salary and expenses .....	150 00
8.	For registry of deeds, salaries and expenses .....	195 00
14.	For district courts, salaries and expenses .....	125 00
31.	For county airport, maintenance and operation ..	265 00

Total Amount of Appropriations .....	\$860 00
And the county commissioners of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the man- ner provided by law, in addition to the tax pre- viously authorized by chapter four hundred and thirty-nine of the acts of the current year, the sum of .....	\$860 00

## ESSEX COUNTY.

3.	For county commissioners, salaries and expenses ..	\$117 00
6.	For county treasurer, salaries and expenses .....	550 00
7.	For sheriff, salary and expenses .....	460 00
8.	For registries of deeds, salaries and expenses ....	895 00
10.	For highways, including state highways, bridges and land damages .....	3,540 50
12.	For criminal costs in superior court .....	123 50

Item	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees ..... \$700 00
14.	For district courts, salaries and expenses ..... 6,390 00
16.	For jail and house of correction, maintenance and operation ..... 7,200 00
16a.	For industrial farm, maintenance and operation .. 1,581 50
17.	For training school. .... 5,951 94
18.	For court houses and registry buildings, maintenance and operation ..... 1,932 08
20.	For agricultural school or county aid to agriculture, maintenance and operation ..... 40,641 44

Total Amount of Appropriations .....	\$70,082 96
And the county commissioners of Essex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter four hundred and seventy of the acts of the current year, the sum of .....	\$70,082 96

FRANKLIN COUNTY.

6.	For county treasurer, salaries and expenses ..... \$300 00
7.	For sheriff, salary and expenses ..... 325 00
8.	For registry of deeds, salaries and expenses ..... 300 00
12.	For criminal costs in superior court ..... 11,000 00
14.	For district courts, salaries and expenses ..... 891 50
22.	For hospital or sanatorium ..... 7,200 00
28.	For reserve fund ..... 10,000 00

Total Amount of Appropriations .....	\$30,016 50
And the county commissioners of Franklin County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and fifty-nine of the acts of the current year, the sum of .....	\$30,016 50

HAMPDEN COUNTY.

6.	For county treasurer, salaries and expenses ..... \$460 00
7.	For sheriff, salary and expenses ..... 460 00
8.	For registry of deeds, salaries and expenses ..... 490 00
8a.	For registry of probate, salaries and expenses .... 281 66
12.	For criminal costs in superior court ..... 87 75
14.	For district courts, salaries and expenses ..... 4,484 00
16.	For jail and house of correction, maintenance and operation ..... 1,925 00



## Item

18.	For court houses and registry buildings, maintenance and operation .....	\$32,000 00
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Total Amount of Appropriations ..... \$40,188 41

And the county commissioners of Hampden County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter four hundred and ninety-six of the acts of the current year, the sum of ..... \$40,188 41

## HAMPSHIRE COUNTY.

3.	For county commissioners, salaries and expenses ..	\$191 00
6.	For county treasurer, salaries and expenses .....	350 00
7.	For sheriff, salary and expenses .....	350 00
8.	For registry of deeds, salaries and expenses .....	1,050 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	2,000 00
14.	For district courts, salaries and expenses .....	850 00
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	221 00
28.	For reserve fund .....	2,500 00

Total Amount of Appropriations ..... \$7,512 00

And the county commissioners of Hampshire County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter three hundred and eighty-one of the acts of the current year, the sum of ..... \$7,512 00

## MIDDLESEX COUNTY.

6.	For county treasurer, salaries and expenses .....	\$550 00
7.	For sheriff, salary and expenses .....	490 00
8.	For registries of deeds, salaries and expenses .....	10,802 30
9.	For law library, salaries and expenses .....	377 00
10.	For highways, including state highways, bridges and land damages .....	25,920 42
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	6,422 00
14.	For district courts, salaries and expenses .....	41,089 37
16.	For jails and houses of correction, maintenance and operation .....	24,264 50
17.	For training school .....	614 00
18.	For court houses and registry buildings, maintenance and operation .....	32,498 50

Item

20.	For agricultural school or county aid to agriculture, maintenance and operation .....	\$591 50
21.	For state reservation, maintenance and operation, Walden Pond .....	221 00
25.	For contributory retirement system and supervisory expenses .....	600 00

Total Amount of Appropriations .....	\$144,440 59
And the county commissioners of Middlesex County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter five hundred and thirty of the acts of the current year, the sum of .....	\$144,440 59

NORFOLK COUNTY.

3.	For county commissioners, salaries and expenses ..	\$91 00
5.	For clerk of courts, salaries and expenses .....	724 75
6.	For county treasurer, salaries and expenses .....	520 00
7.	For sheriff, salary and expenses .....	435 00
8.	For registry of deeds, salaries and expenses .....	735 00
10.	For highways, including state highways, bridges and land damages .....	3,347 75
12.	For criminal costs in superior court .....	7,000 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	5,159 00
14.	For district courts, salaries and expenses .....	8,287 05
16.	For jail and house of correction, maintenance and operation .....	1,815 00
18.	For court houses and registry buildings, maintenance and operation .....	2,987 00
20.	For agricultural school or county aid to agriculture, maintenance and operation .....	11,230 70

Total Amount of Appropriations .....	\$42,332 25
And the county commissioners of Norfolk County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter four hundred and ninety-seven of the acts of the current year, the sum of .....	\$42,332 25

PLYMOUTH COUNTY.

6.	For county treasurer, salaries and expenses .....	\$460 00
7.	For sheriff, salary and expenses .....	435 00
8.	For registry of deeds, salaries and expenses .....	490 00
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees .....	2,210 50

Item	
14. For district courts, salaries and expenses .....	\$4,597 00
16. For jail and house of correction, maintenance and operation .....	5,010 75
17. For training school .....	2,000 00
18. For court houses and registry buildings, maintenance and operation .....	274 50
20. For agricultural school or county aid to agriculture, maintenance and operation .....	827 67
27. For unpaid bills of previous years .....	789 00

Total Amount of Appropriations .....	\$17,094 42
And the county commissioners of Plymouth County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter four hundred and ninety-five of the acts of the current year, the sum of .....	\$17,094 42

#### WORCESTER COUNTY.

4. For transportation and expenses of county and acting commissioners .....	\$3,000 00
6. For county treasurer, salaries and expenses .....	550 00
7. For sheriff, salary and expenses .....	460 00
8. For registries of deeds, salaries and expenses ....	870 00
10. For highways, including state highways, bridges and land damages .....	6,826 08
14. For district courts, salaries and expenses .....	4,753 58
18. For court houses and registry buildings, maintenance and operation .....	7,920 98
20. For agricultural school or county aid to agriculture, maintenance and operation .....	247 00

Total Amount of Appropriations .....	\$24,627 64
And the county commissioners of Worcester County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, in addition to the tax previously authorized by chapter five hundred and twenty-nine of the acts of the current year, the sum of .....	\$24,627 64

*Approved November 3, 1960.*

**Chap. 752.** AN ACT AUTHORIZING THE CITY OF SALEM TO CONSTRUCT A WATER TANK ON CERTAIN PARK LAND IN SAID CITY, AND TO RUN CERTAIN WATER PIPES UNDER SAID PARK LAND.

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

SECTION 1. The city of Salem, with the approval of the park department of said city, is hereby authorized to construct and maintain

a water storage tank on certain land, located in said city and held by it for park purposes, known as Gallows Hill Park, and to install and maintain certain water pipe lines, which shall run underground from said water tank to the boundaries of said Park. Said water storage tank and water pipe lines shall be located in and over the following parcels of said park land, respectively: (1) a parcel of land in the northwest corner of said Gallows Hill Park, and (2) a strip of land fifty feet wide and two strips of land twenty-five feet wide; all as shown on a plan entitled "City of Salem, Massachusetts, Improvement to Water Supply, Required Easements at Gallows Hill Park", by Charles A. Maguire & Associates, Engineers, dated Aug. 18, 1960.

Upon the construction and installation of said water tank and water mains or upon any repair of the same, the surface of said park land shall be restored to its appearance and condition as existing immediately prior to such construction, installation or repair.

SECTION 2. This act shall take effect upon its passage.

*Approved November 3, 1960.*

**Chap. 753.** AN ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS IN THE COUNTY TUBERCULOSIS HOSPITAL APPROPRIATION ACT.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for supplementing certain appropriations previously made for the fiscal year nineteen hundred and sixty, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

To provide for supplementing certain items in the annual county tuberculosis hospital appropriation act, the following sums are hereby appropriated subject to the provisions of law regulating the disbursement of hospital funds and the approval thereof, for the year nineteen hundred and sixty.

ESSEX COUNTY.

Item

1. For personal services .....	\$102 92
2. For contractual services .....	2,000 00
5. For equipment .....	21,509 80
For total expenditures .....	\$23,612 72

MIDDLESEX COUNTY.

1. For personal services .....	\$97 50
For total expenditures .....	\$97 50

*Approved November 3, 1960.*

**Chap. 754.** AN ACT MAKING AN APPROPRIATION FOR THE ASSISTANCE, PRIOR TO HIS INAUGURATION, OF THE GOVERNOR-ELECT.

*Whereas*, The deferred operation of this act would tend to defeat

its purpose, which is to make available immediately after the biennial state election in the current year funds to provide such assistance to the governor-elect as he may request in writing, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. To provide for certain expenses for the governor-elect preparatory to his assumption of duties as governor, the sum set forth in section two of this act is hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, and the conditions pertaining to appropriations in chapter five hundred and seven of the acts of nineteen hundred and sixty.

SECTION 2.

#### GENERAL FUND.

#### STATE PURPOSES APPROPRIATIONS.

#### Boards and Commissions Serving under Governor and Council.

#### *Commission on Administration and Finance.*

<p>Item 0441-05</p>	<p>For additional expenses to be incurred in furnishing such assistance as the governor-elect may request in writing <b>\$25,000</b> <i>Approved November 3, 1960.</i></p>
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**Chap. 755.** AN ACT MAKING THE FIRE COMMISSIONER IN THE CITY OF BOSTON AN ASSOCIATE TRAFFIC COMMISSIONER IN PLACE OF THE COMMISSIONER OF PARKS AND RECREATION.

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

SECTION 1. Section 1 of chapter 263 of the acts of 1929, as amended by section 1 of chapter 253 of the acts of 1957, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—The police commissioner, the fire commissioner, the commissioner of public works and the commissioner of real property of the city shall be, *ex officio*, the associate traffic commissioners.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter.

*Approved November 3, 1960.*

**Chap. 756.** AN ACT LIMITING THE HEIGHT OF CERTAIN STRUCTURES WITHIN THE APPROACHES TO CERTAIN AIRPORTS.

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

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 35 the following four sections:—

*Section 35A.* The safety, welfare and protection of persons and property in the air and on the ground requires that the navigable air space overlying the commonwealth in the approaches to, and the air traffic pattern area of, airports approved by the commission be maintained in a reasonably unobstructed condition for the safe flight of

aircraft, and therefore, in the exercise of the police power, the location and height of structures and the use of land thereto related is regulated as provided in sections thirty-five B to thirty-five D, inclusive.

*Section 35B.* No person shall erect or add to the height of any structure within a rectangular area lying fifteen hundred feet on either side of the extended center line of a runway or landing strip of an airport approved by the commission for a distance of two miles from the end of such runway or landing strip so that the height thereof will be more than one hundred and fifty feet above the level of such runway or landing strip, nor, within that portion of such area which is within a distance of three thousand feet from the end of such runway or landing strip, so that the height thereof will be greater than a height above the level of such runway or landing strip determined by the ratio of one foot vertically to every twenty feet horizontally measured from the end of such runway or landing strip, unless a permit therefor has been granted by the commission.

The provisions of this section shall not apply (1) to areas subject to airport approach regulations adopted pursuant to sections forty A to forty I, inclusive, (2) to air approaches to the General Edward Lawrence Logan International Airport, nor (3) to structures which will be thirty feet or less in height above ground.

*Section 35C.* Application for such permit shall be made to the commission on a form furnished by it.

If such application is granted, the permit shall specify the location of such structure or a defined area within which it shall be located, its maximum height, and, in conformity with federal laws and regulations in so far as applicable, the obstruction markers, marking, lighting or other visual identification characteristics to be installed thereon or in its vicinity. If not inconsistent with federal laws and regulations, the permit may require that lights flash at intervals and in a specified pattern.

If such application is denied, notice thereof shall be given the applicant by certified mail at the address specified in the application. The applicant may, within twenty days thereafter, file a written request with the commission for a public hearing. Such hearing shall be subject to the provisions of chapter thirty A.

*Section 35D.* The provisions of section thirty-five B shall not be construed to prohibit the maintenance, repair or replacement nor to require any change in the height or location of any structure existing prior to the initial approval of an airport by the commission or prior to the construction of a runway or landing strip at an airport so approved.

Notwithstanding the provisions of section thirty-five B, an addition in height or otherwise may be made to any structure which exceeded a height of one hundred and twenty-five feet above ground prior to the initial approval, after January first, nineteen hundred and sixty, of an airport by the commission or prior to the construction of a runway or landing strip at an airport so approved after said date.

For the purposes of this section initial approval shall be construed to include reapproval where approval has been withdrawn for a period following initial approval.

SECTION 2. The provisions of section thirty-five B of chapter ninety of the General Laws, inserted by section one of this act, shall not be construed to prohibit the maintenance, repair or replacement nor to require any change in the height or location of any structure existing on the effective date of this act.

*Approved November 3, 1960.*

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**Chap. 757.** AN ACT RELATIVE TO PAYMENT OF PENSIONS OF CERTAIN PROBATION OFFICERS.

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

Chapter 32 of the General Laws is hereby amended by striking out section 76A, as appearing in section 2 of chapter 643 of the acts of 1957, and inserting in place thereof the following section:—*Section 76A.* Any person retired under the provisions of section seventy-five shall receive an annual pension equal to one half of the regular annual compensation received by him at the time of his retirement; provided, that any such person who is retired after attaining age sixty-five and who has given his whole time to the duties of the office of probation officer and has faithfully performed such duties for a period of not less than twenty consecutive years immediately preceding his retirement shall receive an annual pension equal to one half of the regular annual compensation received by him at the time of his retirement and an additional yearly amount equal to one per cent of said compensation for each year after the first twenty, the total yearly amount of his pension not to exceed sixty-five per cent of said regular annual compensation or six thousand dollars, whichever is less. Such pension shall be paid by the county in which such person has performed his duties, or if he has performed such duties in more than one county, it shall be apportioned by the superior court among such counties.

*Approved November 3, 1960.*

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**Chap. 758.** AN ACT ESTABLISHING A MAXIMUM RATE OF EXCISE ON REGISTERED MOTOR VEHICLES AND TRAILERS.

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

SECTION 1. Section 1 of chapter 60A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 640 of the acts of 1954, and inserting in place thereof the following paragraph:—Except as hereinafter provided, there shall be assessed and levied in each calendar year on every motor vehicle and trailer registered under chapter ninety, for the privilege of such registration, an excise measured by the value thereof, as hereinafter defined and determined, at the average state rate for the calendar year, as determined in the manner provided under section fifty-eight of chapter sixty-three, except that no rate fixed hereunder shall be in excess of sixty-six dollars per thousand of valuation. For the purpose of this excise the value of each such motor vehicle or trailer shall be deemed to be the value, as determined by the commissioner, of motor vehicles or trailers of the same make, type, model, and year of manu-

facture as designated by the manufacturer, but not in excess of the following percentages of the list price established by the manufacturer for the year of manufacture, namely:

In the year preceding the designated year of manufacture	50 %
In the year of manufacture	90 %
In the second year	60 %
In the third year	40 %
In the fourth year	25 %
In the fifth and succeeding years	10 %

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-one, and shall apply to motor vehicles and trailers registered for the calendar year nineteen hundred and sixty-one and thereafter.

*Approved November 3, 1960.*

**Chap. 759.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE RULES AND REGULATIONS CONCERNING THE CLOSURES OF CERTAIN CONTAINERS OF CORROSIVE SUBSTANCES.

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

Section 8A of chapter 111 of the General Laws, inserted by chapter 502 of the acts of 1959, is hereby amended by inserting after the word "substances", in line 3, the words:—and concerning the closures of containers of corrosive substances intended for household use,—so as to read as follows:—*Section 8A.* The department shall make such rules and regulations concerning the disposal or discard of containers of poisonous substances and concerning the closures of containers of corrosive substances intended for household use as it shall deem necessary for the protection of the lives and safety of the public, which rules and regulations may provide penalties for the violation thereof not exceeding five hundred dollars for any one offence.

*Approved November 3, 1960.*

**Chap. 760.** AN ACT PROVIDING STATE AID FOR FREE PUBLIC LIBRARIES.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to immediately provide state aid to the public libraries of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 78 of the General Laws is hereby amended by inserting after section 19 the following four sections:—

*Section 19A.* The state treasurer shall annually, on or before July first, pay from the proceeds of the taxation on incomes under chapter sixty-two to each city or town certified by the board of library commissioners to have met certain minimum standards of free public library service established by said board a sum of money for its free public library or libraries which shall be determined as follows:—



(1) To each town having a population of less than two thousand, a sum equivalent to the amount appropriated by it for free public library service during the preceding year, but in no event more than five hundred dollars;

(2) To each city and to each town having a population of two thousand or more, a sum not exceeding twenty-five cents for each resident therein; provided, that such city or town appropriated during the preceding year for its free public library service at least five hundred dollars.

No city or town which appropriates for its free public library service in any one year an amount less than three dollars per capita of population shall receive any money under this section, if such appropriation is below the average of its appropriation for free public library service for the four years immediately preceding.

If a city or town is eligible for state aid under this section, but gives approved free public library service only for a fraction of the year, the amount it shall receive shall be the amount computed hereunder multiplied by such fraction.

*Section 19B.* The board of library commissioners, in setting up minimum standards of free public library service and in certifying such libraries for aid under section nineteen A shall require the filing of an annual report and shall require that such public libraries

- (1) be open to all residents of the commonwealth,
- (2) make no charge for normal library services,
- (3) be kept open a minimum number of hours per week,
- (4) employ a trained library worker,
- (5) expend a reasonable portion of the library's total budget for books and periodicals,

(6) lend books to other libraries in the commonwealth and extend privileges to the holders of cards issued by other public libraries in the commonwealth on a reciprocal basis.

*Section 19C.* The board shall establish a comprehensive state-wide program of regional public library service, consisting of regional public library systems, which shall not exceed five. For such purpose there shall be appropriated annually an amount equal to twenty-five cents for each resident in each regional area for which such a regional library system is established. The board shall apply said appropriation in the following manner:—

(1) In so far as practicable the board shall enter into an arrangement or arrangements with such public library or libraries in each regional area as it may determine under the terms of which such library or libraries shall supply services or space, equipment, personnel, books, periodicals and other library materials to communities having fewer than twenty-five thousand inhabitants, the cost of which shall not exceed an amount equal to fifty cents per annum for each resident in such regional community having less than twenty-five thousand inhabitants;

(2) Said board shall also designate such public library or libraries in each area or an additional such public library or libraries in the area to serve as a regional reference and research center or centers to meet the reference and research library needs of the residents of all

the cities and towns in the area; the amount allocated for such reference and research service to be applied only to the cost of such reference and research books, periodicals and other library materials and to the cost of the personnel employed in such reference and research service; the cost of such reference and research service not to exceed an amount equal to twenty-five cents per annum for each resident in such regional area.

*Section 19D.* For each regional area the board shall establish an advisory council which shall consist of the chief librarian of each city or town in the regional area. Such advisory councils shall make suggestions and recommendations to the board of library commissioners concerning the regional public library systems.

**SECTION 2.** Notwithstanding any contrary provision of section nineteen A of chapter seventy-eight of the General Laws, inserted by section one of this act, the amount which the state treasurer shall pay to cities and towns on or before July first, nineteen hundred and sixty-one under the provisions of said section nineteen A shall not exceed one million dollars.

**SECTION 3.** To provide for the establishment of a state-wide program of regional public library service, as authorized by section nineteen C of chapter seventy-eight of the General Laws, inserted by section one of this act, there is hereby appropriated from the General Fund the sum hereinafter set forth, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, and the conditions pertaining to appropriations in chapter five hundred and seven of the acts of nineteen hundred and sixty.

**GENERAL FUND.**

**STATE PURPOSES APPROPRIATIONS.**

**Department of Education.**

*Division of Public Libraries.*

Item	
1316-02	For expenses of regional public libraries with the approval of the board of library commissioners . . . <b>\$768,000</b> <i>Approved November 3, 1960.</i>

**Chap. 761.** AN ACT RELATIVE TO THE SALARIES OF THE ASSISTANT REGISTERS OF DEEDS FOR THE SOUTHERN DISTRICT OF MIDDLESEX COUNTY.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the number of assistant registers of deeds in the southern district of Middlesex county and to increase the salaries of the assistant registers of deeds in said district, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

**SECTION 1.** The first sentence of section 49 of chapter 35 of the General Laws, as most recently amended by section 7 of chapter 609 of the acts of 1959, is hereby further amended by inserting after the word "Suffolk", in line 11, the words:— , the assistant registers of

deeds for the southern district of Middlesex,—so as to read as follows:—Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, clerks and assistant clerks of the courts, the assistant clerk and second assistant clerk of the supreme judicial court for the county of Suffolk, the register of deeds and the assistant registers of deeds for the county of Suffolk, the assistant registers of deeds for the southern district of Middlesex, official stenographers, additional stenographers and temporary stenographers of the superior court in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, the secretary and assistant secretary of the municipal court of the city of Boston, clerks and assistant clerks of the district courts other than the clerks and assistant clerks of the Boston juvenile court and of district courts in the county of Suffolk except the municipal court of the city of Boston and the municipal court of the Roxbury district, and excluding trial justices, other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, court officers in attendance upon the probate court in the county of Essex, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification.

SECTION 2. Chapter 36 of the General Laws is hereby amended by striking out section 5, as amended by section 1 of chapter 352 of the acts of 1947, and inserting in place thereof the following section:—*Section 5.* The registers of deeds for Suffolk county and the southern district of Middlesex may, by a writing recorded in their respective registries, designate one of the persons employed in their respective registries as second assistant register, one of such persons as third assistant register and one of such persons as fourth assistant register, any of which designations they may at their pleasure in like manner revoke.

SECTION 3. Said chapter 36 is hereby further amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 6.* The registers for the southern district of Essex, the county of Hampden and the Worcester district may, with the approval of their respective county commissioners, appoint and at pleasure remove, a second assistant register. Such an assistant shall have all the powers and authority vested in an assistant register.

SECTION 4. Section 33 of said chapter 36 is hereby amended by adding at the end the following paragraph:—

The salary of the first assistant register of deeds for the southern district of Middlesex shall be eighty-eight hundred dollars, and the salaries of the other assistant registers of deeds for said district shall be eighty-two hundred dollars. *Approved November 9, 1960.*

**Chap. 762.** AN ACT RELATIVE TO THE PAYMENT OF OVERTIME TO CERTAIN EMPLOYEES OF THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to pay overtime for certain employees who may already have performed such services without proper remuneration, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

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

SECTION 1. Chapter 149 of the General Laws is hereby amended by striking out section 30B, inserted by section 2 of chapter 614 of the acts of 1960, and inserting in place thereof the following section:—  
*Section 30B.* All service in excess of eight hours in any one tour of duty or forty hours in any one work week rendered by any employee of the commonwealth at the request of an officer of the commonwealth or other person whose duty it is to employ, direct or control such employee, except the state police uniformed force and detectives, metropolitan district police, fire prevention engineer, boatswain coastal patrol boat, captain coastal patrol boat, coastal warden coastal patrol boat, coastal warden engineer coastal patrol boat, industrial relations adjuster, teachers, armorers, elected officers, appointees of the governor, heads of departments and divisions and their deputies and assistants, incumbents of the positions of superintendents, assistant superintendents, deputy superintendents, stewards, physicians, dentists, head farmers, business managers, institution chief power plant engineers at mental health, public health, correctional institutions, soldiers' homes in Massachusetts and agencies under the jurisdiction of the division of youth service, the manager of the boarding hall at the University of Massachusetts, and the adjutants of the soldiers' homes in Massachusetts, shall be compensated for at the rate of one and one half times the regular hourly rate of said employee for every hour or fraction thereof of such services rendered. The director of personnel and standardization is empowered to make rules and regulations, subject to the approval of the commission on administration and finance, to carry out the provisions of this section.

SECTION 2. This act shall take effect as of June twenty-sixth, nineteen hundred and sixty. *Approved November 9, 1960.*

**Chap. 763.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON TO THE ORIENT HEIGHTS YACHT CLUB.

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

The department of public works in the name of and on behalf of the commonwealth is hereby authorized and directed to sell and convey

to The Orient Heights Yacht Club, subject to the approval of the governor and council, all right, title and interest of the commonwealth in and to the following parcel of registered land in the city of Boston as shown on Certificate of Title No. 47164, issued by the Registry District of the Land Court of Suffolk county and in land court plan No. 15259A, being bounded and described as follows:—Beginning at a point in the southerly line of Thurston street at the northwesterly corner of the granted premises; thence running easterly three hundred and fifty (350) feet by said Thurston street and Bayswater street as shown on said plan; thence turning and running southerly two hundred (200) feet to a point; thence turning and running westerly three hundred and fifty (350) feet to a point; thence turning and running northerly two hundred (200) feet to the point of beginning. Containing seventy thousand (70,000) square feet, more or less, according to said plan.

The deed conveying the right, title and interest of the commonwealth in and to the above-described parcel of land shall be approved as to form by the attorney general. *Approved November 9, 1960.*

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**Chap. 764.** AN ACT EXEMPTING FROM TAXATION CERTAIN REAL PROPERTY OF CERTAIN WIDOWS OF WORLD WAR I VETERANS.

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

SECTION 1. Clause Twenty-second of section 5 of chapter 59 of the General Laws is hereby amended by inserting after the paragraph inserted by chapter 312 of the acts of 1955 the following paragraph:—

(i) Widows of soldiers or sailors who served in the armed forces of the United States between April sixth, nineteen hundred and seventeen, and November eleventh, nineteen hundred and eighteen, or who were awarded the World War I victory medal; provided, such widows have remained unmarried, and have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this section; and provided, further, that the whole estate, real and personal, of such widow does not exceed the sum of eight thousand dollars, exclusive of the value of the mortgage interest held by persons other than such widow in such mortgaged real estate as may be included in such whole estate.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty. *Approved November 9, 1960.*

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**Chap. 765.** AN ACT RELATIVE TO THE COMPOSITION OF THE PAROLE BOARD AND THE POWERS AND DUTIES OF THE CHAIRMAN, INCREASING THE SALARIES OF ITS MEMBERS, AND EXTENDING ITS JURISDICTION TO PRISONERS SENTENCED TO JAILS OR HOUSES OF CORRECTION.

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

SECTION 1. Chapter 27 of the General Laws is hereby amended by striking out section 4, as appearing in section 1 of chapter 770 of the acts of 1955, and inserting in place thereof the following section:—

*Section 4.* There shall be in the department, but not subject to its jurisdiction, a parole board, consisting of five members, who shall devote full time to their duties. Of said members at least one shall be a member of one of the two major political parties and one a member of the other major political party, at least one shall be a man and one a woman. Upon the expiration of the term of office of a member, his successor shall be appointed by the governor with the advice and consent of the council for a term of five years.

The chairman shall receive a salary of fourteen thousand dollars and each of the other members a salary of twelve thousand dollars.

The governor shall designate one of said members as chairman. Said chairman shall be the executive and administrative head of said board, shall have the authority and responsibility of directing assignments of members of said board and shall be the appointing and removing authority for parole agents and other members of the parole staff. In the case of the absence or disability of the chairman, the governor may designate one of the other members to act as chairman during such absence or disability.

SECTION 2. Said chapter 27 is hereby further amended by striking out section 5, as so appearing, and inserting in place thereof the following section:—*Section 5.* The parole board shall (a) within its jurisdiction, as defined in section one hundred and twenty-eight of chapter one hundred and twenty-seven, determine which prisoners in the correctional institutions of the commonwealth or in jails or houses of correction may be released on parole, and when and under what conditions, and the power within such jurisdiction to grant a parole permit to any prisoner, and to revoke, revise, alter or amend the same, and the terms and conditions on which it was granted shall remain in the parole board until the expiration of the maximum term of the sentence or sentences for the service of which such prisoner was committed, or until the date which has been determined by deductions from the maximum term of his sentence or sentences for good conduct, or unless otherwise terminated; (b) supervise all prisoners released on parole permits granted by it, make such investigations as may be necessary in connection therewith, determine whether violation of parole terms and conditions exist in specific cases, decide the action to be taken with reference thereto, and aid paroled prisoners to secure employment; (c) be the advisory board of pardons with the power and duties in relation thereto set forth in section one hundred and fifty-four of chapter one hundred and twenty-seven; (d) supervise all prisoners pardoned on parole conditions, and report to the governor violations by any such prisoner of the parole conditions applicable to his pardon; (e) make rules relative to the performance of its duties, the calling and conduct of meetings and for the conduct of its employees in the performance of their duties; (f) print its rules and the statutes relating to its powers and duties, in convenient form, from time to time, and annually during the month of January mail or deliver one copy thereof to each justice of the superior and district courts, each sheriff and to the master, keeper or principal officer of each penal institution in the commonwealth, and two hundred copies thereof to the board of probation; (g) make an annual report to the commissioner.

Any three members of the board may be appointed by the chairman to act as the parole board having jurisdiction over the granting or revocation of paroles. The chairman shall designate from time to time one or more members to conduct preliminary hearings in jails and houses of correction. He may also designate any member to act in his absence as the executive and administrative head of the board.

SECTION 2A. Said chapter 27 is hereby further amended by striking out section 6.

SECTION 3. Chapter 127 of the General Laws is hereby amended by striking out section 128, as most recently amended by section 1 of chapter 690 of the acts of 1941, and inserting in place thereof the following section:—*Section 128.* Subject to other provisions of law, parole permits, in this chapter also referred to as permits to be at liberty, may be granted as follows: to prisoners in the correctional institutions of the commonwealth or transferred therefrom to jails or houses of correction and to prisoners sentenced to jails or houses of correction for one year or more, or for a total aggregate of sentences of twelve months or more, by the parole board; to all other prisoners in a jail or house of correction in any county other than Suffolk, by the county commissioners; to all other prisoners in the jail or house of correction in Suffolk county, by the penal institutions commissioner. All permits shall be issued by the board or officer granting them.

SECTION 4. The second paragraph of section 129 of said chapter 127 is hereby amended by striking out the last sentence, as amended by chapter 524 of the acts of 1960, and inserting in place thereof the following sentence:—A prisoner released on parole who has faithfully observed all the rules of his parole, and has not been returned to prison for the violation of his parole, shall be entitled to have the term of his imprisonment reduced by a deduction from the maximum term for which he may be held under the sentence or sentences, but only for that period of the sentence or sentences during which he was actually confined, and in such case, the parole board shall notify the officer or officers authorized by this section to issue a certificate of discharge for the institution from which he was paroled who shall issue to him a certificate of final discharge and release from further supervision upon the date which has been determined by such a deduction from the maximum term of his sentence or sentences; provided, however, that when any person serving a sentence imposed for a violation of section thirteen B, twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B of chapter two hundred and sixty-five, or section seventeen, thirty-five, or thirty-five A of chapter two hundred and seventy-two or for an attempt to commit any crime referred to in said sections is released in accordance with the provisions hereof, he shall not be given any certificate of discharge hereunder, but shall be released on parole and shall be subject to the provisions of law governing parole until the expiration of the term of imprisonment to which he has been sentenced.

SECTION 5. Said chapter 127 is hereby further amended by striking out section 134, as most recently amended by section 71 of chapter 770 of the acts of 1955, and inserting in place thereof the following section:—*Section 134.* No parole permit shall be granted by the parole board to an inmate in a correctional institution of the common-

wealth, or transferred therefrom to a jail or house of correction until the inmate has been seen by a majority of said board. An inmate of a jail or house of correction other than one transferred thereto from a correctional institution of the commonwealth shall have a preliminary hearing before at least one member of the parole board, who shall report his findings to the board for their final action on the granting of a parole permit to such inmate. An official record shall be kept of each hearing and of the action taken by the board in granting or denying parole, and such record shall be signed by each board member who was present at the hearing.

SECTION 6. Said chapter 127 is hereby further amended by striking out section 135, as amended by section 6 of chapter 567 of the acts of 1954, and inserting in place thereof the following section:—*Section 135.* The commissioner or the jailer, master or keeper of a jail or house of correction shall furnish to the parole board all information in his possession relating to any prisoner whose case is under consideration. As each prisoner is received in the correctional institutions of the commonwealth or in the jails or houses of correction, it shall be the duty of the commissioner of correction or of the jailer, master or keeper, while the case is still recent, to cause to be obtained and filed information as complete as may be obtainable at that time with regard to such prisoner. Such information shall include a complete statement of the crime for which he is then sentenced, the circumstances of such crime, the nature of his sentence, the court in which he was sentenced, the name of the judge and district attorney, and copies of such probation reports as may have been made, as well as reports as to the prisoner's social, physical, mental and psychiatric condition and history. It shall be the duty of the clerk of the court and of all probation officers and other appropriate officials to send such information as may be in their possession or under their control to the commissioner or the jailer, master or keeper of a jail or house of correction, upon request. The commissioner or the jailer, master or keeper of a jail or house of correction shall also at that time obtain and file a copy of the complete criminal record of such prisoner, so far as reasonably available, including any juvenile court record that may exist. When all such existing available records have been assembled, they shall be made available to the parole board so as to be readily accessible when the parole or pardon of such prisoner is being considered.

SECTION 7. Section 141 of said chapter 127, as most recently amended by section 10 of chapter 731 of the acts of 1956, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—A probation officer may, with the consent of the county commissioners, or, in Suffolk county, of the penal institutions commissioner of Boston, investigate the case of any person, except a prisoner within the jurisdiction of the parole board as defined in section one hundred and twenty-eight, imprisoned in a jail or house of correction upon a sentence of not more than six months, or upon a longer sentence of which not more than six months, or of which not more than one half thereof, whichever such period shall be the longer, shall remain unexpired, or for failure to pay a fine, for the purpose of ascertaining the probability of his reformation if released from imprisonment.



SECTION 8. Section four of chapter twenty-seven of the General Laws as amended by section one of this act shall not affect the term of office of members of the parole board in office on the effective date hereof.

SECTION 9. Upon the effective date of this act the persons permanently employed as parole agents by the county of Suffolk shall be transferred to the state department of correction and shall continue to perform the duties of a parole agent at a salary not less than theretofore, and every such parole agent shall be transferred to the state service without loss or impairment of his civil service, retirement, seniority, vacation or other rights. *Approved November 9, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, NOVEMBER 16, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 765 of the Acts of 1960, entitled "An Act Relative to the Composition of the Parole Board and the Powers and Duties of the Chairman, Increasing the Salaries of its Members, and Extending its Jurisdiction to Prisoners Sentenced to Jails or Houses of Correction" and the enactment of which received my approval on November 9, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to establish forthwith the salaries of the members of the parole board and extend its jurisdiction to prisoners in county institutions.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, NOVEMBER 16, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and sixty-five of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

**Chap. 766.** AN ACT IMPOSING LIABILITY FOR DAMAGES FOR FAILURE TO MAINTAIN A BARRIER AROUND AN EXCAVATION ABUTTING ON A PUBLIC WAY.

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

SECTION 1. Chapter 84 of the General Laws is hereby amended by adding at the end the following section:—*Section 27.* If, on premises abutting on a public way, an excavation is a hazard to travelers upon such way who are in the exercise of due care, the person in control of such premises shall be liable in tort to any such traveler who, by reason of a want of a sufficient railing or barrier in or upon such excavation or between such excavation and such way, sustains bodily injury or property damage.

SECTION 2. This act shall apply only to causes of action arising on and after its effective date.

*Approved November 21, 1960.*

**Chap. 767.** AN ACT RELATIVE TO THE LEASING OF LAND BY THE DEPARTMENT OF PUBLIC WORKS FOR USE AS A PUBLIC PARKING FACILITY.

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

Chapter 81 of the General Laws is hereby amended by inserting after section 7G the following section:—*Section 7H.* Notwithstanding any other provision of law, the department may, with the approval of the governor and council, lease land adjacent to, over or under a state highway for use as a public parking facility; provided, however, (1) the term of any such lease shall not exceed five years (2) the provisions of section eight A of chapter twenty-nine relative to notice of and proposals for any contract in excess of five thousand dollars for work under the supervision or control of the department shall apply to such leases (3) the lessee has filed with the department a statement under oath containing the names and addresses of the officers and directors in the case of a corporation, or of the person or persons in the case of a partnership or other voluntary association, or of any other person or persons, having any financial or beneficial interest in said lease (4) the lessee shall within thirty days after any change in the stockholders or persons holding any such interest file a statement thereof under oath with the department and (5) no such lease shall be renewed or extended except in accordance with the provisions of this section applicable to a new lease.

Whoever wilfully violates any provision of this section shall be punished by a fine of not more than one thousand dollars.

*Approved November 21, 1960.*

**Chap. 768.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

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

SECTION 1. The city of Springfield is hereby authorized to appropriate money for the payment of, and after such appropriation, the

treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling twenty-one thousand eight hundred fifty-seven dollars and seventy-one cents, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of their being incurred in excess of available appropriations, and as are certified for payment by the following departments wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city: Police, \$1,181.14; Park, \$135.03; Fire, \$100.62; Streets and Engineering, \$13,040.66; Municipal Hospital, \$160.06; School, \$121.64; Traffic, \$35.37; G. A. R. Hall, \$1,440.89; Board of Assessors, \$4.76; Building, \$60.00; and Water, \$5,577.54.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, in accordance with the provisions of its charter, but not otherwise.

*Approved November 21, 1960.*

**Chap. 769.** AN ACT INCREASING THE SALARIES OF THE REGISTER OF DEEDS AND ASSISTANT REGISTERS OF DEEDS FOR THE COUNTY OF SUFFOLK.

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

Section 33 of chapter 36 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 661 of the acts of 1956, and inserting in place thereof the following paragraph:—

The salaries of the register of deeds for the county of Suffolk, and his assistants shall be as follows:—

- |                                |  |
|--------------------------------|--|
| Register:                      | A sum equivalent to seventy-five per cent of the salary of an associate justice of the superior court. |
| First assistant register:      | A sum equivalent to seventy-five per cent of the salary of the register.                               |
| All other assistant registers: | A sum equivalent to sixty-five per cent of the salary of the register.                                 |

*Approved November 21, 1960.*

**Chap. 770.** AN ACT RELATIVE TO THE SALARY CLASSIFICATION OF CERTAIN EMPLOYEES OF THE VETERANS' SERVICES DEPARTMENT IN THE CITY OF BOSTON.

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

SECTION 1. Veterans' services investigators employed by the city of Boston shall be classified in Group T, Grade 24 in the compensation and classification plans of said city in place of their present classification in Group T, Grade 17; veterans' services supervisors employed by said city shall be classified in Group T, Grade 26 in said plans in place of their present classification in Group T, Grade 19, and the principal veterans' services supervisor employed by said city shall be classified in Group T, Grade 28 in said plans in place of his present classification in Group T, Grade 21.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston subject to the provisions of its charter, but not otherwise.

*Approved November 21, 1960.*

**Chap. 771.** AN ACT FURTHER REGULATING THE BIDDING ON, AND AWARD OF, CONTRACTS FOR THE CONSTRUCTION, RECONSTRUCTION, ALTERATION, REMODELING, REPAIR OR DEMOLITION OF BUILDINGS BY THE COMMONWEALTH AND GOVERNMENTAL UNITS THEREOF.

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

SECTION 1. Section 39F of chapter 30 of the General Laws, as most recently amended by section 1 of chapter 677 of the acts of 1956, is hereby further amended by adding at the end the following two paragraphs:—

On all contracts for building construction subject to the provisions of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine, periodic payments for work performed by a subcontractor shall be made to the general contractor for payment to the subcontractor and shall be paid to the subcontractor forthwith after receipt thereof by the general contractor and without any ten day waiting period as provided above, less any amount claimed by the general contractor in a letter containing a breakdown of the claim and sent to the subcontractor with such payment; provided, that a general contractor, who has received a periodic estimate for a periodic payment in proper form from a subcontractor three days, Saturdays, Sundays and holidays excluded, before the due date of the general contractor's periodic estimate for the same periodic payment period to the awarding authority, shall make payment to such subcontractor for money due the subcontractor for work done in such payment period less any amount claimed by the general contractor in a letter containing a breakdown of the claim and sent to the subcontractor with such payment, even though the general contractor does not submit a periodic estimate to the awarding authority for that payment period; and provided, further, that the awarding authority shall take all reasonable steps to compel the general contractor to make payment to the subcontractors as provided in this paragraph, and upon the

written request of a subcontractor setting forth the amount payable but not paid, a copy of which shall be sent to the general contractor, shall make direct payment to such subcontractor of such amount not paid, out of sums payable to the general contractor, and such direct payment to a subcontractor shall discharge the obligation of the awarding authority to the general contractor to the extent of any such payment.

The awarding authority shall not include in any direct payment made to a subcontractor pursuant to this section any amount claimed from that subcontractor by the general contractor in a letter containing a breakdown of the claim and sent to the awarding authority within ten days after the receipt by the general contractor of the copy of the request of the subcontractor to the awarding authority for direct payment.

SECTION 1A. Said chapter 30 is hereby further amended by inserting after section 39H, added by chapter 681 of the acts of 1958, the following section:—*Section 39I.* Every contractor having a contract for the construction, alteration, maintenance, repair or demolition of, or addition to, any public building or public works for the commonwealth, or of any political subdivision thereof, shall perform all the work required by such contract in conformity with the plans and specifications contained therein. No wilful and substantial deviation from said plans and specifications shall be made unless authorized in writing by the awarding authority or by the engineer or architect in charge of the work who is duly authorized by the awarding authority to approve such deviations. In order to avoid delays in the prosecution of the work required by such contract such deviation from the plans or specifications may be authorized by a written order of the awarding authority or such engineer or architect so authorized to approve such deviation. Within thirty days thereafter, such written order shall be confirmed by a certificate of the awarding authority stating: (1) If such deviation involves any substitution or elimination of materials, fixtures or equipment, the reasons why such materials, fixtures or equipment were included in the first instance and the reasons for substitution or elimination, and, if the deviation is of any other nature, the reasons for such deviation, giving justification therefor; (2) that the specified deviation does not materially injure the project as a whole; (3) that either the work substituted for the work specified is of the same cost and quality, or that an equitable adjustment has been agreed upon between the contracting agency and the contractor and the amount in dollars of said adjustment; and (4) that the deviation is in the best interest of the contracting authority.

Such certificate shall be signed under the penalties of perjury and shall be a permanent part of the file record of the work contracted for.

Whoever violates any provision of this section wilfully and with intent to defraud shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than six months, or both.

SECTION 2. Subsection (3) of section 44B of chapter 149 of the General Laws, as appearing in section 1 of chapter 679 of the acts of 1956, is hereby amended by striking out the second sentence and in-

serting in place thereof the following sentence:—The bid deposits of sub-bidders not returned pursuant to the provisions of the preceding sentence shall be returned within five days, Saturdays, Sundays and legal holidays excluded, after the execution of the general contract; except that, if a selected sub-bidder fails to perform his agreement to execute a subcontract with the general bidder selected as the general contractor, contingent upon the execution of the general contract, and, if requested so to do in the general bid by such general bidder, to furnish a performance and payment bond as stated in his sub-bid in accordance with section forty-four G, the bid deposit of such sub-bidder shall become and be the property of the commonwealth or the governmental unit thereof to which it is payable, as liquidated damages; provided, that, in case of death, disability or other unforeseen circumstances affecting any such sub-bidder, his bid deposit may be returned to him.

SECTION 3. Said chapter 149 is hereby further amended by striking out section 44F, as so appearing, and inserting in place thereof the following section:—*Section 44F.* Every general bid submitted for a contract subject to section forty-four A shall be submitted on a form furnished by the awarding authority and containing the following provisions:—

FORM FOR GENERAL BID.

To the Awarding Authority.

A. The undersigned proposes to furnish all labor and materials required for  
.....  
(project)

in ....., Massachusetts,  
(city or town)

in accordance with the accompanying plans and specifications prepared by  
....., for the contract price  
(name of architect or engineer)  
specified below, subject to additions and deductions according to the terms of the specifications.

B. This bid includes addenda numbered .....  
C. The proposed contract price is ..... dollars  
(\$.....).

For Alternate No. : Add \$.....; Subtract \$.....  
[Repeat preceding line for each alternate]

D. The subdivision of the proposed contract price is as follows:  
Item 1. The work of the general contractor, being all work other than that covered by Item 2: \$.....  
Item 2. Sub-bids as follows:—

Sub-trade	Name of Sub-bidder	Amount	Bonds required, indicated by "Yes" or "No"
.....	.....	\$.....	.....
.....	.....	\$.....	.....
Total of Item 2		\$.....	

The undersigned agrees that each of the above-named sub-bidders will be used for the work indicated at the amount stated, unless a substitution is made. The undersigned further agrees to pay the premiums for the performance and payment bonds furnished by sub-bidders as requested herein and that all of the cost of all such premiums is included in the amount set forth in Item 1 of this bid.

The undersigned agrees that if he is selected as general contractor, he will promptly confer with the awarding authority on the question of sub-bidders; and that the awarding authority may substitute for any sub-bid listed above a sub-bid duly filed with the awarding authority by another sub-bidder for the sub-trade against whose standing and ability the undersigned makes no objection; and that the undersigned will use all such finally selected sub-bidders at the amounts named in their respective sub-bids and be in every way as responsible for them and their work as if they had been originally named in this general bid, the total contract price being adjusted to conform thereto.

E. The undersigned agrees that, if he is selected as general contractor, he will within five days, Saturdays, Sundays and legal holidays excluded, after presentation thereof by the awarding authority, execute a contract in accordance with the terms of this general bid and furnish a performance bond and also a labor and materials or payment bond, each of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority and each in the sum of at least fifty per cent of the contract price, the premiums for which are to be paid by the general contractor and are included in the contract price.

The undersigned hereby certifies that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work.

Date.....

.....  
(Name of General Bidder)

By

.....  
(Title)

.....  
(Business Address)

.....  
(City and State)

General bids shall be for the complete work as specified and shall include the names of sub-bidders and the amounts of their sub-bids; and the general contractor shall be selected on the basis of such general bids. Every general bid which is not accompanied by a bid deposit as prescribed by paragraph (1) of section forty-four B, or which otherwise does not conform with sections forty-four A to forty-four L, inclusive, or which is on a form not completely filled in, or which is incomplete, conditional or obscure, or which contains any addition not called for, shall be invalid; and the awarding authority shall reject every such general bid. No such general bid shall be rejected because of the failure to submit prices for, or information relating to, any item or items for which no specific space is provided in the general bid form furnished by the awarding authority, but this sentence shall not be applicable to any failure to furnish prices or information required by this section to be furnished in the above "Form for General Bid". General bids shall be publicly opened and read by the awarding authority forthwith after the time limit for the filing thereof.

SECTION 4. The Form for Sub-Bid in section 44G of said chapter 149, as so appearing, is hereby amended by striking out paragraph D and inserting in place thereof the following paragraph:—

D. The undersigned agrees that, if he is selected as a sub-bidder, he will, within five days, Saturdays, Sundays and legal holidays excluded, after presentation of a subcontract by the general bidder selected as the general contractor,

execute with such general bidder a subcontract in accordance with the terms of this sub-bid, and contingent upon the execution of the general contract, and, if requested so to do in the general bid by such general bidder, who shall pay the premiums therefor, furnish a performance and payment bond of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority, in the full sum of the subcontract price.

SECTION 5. The first paragraph of section 44H of said chapter 149, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:—If a general bidder not named in said list as expressly precluded from doing so names as a sub-bidder for a sub-trade in Item 2 of the general bid form a person included for such sub-trade in said list at the sub-bid price stated in said list, neither the general bid of such general bidder nor the general contract executed on the basis of such general bid shall be invalid or rejected because of the invalidity of such sub-bid, or because of error in said list, nor shall such general bid be rejected nor shall such general contract be invalid because of any invalid action taken by the awarding authority in connection with any sub-bid or sub-bids; but there shall be substitution of sub-bidders and adjustment of contract price as if paragraph (3) of section forty-four I were applicable. No sub-bid shall be rejected because of the failure to submit prices for, or information relating to, any item or items for which no space is provided in the sub-bid form furnished by the awarding authority; but this sentence shall not be applicable to any failure to furnish prices or information required by section forty-four G to be furnished in the "Form for Sub-Bid".

SECTION 6. Said section 44H of said chapter 149 is hereby further amended by adding at the end the following paragraph:—

A performance and payment bond furnished by the subcontractor, at the request of a general contractor set forth in the general bid form, shall be for the benefit of the general contractor; shall secure the performance of the subcontract by the subcontractor; and shall indemnify and hold harmless the general contractor and the surety or sureties under the labor and materials or payment bond furnished by such general contractor to the awarding authority against (1) any and all loss and expense arising out of any and all claims in connection with the performance of said subcontract which would be required to be paid under the labor and materials or payment bond furnished by the general contractor to the awarding authority and (2) attorneys' fees in the event that the subcontractor, after notice, fails to assume the defense of and defend such claims.

SECTION 7. Section 44I of said chapter 149, as so appearing, is hereby amended by striking out paragraph (3) and inserting in place thereof the following paragraph:—

(3) If a selected sub-bidder fails within five days, Saturdays, Sundays and legal holidays excluded, after presentation of a subcontract by the general bidder selected as the general contractor, to perform his agreement to execute a subcontract in the form hereinafter set forth with such general bidder, contingent upon the execution of the general contract, and, if requested so to do by such general bidder in the general bid, to furnish a performance and payment bond as stated in his sub-bid in accordance with section forty-four G, such general



## SUBCONTRACT

2. The Contractor agrees to begin, prosecute and complete the entire work

specified by the Awarding Authority in an orderly manner so that the Subcontractor will be able to begin, prosecute and complete the work described in this subcontract; and, in consideration thereof, upon notice from the Contractor, either oral or in writing, the Subcontractor agrees to begin, prosecute and complete the work described in this Subcontract in an orderly manner and with due consideration to the date or time specified by the Awarding Authority for the completion of the entire work.

3. The Subcontractor agrees to furnish to the Contractor within a reasonable time after the execution of this subcontract, evidence of workmen's compensation insurance as required by law and evidence of public liability and property damage insurance of the type and in limits required to be furnished to the Awarding Authority by the Contractor.

4. The Contractor agrees that no claim for services rendered or materials furnished by the Contractor to the Subcontractor shall be valid unless written notice thereof is given by the Contractor to the Subcontractor during the first ten (10) days of the calendar month following that in which the claim originated.

5. This agreement is contingent upon the execution of a general contract between the Contractor and the Awarding Authority for the complete work.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above-written.

SEAL

ATTEST

.....  
(Name of Subcontractor)

By .....

SEAL

ATTEST

.....  
(Name of Contractor)

By .....

In the event that the contract between the general contractor and the awarding authority does not contain provisions granting to the awarding authority the right to terminate the general contract when the general contractor encounters financial difficulties or fails to make satisfactory progress, the general contractor may insert the following paragraph after paragraph 5 in the Subcontract form set forth above:—

6. If the Subcontractor should be adjudged a bankrupt, or if he should make a general assignment for the benefit of his creditors, or if a receiver should be appointed on account of his insolvency, or if he should persistently or repeatedly refuse or should fail, except in cases for which extension of time is provided, to supply enough properly skilled workmen or proper materials, or if he should fail to make prompt payment to subcontractors or for material or labor, or persistently disregard laws, ordinances or the instructions of the Contractor, or otherwise be guilty of a substantial violation of any provision of the contract, then the Contractor may, without prejudice to any other right or remedy and after giving the Subcontractor and his surety, if any, seven days' written notice, terminate the employment of the Subcontractor and take possession of the premises and of all materials, tools and appliances thereon and finish the work by whatever method he may deem expedient. In such case the Subcontractor shall not be entitled to receive any further payment until the work is finished. If the unpaid balance of the contract price shall exceed the expense of finishing the work including compensation for additional architectural, managerial and administrative services, such excess shall be paid to the Subcontractor. If such expense shall exceed such unpaid balance, the Subcontractor shall pay the difference to the Contractor.

SECTION 8. Said section 44I of said chapter 149 is hereby further amended by adding at the end the following paragraph:—

(5) In each case of substitution of a sub-bidder for a sub-bidder listed in the general bid of the selected general contractor, the selected general contractor may require the substituted sub-bidder to furnish a performance and payment bond, and the premiums for same shall be added to the Item 1 price, except where the selected general contractor had indicated in his general bid that the original sub-bidder designated for that sub-trade, in which substitution was made, would be required to furnish such bond.

SECTION 9. This act shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the effective date of this act, or to any persons or bonds in respect of any such contract.

*Approved November 21, 1960.*

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**Chap. 772.** AN ACT PROVIDING FOR A FIFTH ASSISTANT CLERK IN THE MUNICIPAL COURT OF THE ROXBURY DISTRICT.

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

Section 10 of chapter 218 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 309 of the acts of 1941, and inserting in place thereof the following paragraph:—

A fourth assistant clerk and a fifth assistant clerk with salaries payable by the county may be appointed in the municipal court of the Roxbury district.

*Approved November 21, 1960.*

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**Chap. 773.** AN ACT TO ESTABLISH THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide urgently needed dormitory facilities for students at the University of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. *Definitions.*—As used in this act, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) The word "Authority" shall mean the University of Massachusetts Building Authority, created by section two of this act or, if said Authority shall be abolished, the board, body or commission succeeding to the principal functions thereof or to which the powers given by this act to the Authority shall be given by law.

(b) The term "cost of a project" shall embrace the cost of construction, the cost of initial equipment and furnishings, if any, the cost of the acquisition of all land, property, rights, easements and interests acquired by the Authority for such project or for the construction thereof, the cost of demolishing or removing any buildings or structures on land so acquired, the cost of all furnishings, furniture, machinery and equipment, financing charges, interest prior to and

during construction and, if deemed advisable by the Authority, for not longer than eighteen months after the trustees shall have accepted the project for occupancy, the cost of architectural and engineering services, plans, specifications, surveys, estimates of cost and of revenues, administrative expense, legal expense and such other expenses as may be necessary or incident to the construction and initial equipment and furnishing of the project and placing the same in operation.

(c) The term "federal government" shall mean the United States of America and any agency, board, bureau, commission, department or other instrumentality thereof.

(d) The word "project" shall mean the building or buildings or structure or structures to finance the construction of which the Authority shall provide by resolution for the issuance of a series of bonds together with all property, rights, easements and interests which may be acquired by the Authority for the construction or operation of the project. The word shall include such equipment and furnishings as the Authority may determine to provide in such building or buildings, such approaches thereto, driveways, walkways, parking areas and such planting or other landscaping of the grounds of such building or buildings as the Authority may determine to provide in connection therewith.

(e) The term "trust agreement" shall mean a trust agreement made and entered into by and between the Authority and a Trustee under the provisions of section eight.

(f) The word "Trustee" shall mean the bank or trust company acting as trustee under a trust agreement.

(g) The word "trustees" shall mean the trustees of the university, or if such trustees shall hereafter be abolished, the board, body or commission succeeding to the principal functions thereof or to which the powers given by chapter seventy-five of the General Laws shall be given by law.

(h) The word "university" shall mean the University of Massachusetts.

**SECTION 2. *University of Massachusetts Building Authority.***—There is hereby created and placed in the department of education a body politic and corporate to be known as the University of Massachusetts Building Authority, which shall not be subject to the supervision or regulation of the department of education or of any department, commission, board, bureau or agency of the commonwealth except to the extent and in the manner provided in this act. The Authority is hereby constituted a public instrumentality and the exercise by the Authority of the powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

The Authority shall consist of nine members to be appointed by the governor with the advice and consent of the council. Three of such members shall be graduates of the university and six members shall not be graduates of the university. The governor shall appoint three members of said Authority from the appointive members of the trustees. The members of the Authority first appointed shall continue in office for terms expiring on June thirtieth, in the years nineteen hundred and sixty-one, nineteen hundred and sixty-two, nineteen hundred

and sixty-three, nineteen hundred and sixty-four, nineteen hundred and sixty-five, nineteen hundred and sixty-six, nineteen hundred and sixty-seven, nineteen hundred and sixty-eight and nineteen hundred and sixty-nine, respectively, the term of each such member to be designated by the governor. As the term of a member expires his successor shall be appointed in like manner for a term of nine years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority may be removed by the governor, with the advice and consent of the council, for cause after notice and a public hearing unless such notice and hearing are in writing expressly waived. The Authority shall annually elect from its members a chairman and a vice-chairman, and shall also elect a secretary-treasurer and may elect an assistant secretary-treasurer who need not be members of the Authority.

The secretary-treasurer shall keep a record of the proceedings of the Authority and shall be the custodian of all books, documents and papers filed with the Authority and of the minute book or journal of the Authority and of its official seal. He and the assistant secretary-treasurer shall each have authority to cause copies to be made of all minutes and other records and documents of the Authority and to give certificates under the official seal of the Authority to the effect that such copies are true copies, and all persons dealing with the Authority may rely upon such certificates.

Five members of the Authority shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

Before the issuance of any bonds under the provisions of this act the secretary-treasurer and the assistant secretary-treasurer, if any, of the Authority shall each execute a surety bond in the penal sum of fifty thousand dollars, such surety bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the commonwealth as surety and to be approved by the attorney general and filed in the office of the secretary of the commonwealth.

The members of the Authority shall serve without compensation, but each member shall be reimbursed for all necessary travel and other expenses incurred by him in the discharge of his official duties.

No member, agent or employee of the Authority shall, directly or indirectly, have any financial interest in any property to be included in, or any contract for property or materials to be furnished or used in connection with, any project of the Authority. Whoever violates any provision of the preceding sentence shall be punished by a fine of not less than fifty nor more than one thousand dollars, or by imprisonment for not more than one month, or both.

**SECTION 3. *Purposes.***—The Authority is created for the purpose of constructing, reconstructing, equipping, maintaining and repairing dormitories, dining commons and other buildings and structures for the use of the university, its students, staff and their dependents. Such use shall include, but not be limited to, use by an organization or association, in any form, of students or others the activities of

which are a part of activities at the university and subject to regulation by the trustees. The Authority shall not undertake to construct any building or structure except upon written request made by authority of the trustees.

SECTION 4. *General Grant of Powers.*—In furtherance of the purposes for which it is created, the Authority is hereby authorized and empowered:

(a) To adopt by-laws for the regulation of its affairs and the conduct of its business, and to fix penalties for the violation thereof;

(b) To adopt an official seal and alter the same at pleasure;

(c) To maintain an office in the town of Amherst;

(d) To sue and be sued in its own name, plead and be impleaded;

(e) Upon written request made by authority of the trustees to construct, equip and furnish dormitories, dining commons and other buildings and structures for the use of the university, its students, staff and their dependents and to reconstruct, repair, maintain and operate any building or structure so constructed and to construct, install, maintain and repair approaches thereto, driveways, walkways, parking areas and other incidental facilities and structures and to do planting and landscaping, necessary or appropriate in the determination of the Authority, as approved in writing by authority of the trustees, for such building or structure;

(f) To rent or lease as landlord any building or structure or portion thereof or parking or other area constructed by it hereunder and to establish rules and regulations for the use thereof; provided, that no such rules or regulations shall conflict with any rules or regulations made by authority of the trustees for use of property of the university;

(g) To borrow money from time to time to finance the cost of projects, to issue and sell its revenue bonds and notes therefor, payable solely from its revenues, as provided in section seven;

(h) To fix and revise from time to time, in each instance with approval in writing by authority of the trustees, and charge and collect rates, fees, rentals and other charges for the use of any building, structure, other property or portion thereof under its control;

(i) To acquire, hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act;

(j) To lease from the commonwealth such lands of the commonwealth, or rights therein, as may be necessary for carrying out the provisions of this act;

(k) To employ architects, consulting engineers, attorneys, construction, financial and other experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; provided, that all such expenses shall be payable solely from funds provided under the authority of this act;

(l) To make application for, receive and accept from the federal government or any agency thereof grants or loans for or in aid of the planning, construction or financing of any project, and to receive and accept contributions from any source of money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(m) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act;

(n) To invest in obligations of, or guaranteed by, the government of the United States of America any funds held by it and not required for immediate disbursement;

(o) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 5. *Agreements between the Commonwealth and the Authority.*—The trustees may, in the name and on behalf of the commonwealth, upon such terms and with or without consideration, do any or all of the following:

(a) Sell, convey or lease to the Authority land owned by the commonwealth in the towns of Amherst or Hadley or grant easements, licenses or any other rights or privileges therein to the Authority, and the provisions of section twenty-seven, but not the provisions of section twenty-eight, of chapter seventy-five of the General Laws shall apply to any such sale, conveyance, lease or grant;

(b) Cause private ways, sidewalks, footpaths, ways for vehicular travel, parking areas, water, sewage or drainage facilities and similar improvements and steam service for heating and other necessary purposes to be furnished to or in any project constructed by the Authority;

(c) Make available to the Authority the services of officers and employees of the university and office space and facilities in the university for, among other things, billing and collecting rents, fees, rates and other charges for the use and occupancy of property of the Authority by the university or any person, organization or association referred to in section three; renting and leasing rooms and other accommodations in the buildings and structures of the Authority; cleaning, heating, daily operation of and repairs to and maintenance of such buildings and structures and other property of the Authority; and keeping all books of account for the Authority; and

(d) Do any and all other things authorized by law and necessary or convenient to aid and co-operate in the planning, construction or operation of a project by the Authority.

No lease or other agreement made under this act between the trustees, acting on behalf of the commonwealth, and the Authority shall be subject to any provision of law relating to publication or to advertising for bids and may be entered into and shall become effective without any necessity for any order of court or other action or formality other than the regular and formal action of the authorities concerned and except as may be expressly provided elsewhere in this act.

SECTION 6. *Accountability.*—The Authority shall keep an accurate account of all its activities and of all its receipts and expenditures and shall annually in the month of January make a report thereof to the trustees, to the governor and to the state auditor, such reports to be in a form prescribed by the trustees, with the written approval of said auditor. The trustees or said auditor may investigate the affairs of the Authority, may severally examine the properties and records of the Authority, and may prescribe methods of accounting and the rendering of periodical reports in relation to projects undertaken by the Authority.

**SECTION 7. *Authority Bonds.***—The Authority is hereby authorized to provide by resolution at one time or from time to time for the issuance of bonds of the Authority for the purpose of paying all or any part of the cost of a project; provided, that the Authority shall not issue any bonds the principal amount of which, when added to the principal amount of bonds theretofore issued and then outstanding hereunder, shall exceed ten million dollars. The principal and interest of such bonds shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates not exceeding five per centum per annum, shall mature serially with the final maturity at such time not exceeding forty years from their date or dates as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of the bonds. The Authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this act shall have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The Authority may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the Authority, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than five per centum per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity.

The proceeds of such bonds shall be used solely for the payment of the cost of the project to finance which they may be issued and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same. If the proceeds of such bonds, by error of estimates or otherwise, shall be less than such cost, additional bonds may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust



agreement, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds shall exceed the cost of the project, the surplus shall be deposited for application to the retirement of such bonds. Prior to the preparation of definitive bonds, the Authority may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The Authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

While any bonds issued by the Authority remain outstanding, the powers, duties or existence of the Authority shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

**SECTION 8. *Trust Agreement.***—In the discretion of the Authority bonds issued to finance a project shall be secured by a trust agreement by and between the Authority and a Trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received from such project, but shall not convey or mortgage any property of the Authority. Either the resolution providing for the issuance of bonds or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the Authority in relation to the acquisition, improvement, maintenance, operation, repair and insurance of the project, the fees, rates, rents or other charges to be made by the Authority for use or occupancy of the project or any portion thereof, and the custody, safeguarding and application of all moneys.

It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the Authority. Such trust agreement may set forth the rights and remedies of the bondholders and of the Trustee, and may restrict the individual right of action by bondholders. In addition to the foregoing, such trust agreement may contain such other provisions as the Authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the project.

In the discretion of the Authority bonds issued to finance a project may be secured by a trust agreement providing for the security only of bonds issued to finance such project or by a trust agreement which may provide for the security of bonds issued to finance more than one project.

SECTION 9. *Revenues.*—The Authority is hereby authorized to fix and to revise, in each instance only with written approval given by authority of the trustees, and to collect fees, rents, rates and other charges for the use of a project and any portion thereof or room or other accommodation therein. Such fees, rents, rates and other charges shall be so fixed and adjusted in respect of the aggregate of all revenues from the project, unless otherwise directed in writing by the trustees so as to maintain reasonable uniformity in charges for like rooms or other accommodations at the university provided other than by a project or projects of the Authority, so as to provide a fund sufficient to pay (a) the cost of maintaining, repairing and operating the project, (b) the principal of and the interest on bonds issued to finance such project as the same shall become due and payable and (c) such portion of the current operating and administrative expenses of the Authority as the Authority shall deem properly allocable to such project, and to create reserves for such purposes and, if a contract is entered into with respect to such project under section ten, for the purposes of said section. Such fees, rents, rates and other charges shall not, except as expressly provided herein with respect to the trustees, be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof. All revenues derived from a project, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation thereof and such portion of current operating and administrative expenses of the Authority and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement and shall be pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time when the pledge is made; the revenues or other moneys so pledged and thereafter received by the Authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the Authority. The use and disposition of moneys as pledged shall be subject to the provisions of the resolutions authorizing the issuance of such bonds or of such trust agreement. Except as may otherwise be provided in such resolution or such trust agreement, such moneys shall be a fund for all such bonds without distinction or priority of one over another.

Upon the payment in full of the principal amount, including any redemption premium, of all bonds, including refunding bonds, issued to finance the cost of a project with interest thereon to the stated or accelerated maturity, as the case may be, of such bonds and of all

other sums, if any, then payable to the Trustee under the provisions of such trust agreement or upon deposit by the Authority with the Trustee of funds sufficient and in trust to pay such principal amount, interest and sums, the pledge of revenues from such project to be made hereunder shall cease and terminate and such revenues thereafter derived from such project, except such part thereof as may be necessary to pay the cost of maintenance, repair and operation thereof and such portion of current operating and administrative expenses of the Authority and to provide reserves therefor as may be provided for at the time by resolution of the Authority upon the written approval of the trustees, shall be set aside and pledged to, and charged with, the payment of the principal of and the interest on all bonds of the Authority then outstanding as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as provided in the trust agreements respectively pertaining thereto. The provisions of this section applicable to the initial pledge of such revenues shall apply to such subsequent pledge.

SECTION 10. *Guaranty by Commonwealth.*—The commonwealth, acting by and through the trustees, may enter into a contract or contracts with the Authority for state financial assistance in the form of a guaranty by the commonwealth of bonds of the Authority issued to finance the cost of a project. Such guaranty shall be executed on each bond by an officer of the trustees. Each such contract shall contain such limitations as to the cost of the project and current operating and administrative expenses of the Authority to be allocated to the project, and such other provisions as the trustees may require. For each project with respect to which such a contract shall be executed the Authority shall create, beginning in the first year immediately succeeding its issuance of bonds to finance the same, a reserve for principal and interest equal to one twelfth of the largest principal and interest payments which will be due on such bonds in any one year thereafter and shall maintain such reserve and increase the same by a similar amount for each of the eleven succeeding years thereafter and shall maintain each such increase; provided, however, that if such bonds should be refunded in whole or in part, such reserves shall be appropriately adjusted so that twelve years after the date of issuance of the original bonds, or as soon thereafter as may be practicable, there will have been created and thereafter maintained a reserve equal to the largest amount of principal and interest due in any subsequent year on account of the outstanding bonds issued to finance the project including bonds issued for the purpose of refunding such bonds.

Any such contract may provide for the issuance and sale by the Authority of temporary notes to finance a project, which notes may be refunded and shall, or such refunding notes shall, be refunded by bonds issued by the Authority to finance such project and the total amount of such notes and bonds outstanding at any one time, exclusive of notes or bonds issued for refunding purposes, shall not exceed the maximum cost of the project specified in the contract for state financial assistance. The guaranty of the commonwealth provided pursuant to such contract shall be of the payment of the principal of, and interest on, all such notes and bonds as the same become due and pay-

able, and the full faith and credit of the commonwealth is hereby pledged for any such guaranty; provided, that the total amount of notes and bonds so guaranteed shall not exceed ten million dollars in the aggregate for all projects constructed by the Authority, exclusive of any such notes and bonds issued for refunding purposes.

SECTION 11. *Credit of Commonwealth Not Otherwise Pledged.*—Notes and bonds issued by the Authority under the provisions of this act shall not constitute a debt of the commonwealth or of any political subdivision thereof or a pledge of the faith and credit of the commonwealth or of any political subdivision, unless and except any such notes and bonds bear the guaranty of the commonwealth pursuant to section ten, and shall be payable solely from the funds herein provided therefor from revenues. All such notes and bonds, except those bearing such guaranty, shall contain on the face thereof a statement to the effect that neither the commonwealth nor the Authority shall pay the same or the interest thereon except from revenues of the Authority and that neither the faith and credit nor the taxing power of the commonwealth or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds.

All expenses incurred in carrying out the provisions of this act shall be payable solely from funds provided under the authority of this act and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which moneys shall have been provided under the provisions of this act.

SECTION 12. *Trust Funds.*—All moneys received pursuant to the authority of this act, whether as proceeds from the sale of notes or bonds or as revenues, shall be deemed to be trust funds to be held and applied solely as provided in this act. The resolution authorizing the notes or bonds or the trust agreement securing such bonds shall provide that any officer with whom, or any bank or trust company with which, such moneys shall be deposited shall act as trustee of such moneys and shall hold and apply the same for the purposes hereof, subject to such regulations as this act and such resolution or trust agreement may provide.

SECTION 13. *Refunding Bonds.*—The Authority is hereby authorized to provide by resolution for the issuance of refunding bonds of the Authority for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the Authority in respect of the same, shall be governed by the provisions of this act in so far as the same may be applicable. The issuance of revenue bonds or refunding bonds under the provisions of this act need not comply with the requirements of any other law applicable to the issuance of bonds.

SECTION 14. *Remedies.*—Any holder of notes or bonds issued under the provisions of this act or any of the coupons appertaining thereto, and the Trustee under any trust agreement, except to the extent the rights herein given may be restricted by such trust agree-

ment, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such trust agreement or resolution authorizing the issuance of such bonds, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the Authority or by any officer thereof, including the fixing, charging and collecting of fees, rents, rates and charges.

SECTION 15. *Exemption from Taxation.*—The exercise of the powers granted by this act will be in all respects for the benefit of the people of the commonwealth, and for the promotion and improvement of public education in the commonwealth, and as the construction, operation and maintenance of projects by the Authority will constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any property acquired or used by the Authority under the provisions of this act or upon the income therefrom, and the notes and bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the commonwealth.

SECTION 16. *Notes and Bonds Eligible for Investment.*—Notes and bonds issued by the Authority under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all savings banks, insurance companies, trust companies in their commercial departments and, within the limits set by section forty of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

SECTION 17. *Liability in Contract or Tort; Enforcement of Claims.*—The Authority shall be liable in contract or in tort in the same manner as a private corporation. The members of the Authority shall not be personally liable as such on its contracts, or for torts not committed or directly authorized by them. The property or funds of the Authority shall not be subject to attachment, or to levy and sale on execution, but if the Authority refuses to pay a judgment entered against it in any court of competent jurisdiction, the supreme judicial court, sitting within and for the county in which the Authority is situated may, by writ of mandamus, direct the treasurer of the Authority to pay such judgment. The real estate of the Authority shall not be subject to liens under chapter two hundred and fifty-four of the General Laws.

SECTION 18. *Miscellaneous.*—The Authority may take such action as it deems appropriate to enable its employees to come within the

provisions and obtain the benefits of the federal social security act. If the employees of the Authority shall come within the provisions of said social security act, their employment shall be included in the term "employment" as used in sections one to seven, inclusive, of chapter one hundred and fifty-one A of the General Laws.

The provisions of sections twenty-six to twenty-nine, inclusive, and of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws, and the provisions of sections thirty-nine F and thirty-nine G of chapter thirty of the General Laws are hereby made applicable to the Authority.

SECTION 19. *Transfer to Commonwealth.*—When all bonds issued under the provisions of this act and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, all projects then owned by the Authority shall become the property of the commonwealth, and thereupon the Authority shall be dissolved and all funds of the Authority not required for the payment of the bonds and of the interest thereon or for the satisfaction of any other obligations of the Authority or for expenses incident to its dissolution shall be paid into the treasury of the commonwealth and all other property belonging to the Authority shall be vested in the commonwealth and delivered to the trustees.

SECTION 20. *Act Liberally Construed.*—This act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 21. *Constitutional Construction.*—The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 22. *Inconsistent Laws Inapplicable.*—All other general or special laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act.

SECTION 23. Section 12 of chapter 63 of the General Laws is hereby amended by adding after paragraph (t), inserted by section 7 of chapter 701 of the acts of 1960, the following paragraph:—

(u) Bonds, notes or other evidences of indebtedness issued by the University of Massachusetts Building Authority.

*Approved November 22, 1960.*

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**Chap. 774.** AN ACT TO PROVIDE FOR A SPECIAL CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for a special capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. To provide for a special program of construction, reconstruction, alteration and improvement of various state institutions

and properties, and for the purchase of certain property, the sums set forth in section two of this act, for the several purposes and subject to the conditions specified in said section two, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

## SECTION 2.

### Armory Commission.

Item		
8261-01	For the construction of armories, including furnishings and equipment, to be expended in connection with federal funds available for this purpose, to be in addition to the amount appropriated in item 8260-01 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item . . . . .	\$230,000 00

### State Superintendent of Buildings.

8261-02	For certain plumbing and other related improvements in the house lobby, to be in addition to the amount appropriated in item 8258-16 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven . . . . .	\$50,000 00
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### Soldiers' Home in Massachusetts.

8261-24	For certain improvements to the headquarters' cafeteria, kitchen and auditorium and for the construction of a store-room, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8356-20 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five . . . . .	\$226,000 00
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### Massachusetts Aeronautics Commission.

8261-25	For the reimbursement to cities and towns for the state's share of airport construction as provided in sections thirty-nine F and fifty-one K of chapter ninety of the General Laws, to be available for matching federal funds for the fiscal year nineteen hundred and sixty-one and succeeding years, to be in addition to the amount appropriated in item 8260-05 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws . . . . .	\$750,000 00
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### Department of Natural Resources.

8261-31	For the acquisition of land for recreational facilities as authorized by section three of chapter one hundred and thirty-two A of the General Laws, and for the development and improvement of new and existing areas, to be in addition to the amount appropriated in item 8260-06 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine; provided, that the comptroller shall include in the assessment made under section five of chapter one hundred and thirty-two A the sum of fifty thousand dollars yearly for the years nineteen hundred and sixty-one to nineteen hundred and eighty, inclusive, and shall credit said amount to the General Fund . . . . .	\$1,000,000 00
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Department of Education.

*State College at Lowell.*

- Item  
8261-21 For the construction of an administration, cafeteria, library and classroom building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-27 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **\$1,403,000 00**

*State College at Salem.*

- 8261-27 For the construction of a business education, arts and science classroom building, including furnishings and equipment, and for additional boiler capacity, and for the acquisition of certain land by purchase or by eminent domain under chapter seventy-nine of the General Laws and for the construction of parking facilities and an athletic field; provided, that no payment shall be made for the purchase of said land or any buildings thereon until an independent appraisal of the value thereof has been made by a qualified, disinterested appraiser, to be in addition to the amount appropriated in item 8260-77 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . **\$500,000 00**

*State College at Boston.*

- 8261-28 For the construction of a science classroom building including a cafeteria and the cost of furnishings and equipment and the renovation of the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8260-76 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . **\$2,600,000 00**

*Lowell Technological Institute of Massachusetts.*

- 8259-38 Item 8259-38 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight is hereby amended by striking out the words therein and inserting in place thereof the words:—

For the acquisition of certain land with buildings thereon for the general development of the institute by purchase or by eminent domain under chapter seventy-nine of the General Laws, and for improvements thereto; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser.

- 8261-22 For the construction of classrooms and laboratories for a nuclear engineering center, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-39 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight and to be in addition to any federal funds available for the purpose . . . **\$1,600,000 00**  
8261-35 For the preparation of plans for certain improvements to the power plant and utility distribution systems **12,500 00**

*Southeastern Massachusetts Technological Institute.*

- 8261-03 For the acquisition of a site for the Southeastern Massachusetts Technological Institute, authorized by chapter five hundred and forty-three of the acts of the current year, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the purchase of said site until an independent appraisal of the value of said site has been made by a qualified, disinterested appraiser; and for the preparation of plans for classroom and other buildings to be erected on said site . . . **\$1,500,000 00**



*University of Massachusetts.*

Item		
8261-04	For certain improvements and additions to the power plant and utility systems, to be in addition to the amount appropriated in item 8260-24 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine	\$400,000 00
8261-05	For the construction of a natural resources laboratory and classroom building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-53 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	1,945,000 00
8261-06	For the construction of the food technology building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-54 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	1,600,000 00
8261-08	For the construction of an addition to the physics building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-55 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	2,100,000 00
8261-09	For the construction of the fourth section of the science center, including the cost of furnishings and equipment, to be expended in connection with any federal funds available for this purpose, to be in addition to the amount appropriated in item 8260-25 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine	3,661,000 00

*Regional Community Colleges.*

8261-36	For the establishment of a system of regional community colleges throughout the commonwealth, as authorized by chapter six hundred and five of the acts of nineteen hundred and fifty-eight, including the preparation of educational plans therefor, the selection of locations, the initial cost of agreements, if any, with local communities and including necessary supplies, furnishings and equipment to begin operation of any such community college; to be expended with any federal or other funds available for the purpose; to be in addition to the amount appropriated in item 8259-59 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight	\$300,000 00
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*Department of Mental Health.**Danvers State Hospital.*

8261-11	For a study and plans for a school for the care of retarded children	\$100,000 00
8258-50	Item 8258-50 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven is hereby amended by striking out the wording and inserting in place thereof the following:— For the preparation of plans for a laundry building.	

*Gardner State Hospital.*

8261-32	For the replacement of certain boilers and other improvements to the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8260-35 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine	\$280,000 00
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*Grafton State Hospital.*

8261-37	For the construction of a storehouse, including the cost of equipment, to be in addition to the amount appropriated in	
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Item

items 8258-56 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven and 8259-68 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight      **\$430,000 00**

*Metropolitan State Hospital.*

8261-12 For certain improvements to the communication system      **\$18,000 00**

8261-38 For certain improvements to the psychotic children's building, including ventilation, to be in addition to the amount appropriated in item 8260-38 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine      **40,000 00**

*Northampton State Hospital.*

8261-13 For a study of the advisability of the complete replacement of the main group of buildings or the repair thereof and for the preparation of preliminary plans      **\$50,000 00**

*Taunton State Hospital.*

8261-39 For certain improvements to the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8260-39 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine      **\$320,000 00**

*Westborough State Hospital.*

8261-40 For certain improvements to the power plant and utility distribution systems, to be in addition to the amount appropriated in item 8260-40 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine      **\$325,000 00**

*Monson State Hospital.*

8261-14 For the installation of an elevator and for certain renovations in the children's hospital, including the cost of furnishings and equipment      **\$255,000 00**

*Walter E. Fernald State School.*

8261-15 For certain renovations to the plumbing and heating systems and other related improvements      **\$280,000 00**

8261-16 For the construction of a boys' home and dormitory, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-80 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight      **147,000 00**

**Department of Correction.**

*Correctional Institution at Bridgewater.*

8261-17 For the installation of a new 600 K.W. turbo-steam generator, including certain related improvements to the electrical distribution system, to be in addition to the amount appropriated in item 8258-70 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven      **\$376,000 00**

*Correctional Institution at Walpole.*

8261-18 For certain roof repairs and for a steam line to the laundry, to be in addition to the amount made available for the pur-

## Item

pose by item 8258-09 of section two of chapter four hundred and eighty-five of the acts of nineteen hundred and fifty-seven, as amended . . . . . \$97,000 00

*Correctional Institution at Concord.*

- 8261-41 For certain repairs to the wall and guard towers and for certain improvements to the administration building, including the cost of furnishings and equipment . . . . . \$175,000 00

*Correctional Institution at Framingham.*

- 8261-42 For the preparation of plans for a new infirmary, admission building and cottages . . . . . \$110,000 00

**Department of Public Health.***Lakeville State Sanatorium.*

- 8261-33 For the construction of new hospital buildings, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8260-58 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . . . \$6,200,000 00

**Department of Public Works.***Division of Waterways.*

- 8261-26 For the construction of a tide-gate and certain related improvements in the vicinity of Pine Cove Creek in the Dorchester district of the city of Boston . . . . . \$90,000 00
- 8261-29 For the dredging of a portion of Gloucester harbor, as authorized by chapter five hundred and seventy-eight of the acts of nineteen hundred and sixty . . . . . 375,000 00
- 8261-43 For the commonwealth's share of the enlargement of the East Boat Basin, Cape Cod Canal, Sandwich and for the construction of a marina including the relocation of certain public utilities, as required by federal regulation; provided, that any contributions received from public or private sources for the construction of the marina shall be deposited in the state treasury and credited to the General Fund as revenue . . . . . 298,000 00
- 8261-44 For the improvement, development, maintenance and protection of rivers, harbors, tidewaters, shores and great ponds; construction, reconstruction or removal of dams; construction, reconstruction or repair of town or city piers and wharves, the state pier in New Bedford and the state pier in Plymouth; construction, reconstruction or repair of drains; within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws, to be used in conjunction with any federal funds made available for the purpose, to be expended with contributions from municipalities or other organizations and individuals; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws, to be in addition to the amount appropriated in item 8260-61 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . . . 3,000,000 00

**Metropolitan District Commission.**

- 8260-81 Item 8260-81 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine is hereby amended by striking out the wording and inserting in place thereof the following:—  
For the construction and improvement of recreational facilities at Saxon Foss Park in the city of Somerville within the metropolitan parks' district.

**Wachusett Mountain State Reservation.**

Item		
8261-19	For expenses of constructing a ski area, including the cost of equipment; provided, that the commission shall submit to and in the form prescribed by the comptroller for payment from time to time such expenses as may be authorized by chapter six hundred and seventy-nine of the acts of the current year . . . . .	\$250,000 00

**Division of Building Construction.**

8261-20	To cover unexpected contingencies in the cost of projects authorized by this act to be allocated by the commission on administration and finance with the approval of the governor and council; provided, that when a project authorized by this act has been determined to be completed by the commission on administration and finance, the comptroller, with the approval of said commission, may transfer the unencumbered balance to this item . . . . .	\$256,500 00
8261-45	For fire protection improvements in accordance with recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws and for certain other improvements to eliminate fire hazards, to be designated by the director of building construction, to supplement any amounts previously appropriated for said fire protection improvements, to be allocated by the division of building construction to the various departments and agencies with the approval of the commission on administration and finance . . . . .	1,650,000 00

SECTION 2A. To provide for a special construction and improvement program for properties under the control of the department of public works and the department of public safety, the sums set forth in the following items in this section are hereby appropriated from the Highway Fund, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, appropriations expire June thirtieth, nineteen hundred and sixty-three.

**Department of Public Works.**

2900-85	For certain roof repairs and improvements to the heating and ventilating systems at the Wellesley maintenance depot; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws . . . . .	\$270,000 00
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**Department of Public Safety.**

2926-25	For the construction of a state police substation, as authorized by chapter five hundred and forty-four of the acts of nineteen hundred and fifty-nine, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 2926-25 of section two A of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . . .	\$34,000 00
2926-24	For the construction of a state police substation in the Sandwich-Bourne area, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 2926-24 of section two A of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . . .	265,000 00
2926-26	For the acquisition, by the commissioner of public safety in the name of and on behalf of the commonwealth, of certain land by purchase or by eminent domain under chapter seventy-nine	

## Item

of the General Laws; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of said land has been made by a qualified, disinterested appraiser; and for the preparation of plans and specifications for a new state police academy \$75,000 00

SECTION 3. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by section two of this act, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 4. To meet the expenditure necessary in carrying out the provisions of section two of this act or to refinance notes issued as provided in section three of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate, the sum of thirty-five million dollars. All bonds issued by the commonwealth as aforesaid, shall be designated on the face Capital Outlay Loan Act of 1960, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-six.

SECTION 5. In anticipation of the sale of bonds authorized by sections five and seven of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty, the state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by sections four and six of said chapter six hundred and thirty-five, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year as the governor may recommend to the general court, in accord-

ance with section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six. All maturing notes which are not renewed as provided in this section shall be payable from funds received from the sale of bonds authorized for the payment of the cost of projects in sections four and six of said chapter six hundred and thirty-five and the payments of any such maturing notes shall be construed to be payments on account of the original cost of said projects.

Notwithstanding any provisions of this act such notes shall be general obligations of the commonwealth.

SECTION 6. The proceeds of the excise on cigarettes levied under the provisions of chapter sixty-four C of the General Laws shall be paid into the state treasury and credited to the General Fund and shall be used solely toward meeting the interest and serial payments on the bonds of the commonwealth issued under authority of this act and of chapter six hundred and thirty-five of the acts of the current year and any other debt service obligations of the General Fund heretofore or hereafter authorized and including bond obligations which are outstanding on the effective date of this section and are payable from the General Fund.

SECTION 7. Chapter 64C of the General Laws is hereby amended by striking out section 6, as most recently amended by section 1 of chapter 720 of the acts of 1956, and inserting in place thereof the following section:—*Section 6.* Every licensee under section two, other than an unclassified acquirer or a retailer, shall, on or before the twentieth day of each calendar month, file with the commissioner, on a form prescribed by him, a return under the penalties of perjury for each place of business maintained, stating the number of cigarettes sold by such licensee in the commonwealth during the preceding calendar month and such return shall contain or be accompanied by such further information as the commissioner shall require; provided, that if a licensee ceases to sell cigarettes within the commonwealth he shall forthwith file with the commissioner such a return for the period ending with such cessation. Such licensee shall, at the time of filing such return, pay to the commissioner an excise equal to three mills for each cigarette so sold during the calendar month covered by the return; provided, that cigarettes with respect to which the excise under this chapter has once been imposed and has not been refunded if paid, shall not be subject upon a subsequent sale to the excise imposed by this chapter. Every such licensee, provided he has complied with all the requirements of this chapter and all pertinent rules and regulations of the state tax commission promulgated hereunder, may withhold and retain from each payment required to be made by him under the foregoing provisions of this section as compensation for services rendered in compliance with this chapter, a percentage of such payment computed in accordance with the following table:—

Chain store operators, one half of one per cent.

Vending machine operators, one per cent.

Wholesalers, two per cent.

Each unclassified acquirer shall, upon importation or acquisition of cigarettes into or within the commonwealth, file with the commissioner

a return under penalties of perjury, on a form to be furnished by the commissioner, stating the number of cigarettes imported or acquired and such other information as the commissioner shall require, and shall, at the time of filing such return, pay to the commissioner an excise equal to three mills for each cigarette so imported or acquired and held for sale or consumption, and cigarettes with respect to which such excise has been imposed and has not been refunded if paid, shall not be subject, when subsequently sold, to any further excise under this chapter. An abatement or refund of the excise provided by this chapter may be made by the state tax commission for such causes as the state tax commission may deem expedient. The state tax commission shall certify said amount to the comptroller and the state treasurer shall pay said amount without any appropriation therefor by the general court, out of the proceeds of such excise. The commissioner may, in his discretion, require reports from any common carrier who transports cigarettes to any point or points within the commonwealth and from any other person who, under contract, so transports cigarettes, and from any bonded warehouseman or bailee who has in his possession any cigarettes, such reports to contain such information concerning shipments of cigarettes as the commissioner shall determine. All such carriers, bailees, warehousemen and other persons shall permit the examination by the commissioner or his duly authorized agent of any records relating to the shipment of cigarettes into or from, or the receipt thereof within, the commonwealth.

All cigarette taxes paid in pursuance of this chapter or of any general or special law shall conclusively be presumed to be a direct tax on the retail consumer, precollected for the purpose of convenience and facility only.

SECTION 8. Section nine of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five is hereby repealed.

SECTION 9. Section ten of chapter thirty-one of the acts of nineteen hundred and fifty-nine is hereby repealed.

SECTION 10. Section six of this act shall take effect on July first, nineteen hundred and sixty-one. *Approved November 23, 1960.*

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**Chap. 775.** AN ACT RELATIVE TO THE EXPENSES OF MEMBERS OF THE GENERAL COURT.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the payment of additional expenses incurred by members of the general court during the current session, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

In addition to any other compensation for expenses provided by law, each member of the general court shall be paid the sum of five hundred dollars for the calendar year nineteen hundred and sixty for the additional expenses incurred by them during the current session.

*Approved November 23, 1960.*

**Chap. 776.** AN ACT ESTABLISHING A DIVISION OF URBAN AND INDUSTRIAL RENEWAL, PROVIDING FOR THE ENCOURAGEMENT OF URBAN RENEWAL AND REDEVELOPMENT PROJECTS AND PROVIDING FINANCIAL ASSISTANCE THEREFOR.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is to aid and expedite urban renewal programs within the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 121 of the General Laws is hereby amended by inserting after section 22A, under the caption DIVISION OF URBAN AND INDUSTRIAL RENEWAL, the following four sections:—

*Section 22B.* There shall be in the department, but not subject to its control, a division to be known as the division of urban and industrial renewal, in this section and in sections twenty-two C to twenty-two E, inclusive, called the division. Said division shall consist of a director and such other personnel as the work of the division may require, and shall be under the supervision of the chairman of the state housing board. The chairman may, subject to appropriation, employ a director and such assistants, experts, clerk and other employees and expend such sums for other services and expenses as may be necessary to carry out the purposes of the division; such employees shall not be subject to chapter thirty-one. The division shall be provided with suitable offices in the state house or elsewhere within the city of Boston.

*Section 22C.* The powers and duties of the division shall be, generally, to encourage the undertaking and to foster the progress of urban and industrial renewal and redevelopment programs and projects in and among the cities and towns of the commonwealth. To this end, the powers and duties of the division shall include, but shall not be limited to, the following:—

(1) Promoting state-wide interest in and understanding of urban and industrial renewal through the publication and dissemination of information pertaining thereto;

(2) Advising the governor and general court on all state and federal legislation affecting urban and industrial renewal in the commonwealth, and recommending such legislation as may facilitate progress in urban and industrial renewal;

(3) Providing technical advice and assistance to cities and towns and other agencies of the commonwealth and political subdivisions thereof whose activities affect or are concerned with urban and industrial renewal;

(4) Working with the department of commerce and other public and private agencies concerned with the economic development of the commonwealth so as to inform potential sources of private investment of opportunities available in urban and industrial renewal programs within the commonwealth;

(5) Achieving maximum utilization of all federal funds available



for the support of urban and industrial renewal programs, and encouraging municipalities to participate in federal programs by providing advice and assistance in the preparation of applications therefor;

(6) Undertaking or contracting for technical studies, investigations, and surveys for the improvement of methods and techniques for the elimination and prevention of slums and blight and the development of more effective urban and industrial redevelopment and urban and industrial renewal programs within the commonwealth. Such studies and surveys shall include, but are not limited to (a) review of the laws relative to urban and industrial redevelopment and urban and industrial renewal, (b) a state-wide residential and industrial housing inventory to ascertain the amount and degree of blight and deterioration within the commonwealth, and to determine the available supply of relocation housing and to suggest the most feasible means of providing for such additional housing required to support urban and industrial renewal programs, (c) an investigation of the problems of code enforcement as related to conservation and rehabilitation programs including the feasibility of special housing courts, (d) a review of the provisions of chapter one hundred and twenty-one A to determine if privately financed redevelopment corporations can be more effectively encouraged through revision of said chapter, (e) an investigation of the financial problems of property owners and tenants related to the rehabilitation and conservation aspects of urban and industrial renewal, (f) an investigation of the problems encountered by small business dislocated by urban and industrial renewal programs, and the most equitable means of modifying such problems, and (g) an appraisal of the effect of real estate and other taxes on urban blight and deterioration.

*Section 22D.* The chairman of the housing board may solicit and accept in the name of the commonwealth, for use in relation to the purposes of the division, any gift of money or property made therefor by will or otherwise, special grants of money, including matching funds, services or things from the federal or state governments or any of their agencies or individuals to be held by the state treasurer as custodian.

*Section 22E.* There is hereby established an urban and industrial renewal advisory council, consisting of the commissioner of public works, the commissioner of public safety, the commissioner of commerce, the chairman of the mass transportation commission, the commissioner of natural resources, the commissioner of public health, and the chairman of the metropolitan district commission, or their designees. The council shall advise the chairman as to activities of their agencies which pertain to or may affect planning and development of urban and industrial renewal and urban and industrial redevelopment programs within the commonwealth, assist the chairman in the coordination of state programs and activities with the urban and industrial renewal and redevelopment programs of political subdivisions of the commonwealth.

**SECTION 2.** Section 26J of said chapter 121 is hereby amended by inserting before the definition "Housing board" or "board" the following definition:—"Division of urban and industrial renewal" or "division", the division established under section twenty-two B.

SECTION 3. Said section 26J of said chapter 121 is hereby further amended by striking out the definition of "Blighted open area", as amended by section 1 of chapter 613 of the acts of 1957, and inserting in place thereof the following definition:—

"Blighted open area", a predominantly open area which is detrimental to the safety, health, morals, welfare or sound growth of a community because it is unduly costly to develop it soundly through the ordinary operations of private enterprise by reason of the existence of ledge, rock, unsuitable soil, or other physical conditions, or by reason of the necessity for unduly expensive excavation, fill or grading, or by reason of the need for unduly expensive foundations, retaining walls or unduly expensive measures for waterproofing structures or for draining the area or for the prevention of the flooding thereof or for the protection of adjacent properties and the water table therein or for unduly expensive measures incident to building around or over rights of way through the area, or for otherwise making the area appropriate for sound development, or by reason of obsolete, inappropriate or otherwise faulty platting or subdivision, deterioration of site improvements or facilities, division of the area by rights of way, diversity of ownership of plots, or inadequacy of transportation facilities or other utilities, or by reason of tax and special assessment delinquencies, or because there has been a substantial change in business or economic conditions or practices, or an abandonment or cessation of a previous use or of work on improvements begun but not feasible to complete without the aids provided by this chapter, or by reason of any combination of the foregoing or other conditions.

SECTION 4. Said section 26J of said chapter 121 is hereby further amended by striking out the definition of "Decadent area", as amended by section 11 of chapter 647 of the acts of 1953, and inserting in place thereof the following definition:—

"Decadent area", an area which is detrimental to safety, health, morals, welfare or sound growth of a community because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete, or in need of major maintenance or repair, or because much of the real estate in recent years has been sold or taken for non-payment of taxes or upon foreclosure of mortgages, or because buildings have been torn down and not replaced and in which under existing conditions it is improbable that the buildings will be replaced, or because of a substantial change in business or economic conditions, or because of inadequate light, air, or open space, or because of excessive land coverage, or because diversity of ownership, irregular lot sizes or obsolete street patterns make it improbable that the area will be redeveloped by the ordinary operations of private enterprise, or by reason of any combination of the foregoing conditions.

SECTION 5. Said section 26J of said chapter 121 is hereby further amended by striking out the definition of "Sub-standard area", as appearing in section 1 of chapter 574 of the acts of 1946, and inserting in place thereof the following definition:—

"Sub-standard area", an area wherein dwellings predominate

which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitation facilities, or any combination of these factors, are detrimental to safety, health, morals, welfare or sound growth of a community.

SECTION 6. Said chapter 121 is hereby further amended by striking out section 26KK, as most recently amended by section 4 of chapter 613 of the acts of 1957, and inserting in place thereof the following section:—*Section 26KK.* Whenever a housing authority determines that a project for the assembly and redevelopment of a sub-standard, decadent or blighted open area ought to be undertaken in the city or town in which it was organized, it shall apply to the division of urban and industrial renewal for approval of such a project. Such application shall be accompanied by a plan for the project, and a statement of the method proposed for financing the project and such other information as the division may require. The division shall hold a public hearing upon such project, if requested in writing to so do, within ten days after the submission of the project, by the housing authority, or by the mayor or city council of the city or the selectmen of the town in which the proposed project is located, or by twenty-five or more taxable inhabitants of such city or town.

The division of urban and industrial renewal shall not approve any land assembly and redevelopment project unless the planning board, established under the provisions of section seventy or section eighty-one A of chapter forty-one for the city or town where the project is located, shall have found and the division of urban and industrial renewal shall have concurred in such finding, or, if no planning board exists in such city or town, unless the division of planning in the department of commerce shall have found and the division of urban and industrial renewal shall have concurred in such finding that the redevelopment plan is based upon a local survey and conforms to a comprehensive plan for the locality as a whole. The division of urban and industrial renewal shall likewise not approve any land assembly or redevelopment plan unless it shall have found (a) the project area would not by private enterprise alone, and without the aid sought by the housing authority from the federal government or other subsidy, be made available for development or redevelopment or, in the alternate, that such project area could not be made available for development or redevelopment through the ordinary operations of private enterprise without the exercise of the powers vested in a housing authority under this chapter, (b) the proposed land uses and building requirements in the project areas in the locality where the project area is located will afford maximum opportunity to privately financed development or redevelopment consistent with the sound needs of the locality as a whole, (c) the financial plan is sound, (d) the project area is a sub-standard, decadent or blighted open area and (e) prior to the application for funds from any source, to make a local survey, approval of said division had been granted to make such a survey. The division of urban and industrial renewal shall, within thirty days after submission of the application, give written notice to the authority of its decision with respect to such project.

If the division of urban and industrial renewal shall disapprove any such project, it shall state in writing in such notice its reasons for disapproval. Unless and until written approval of such project is

obtained, the housing authority shall not undertake such project; provided, however, that when a housing authority has determined the location of a proposed land assembly and redevelopment project, it may, without awaiting the approval of the division of urban and industrial renewal, proceed, by option or otherwise, to obtain control of the real property within the location; but it shall not, without the approval of the division, unconditionally obligate itself to purchase any such property. A project which has not been approved by the division of urban and industrial renewal when submitted may be again submitted to it with such modifications as are necessary to meet its objections.

SECTION 7. Said chapter 121 is hereby further amended by striking out section 26ZZ, as most recently amended by section 5 of said chapter 613, and inserting in place thereof the following section:—*Section 26ZZ. Urban Renewal Plan.*—Any urban renewal project undertaken pursuant to the preceding section shall be undertaken in accordance with an urban renewal plan for the area of the project. As used in sections twenty-six YY to twenty-six BBB, inclusive, an “urban renewal plan” shall be construed to mean a plan, as it exists from time to time, for an urban renewal project, which plan (1) shall conform to the general plan for the municipality as a whole, and (2) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the area of the urban renewal project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan’s relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements. No urban renewal project shall be undertaken until the urban renewal plan therefor has been submitted to, and approved by, the division of urban and industrial renewal; and no urban renewal plan shall be submitted to the division of urban and industrial renewal unless the same has been approved by the city manager with the approval of the city council in the case of a city having a Plan D or Plan E charter, in the case of any other city, by the mayor with the approval of the city council or the selectmen of a town after due notice and a public hearing.

The division of urban and industrial renewal shall not approve any urban renewal plan unless the planning board established under the provisions of section seventy or eighty-one A of chapter forty-one for the city or town where the project is located, shall have found and the division of urban and industrial renewal shall have concurred in such finding, or, if no planning board exists in such city or town, unless the division of planning in the department of commerce shall have found and the division of urban and industrial renewal shall have concurred in such finding that the urban renewal plan is based upon a local survey and conforms to a comprehensive plan for the locality as a whole. The division of urban and industrial renewal shall likewise not approve any urban renewal plan unless it shall have found (a) the project area would not by private enterprise alone, and without the aid sought from the federal government or other subsidy, be made available for urban renewal, or, in the alternate, that such

project area could not be made available for urban renewal through the ordinary operations of private enterprise without the exercise of the powers vested in a housing authority under this chapter; (b) the proposed land uses and building requirements in the project areas in the locality where the project area is located will afford maximum opportunity to privately financed urban renewal consistent with the sound needs of the locality as a whole; (c) the financial plan is sound; (d) the project area is a sub-standard, decadent or blighted open area; and (e) the urban renewal plan is sufficiently complete, as required by this section. The division of urban and industrial renewal shall, within thirty days after submission of the plan, give written notice to the redevelopment or housing authority of its decision with respect to such plan. If the division of urban and industrial renewal shall disapprove any such plan, it shall state in writing in such notice its reasons for disapproval. A plan which has not been approved by the division of urban and industrial renewal when submitted may be again submitted to it with such modifications as are necessary to meet its objections.

Anything in this section to the contrary notwithstanding, when the location of a proposed urban renewal project has been determined, the redevelopment or housing authority may, without awaiting the approval of the division of urban and industrial renewal, proceed, by option or otherwise, to obtain control of such property within the urban renewal project area as is necessary to be acquired by the redevelopment or housing authority to carry out the urban renewal plan; but it shall not, without the approval of the division of urban and industrial renewal, unconditionally obligate itself to purchase or otherwise acquire any such property.

SECTION 8. Said chapter 121 is hereby further amended by inserting after section 26CCC, under the caption FINANCIAL ASSISTANCE FOR URBAN REDEVELOPMENT AND URBAN RENEWAL PROJECTS, the following sections:—

*Section 26DDD.* Any city or town, acting by and through a redevelopment authority established in accordance with the provisions of section twenty-six QQ may apply to the division of urban and industrial renewal for an urban renewal assistance grant to meet in part the cost of an approved urban renewal project. Such application shall be in the form prescribed by the division of urban and industrial renewal, and shall be accompanied by such additional information, drawings, plans, reports, estimates and exhibits as the division may require. The division shall make such rules and regulations as are necessary to effectuate the purposes of this section and sections twenty-six EEE to twenty-six HHH, inclusive.

*Section 26EEE.* Upon receipt of an application under the provisions of section twenty-six DDD, the division shall examine such application and any facts, estimates or other information relative thereto, and shall determine whether the proposed project complies with the provisions of the general laws and with the rules and regulations prescribed in accordance therewith governing the approval and administration of urban renewal assistance grants. Upon the determination of satisfactory compliance, the division shall determine the estimated approved cost of such project, and compute the amount of the urban

renewal assistance grant to which the city or town would be entitled under section twenty-six FFF.

Within a reasonable time after receipt of such application, the division shall notify such city or town of its approval or rejection thereof, and, in the event of its rejection, of the reasons therefor. Notice of approval hereunder shall be accompanied by a statement of the estimated approved cost as determined by the division, and an estimate of the amount of urban renewal assistance grant to which such city or town may be entitled under the provisions of section twenty-six FFF.

The final approved cost shall be determined by the division within a reasonable time after the completion of the urban renewal project by the local redevelopment authority.

If the determination of the final approved cost is delayed because the project is not completed, the payments preceding determination of the final approved cost may be based upon the estimated approved cost, and adjustment shall be made in the payment or payments which are made subsequent to the determination of the final approved cost.

*Section 26FFF.* From time to time, the division shall certify to the comptroller, and the state treasurer shall, within thirty days after each such certification, pay to the several cities and towns, from any amounts appropriated therefor, the amounts due them in accordance with the following clauses:—

(a) Certification may be made only of projects with respect to which contracts for federal capital grants under Title I of the Federal Housing Act of 1949, as amended, have been signed.

(b) The total urban renewal assistance grant for any approved, federally-aided project as defined in clause (a), shall not exceed one half of the local share of the contribution required from the municipality under the federal capital grant contract.

(c) The total urban renewal assistance grant, in the case of any project to be financed, in accordance with the provisions of section twenty-six CC, from the proceeds of any sale of bonds or notes to the extent of fifty per cent or less of the approved local cost thereof, shall be paid in five equal annual installments, beginning in the calendar year in which the execution of such project has been commenced. The total urban renewal assistance grant, in the case of all other projects, shall be paid in equal annual parts to be determined by dividing such total grant by the number of years during which any indebtedness incurred for such projects shall remain outstanding.

SECTION 9. Said chapter 121 is hereby further amended by inserting after section 26FFF, under the caption FINANCIAL ASSISTANCE FOR NON-FEDERALLY AIDED COMMERCIAL OR INDUSTRIAL REDEVELOPMENT PROJECTS, the following two sections:—

*Section 26GGG.* The commonwealth, acting by and through the division of urban and industrial renewal may contract with the cities and towns of the commonwealth, acting by and through housing authorities or redevelopment authorities to provide financial assistance for commercial or industrial urban renewal and redevelopment projects as authorized by the provisions of this chapter. Such state financial assistance may be provided only for projects which are to be redeveloped for predominantly commercial or industrial re-use, and

which projects are ineligible for federal capital grants under Title I of the Federal Housing Act of 1949, as amended, by reason of the present use and proposed re-use of the project area. In determining whether a project is rendered ineligible for federal capital-grant assistance by reason of present use and proposed re-use, the provisions of the Federal Housing Act of 1949, as amended, permitting a limited amount of redevelopment for non-residential uses need not be considered provided that federal funds have not been made available under this provision.

*Section 26HHH.* The commonwealth, acting through the division of urban and industrial renewal, may enter into a contract with a city or town, acting by its redevelopment authority, for state financial assistance for a redevelopment or urban renewal project under this chapter in any redevelopment or urban renewal area in such city or town provided that the project area is to be redeveloped for predominantly commercial or industrial re-use and that the project for redeveloping the area does not qualify for federal grants-in-aid provided by the Federal Housing Act of 1949, as amended, by reason of its present use or proposed re-use. The contract shall provide for a state grant-in-aid equal to one half of the net cost of the project as determined by the division. Any such contract shall provide that no state grant-in-aid shall be made until the city or town shall have appropriated the funds required for the local share of the net project cost.

The aggregate amount of state grant-in-aid for urban redevelopment and urban renewal projects in accordance with the provisions of this section shall not exceed twenty-five million dollars.

The division of urban and industrial renewal may make advances of funds to local redevelopment agencies for up to seventy-five per cent of the estimated cost of surveys and plans and administrative expenses in preparation of projects which may be assisted under this section, and contracts for such advances of funds shall be made upon the condition that such advances of funds shall be repaid out of any monies which become available to such agency for the undertaking of the project or projects under this section and section twenty-six GGG.

**SECTION 10.** A city or town which has undertaken an urban renewal or redevelopment project prior to the effective date of this act, may within ninety days after said effective date, apply in the manner provided by section twenty-six DDD of chapter one hundred and twenty-one of the General Laws for financial assistance in connection therewith. The total assistance grant to such city or town shall be determined and paid in the manner provided by section twenty-six FFF of said chapter one hundred and twenty-one. The first annual payment shall be made in the year nineteen hundred and sixty-one.

**SECTION 11.** Section 64 of chapter 6 of the General Laws, as appearing in section 3 of chapter 260 of the acts of 1948, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:—There shall be a state housing board, in this section called the board, consisting of a chairman and four other members appointed by the governor, with the advice and consent of the council. Upon the expiration of the term of office of a chairman or other member, his successor shall be appointed in the manner aforesaid to serve for a term of five years.

SECTION 12. The chairman and other members of the state housing board on the effective date of this act shall serve for the remainder of their respective unexpired terms as chairman and members of the state housing board.

*Approved November 23, 1960.*

**Chap. 777.** AN ACT INCREASING THE SALARIES OF THE MEMBERS OF THE BOARD OF REGISTRATION OF HAIRDRESSERS.

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

Chapter 13 of the General Laws is hereby amended by striking out section 44, as most recently amended by section 20 of chapter 730 of the acts of 1955, and inserting in place thereof the following section:—

*Section 44.* The members of the board shall devote their full time to the duties of the offices, and they shall receive from the commonwealth the following salaries:—the chairman, fifty-five hundred dollars and his necessary expenses incurred in the discharge of his official duties, and each of the other two members, five thousand dollars and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board.

*Approved November 23, 1960.*

**Chap. 778.** AN ACT RELATIVE TO THE SALARIES OF CERTAIN JUSTICES OF THE SUPERIOR COURT.

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

SECTION 1. Notwithstanding the provisions of section four of chapter seven hundred and thirty-three of the acts of nineteen hundred and fifty-five, any justice of the superior court appointed to said office between the twenty-second day of March, nineteen hundred and sixty and the effective date of this act, both dates inclusive, shall receive such salary as is provided by section twenty-seven of chapter two hundred and twelve of the General Laws, said salary to be effective as of the date of his appointment.

SECTION 2. This act shall take effect on December fifteenth, nineteen hundred and sixty.

*Approved November 23, 1960.*

**Chap. 779.** AN ACT INCREASING THE SALARIES OF THE DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS FOR THE EASTERN DISTRICT AND PROVIDING FOR THE APPOINTMENT OF TWO ADDITIONAL ASSISTANT DISTRICT ATTORNEYS FOR SAID DISTRICT AND ESTABLISHING THEIR SALARIES.

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

SECTION 1. Section 14 of chapter 12 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in sec-



tion 2 of chapter 423 of the acts of 1948, and inserting in place thereof the following paragraph:—

For the eastern district, six assistant district attorneys.

SECTION 2. Section 15 of said chapter 12 is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 684 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the eastern district, twelve thousand dollars.

SECTION 3. Section 16 of said chapter 12 is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 686 of the acts of 1956, and inserting in place thereof the following paragraph:—

For the eastern district, one assistant, six thousand five hundred dollars; one assistant, five thousand five hundred dollars; and four assistants, four thousand five hundred dollars.

*Approved November 23, 1960.*

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**Chap. 780.** AN ACT INCREASING THE COMPENSATION OF MEMBERS OF A HOUSING AUTHORITY.

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

Section 26 O of chapter 121 of the General Laws, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—A housing authority may compensate its members for each day spent in the performance of his duties and for such other services as he may render to the authority. Such compensation shall not exceed fifty dollars a day for the chairman and forty dollars a day for a member other than the chairman; provided that the total sum paid to all the members in any one month or year shall not exceed two per centum of the gross income of the housing authority during such month or year respectively, nor shall the total sum paid in any year exceed twelve thousand five hundred dollars in the case of the chairman or ten thousand dollars in the case of a member other than the chairman. Members of a housing authority shall be allowed, or be reimbursed for, all expenses properly incurred by them within or without the city or town in the discharge of their duties. Such compensation and expenses shall be allocated by the housing authority among its various projects, in such manner and amounts as it deems proper.

*Approved November 23, 1960.*

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**Chap. 781.** AN ACT RELATIVE TO THE GRANTING OF MEDICAL ASSISTANCE FOR THE AGED.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately make available medical assistance for the low income aged, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 7 of chapter 18 of the General Laws, as most recently amended by chapter 344 of the acts of 1957, is hereby further amended by inserting after the word "assistance", the first time it appears in line 4, the words:—and medical assistance for the aged.

SECTION 2. Chapter 118A of the General Laws is hereby amended by striking out the title and inserting in place thereof the following title:—OLD AGE ASSISTANCE AND MEDICAL ASSISTANCE FOR THE AGED.

SECTION 3. Said chapter 118A is hereby amended by inserting before section 1 the following caption:—OLD AGE ASSISTANCE.

SECTION 4. The first paragraph of section 1 of said chapter 118A is hereby amended by striking out the third sentence, as appearing in chapter 799 of the acts of 1950, and inserting in place thereof the following three sentences:—Such assistance shall, wherever practicable, be given to the aged person in his own home, or in lodgings, or in a rest home, or in any acute general hospital, but shall exclude care in all approved public medical institutions, all licensed chronic hospitals and all licensed nursing homes where the aged person needs no other residence. No aged person cared for in a rest home shall be eligible for old age assistance while receiving such care under a contract except in accordance with the provisions of section one A. Any person who, while being cared for in a rest home or institution, has lost his settlement or who shall lose his settlement at the time of admission to such home or institution, shall be deemed to have no settlement in the commonwealth.

SECTION 5. Said section 1 of said chapter 118A is hereby further amended by striking out the last paragraph, as most recently amended by chapter 525 of the acts of 1954, and inserting in place thereof the following two paragraphs:—

Payment for medical care under old age assistance shall be by vendor payment. Payment for other services rendered to such aged person, including funeral expenses, may be paid directly to the person furnishing such services only when such payment is made to meet an expense which remained unpaid at the time of death or commitment as an insane person. Payment for services rendered shall be made, to the extent otherwise permitted, where an applicant dies before approval of his application.

Where an individual requests care at an institution, the institution furnishing such care may initiate an application on behalf of the applicant to the appropriate board of public welfare and such board shall accept the application and act thereon. Such institution may also intervene in any application made and shall be entitled to notice, hearing and appeal in the same manner as an applicant. Nothing herein contained, however, shall be construed to grant to such institution any rights which supersede the rights of an applicant.

SECTION 6. Section 1A of said chapter 118A, as amended by chapter 521 of the acts of 1954, is hereby further amended by striking out, in lines 2 and 3, the words "boarding home or institution" and inserting in place thereof the words:—rest home.

SECTION 7. Sections one B and one C of said chapter one hundred and eighteen A are hereby repealed.

SECTION 8. Said chapter 118A is hereby further amended by adding at the end the following twenty sections under the caption:—

MEDICAL ASSISTANCE FOR THE AGED.

*Section 13.* The following terms and phrases as used in sections thirteen to thirty-two, inclusive, shall have the following meanings, unless the context clearly requires otherwise:—

(a) “Person”, any individual sixty-five years of age or over who resides in the commonwealth, or any individual residing outside the commonwealth who is deemed to be a resident of the commonwealth under regulations of the Secretary of Health, Education, and Welfare promulgated under the Social Security Act of 1960 with respect to medical services for the aged.

(b) “Reside”, to occupy an established place of abode with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently, but in no event shall the word “reside” be construed more restrictively than as defined by the Secretary of Health, Education, and Welfare under the Social Security Amendments of 1960 as a basis for eligibility for grants-in-aid for medical services for the aged.

(c) “Institution”, any licensed hospital or any licensed nursing home or any public medical institution or any medical facility operated by municipal, county, state or federal governments.

(d) “Public medical institution”, any medical institution supported in whole or in part by public funds, staffed by professional medical and nursing personnel and providing medical care, including nursing and convalescent care, in accordance with standards established through licensing or approval by the department of public health.

(e) “Medical assistance for the aged”, payment of part or all of the cost of (1) inpatient hospital ward services, (2) public medical institution services, (3) nursing home services, (4) physicians’ services, (5) outpatient hospital or clinic services, (6) nursing services, (7) physical therapy and related services, (8) dental services, (9) home health care services, (10) laboratory and X-ray services, (11) prescribed drugs, eyeglasses, dentures and prosthetic devices, (12) diagnostic screening and preventive services, (13) any other medical care or remedial care recognized under the law of the commonwealth, and (14) other medical care in accordance with the department medical care plan; but shall not include any such payment with respect to care or services for any person who is an inmate of a public institution, except as a patient in a medical institution, or for any person who is a patient in an institution for tuberculosis or mental diseases, or care or services for any person, who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis, with respect to any period after such person has been a patient in such an institution, as a result of such diagnosis, for forty-two days.

*Section 14.* The board of public welfare of each town shall furnish medical assistance for the aged to each person sixty-five years of age or over who resides therein and whose income and resources are in-

sufficient to meet the costs of necessary medical services. Payment shall be made to the person or institution supplying medical services.

*Section 15.* Any person may apply for medical assistance for the aged to the board of public welfare of the town in which he resides. A person who is a patient in an institution shall be considered to reside in the town in which he last maintained a residence outside an institution. Any institution furnishing such medical assistance shall have the right to make such an application on behalf of an individual, or to intervene if such application is made, and in either event shall be entitled to notice, hearing and appeal in the same manner as an applicant. Nothing herein contained, however, shall be construed to grant to such institution any rights which supersede the rights of an applicant.

*Section 16.* Upon the receipt of such application the board of public welfare shall make full inquiry concerning the eligibility of the applicant, his need for medical assistance and his resources and income, if any, and within thirty days after receipt of such application, shall make its decision, which shall be entered in its records. At the time of such initial decision and in the event of any subsequent decision, the applicant or recipient shall be notified in writing of such decision and shall be informed of the reason therefor and of his right to appeal and of the method by which he may appeal under section twenty-one.

*Section 17.* When the application is approved such medical assistance shall be furnished or paid for from the date of the application or, subject to rules and regulations of the department, for a reasonable period prior to the date of such application. In no event, however, shall such payment be made with respect to any period, prior to the date of application, which would be disallowed by rules or regulations of the Secretary of Health, Education, and Welfare for grants-in-aid of medical assistance under the Social Security Amendments of 1960. To the extent allowed by such rules or regulations of the Secretary of Health, Education, and Welfare, payment for such medical assistance rendered shall be made, to the extent otherwise permitted, where an applicant dies before approval of his application.

*Section 18.* A person entitled to medical assistance for the aged shall receive such assistance on the basis of need. The amount of such need shall be determined, in accordance with standards approved by the department, after consideration of the degree to which an applicant's income and resources are insufficient to meet the costs of necessary medical care. In determining such income, where a person has need of a residence apart from a licensed chronic hospital, licensed nursing home or public medical institution, there shall be excluded (a) if unmarried or if married and the applicant is the husband, income of applicant of one hundred and fifty dollars a month, and (b) if married, and the applicant is the wife, combined income of husband and wife of two hundred and twenty-five dollars a month. In no event shall medical assistance for the aged be furnished so long as a person has (1) if unmarried or if married and the applicant is the husband, ownership of bank deposits, securities, cash on hand or similar assets of more than two thousand dollars, or (2) if married and

the applicant is the wife, combined ownership of husband and wife of bank deposits, securities, cash on hand or similar assets of more than three thousand dollars. The cash surrender value of insurance shall not be included in determining assets.

Where a person, otherwise entitled to medical assistance for the aged, is receiving or is to receive such assistance in a licensed nursing home, licensed chronic hospital or public medical institution, and has no need of a residence apart from such institution, the amount of income and resources which shall not disqualify him from receiving such assistance shall be determined by rule and regulation of the department; provided, however, that the first fifteen dollars of any monthly income shall be retained by the applicant or the recipient of such assistance for his personal needs.

Where a person has both monthly income and bank deposits, securities, cash on hand or similar assets, the department, notwithstanding any other provision herein contained, shall by rules and regulations, determine the extent to which an otherwise eligible individual shall be entitled to medical assistance for the aged.

The department may, by rules and regulations, determine the extent to which minor medical expenses shall be excluded from medical assistance for the aged, any other provisions in this section to the contrary notwithstanding. Notwithstanding any other provision to the contrary, the department may also determine by rules and regulations, the eligibility of a person whose monthly income above one hundred and fifty dollars a month would enable him to meet his medical expenses over a period of time.

*Section 19.* Each person in a licensed nursing home, licensed chronic hospital or public medical institution having monthly income of less than fifteen dollars and eligible for medical assistance for the aged, shall be paid an amount for personal needs. Such amount shall be considered necessary for the medical and remedial care of such recipient, shall be paid semimonthly in advance, and shall be in an amount determined in relation to its purpose under rules and regulations of the department.

*Section 20.* For the purpose of securing efficient administration of medical assistance for the aged, the department may adopt rules and regulations. The department shall supervise the administration of the granting of medical assistance for the aged and it may take such action as may be necessary or desirable for carrying out its purposes in conformity with the requirements governing granting of federal aid.

*Section 21.* Any person aggrieved by the failure of any town to grant medical assistance for the aged or by the failure of the board of public welfare to approve or reject an application for such assistance within thirty days after receiving such application or by the withdrawal of such assistance, shall have a right to a fair hearing, after due notice, upon appeal to the department in the manner and form prescribed by the department; provided, such appeal is received by the department within sixty days after official notice of the action taken by the board of public welfare has been received by the applicant or recipient. Such hearing shall be conducted by the commissioner of public welfare, hereinafter referred to as the commissioner,

or a referee designated by the commissioner. The commissioner or any referee designated by him is hereby empowered to subpoena witnesses, administer oaths, take testimony, and secure the production of such books, papers, records and documents as may be relevant to such hearing. The decision of the commissioner, or of such referee when approved by the commissioner, shall be the decision of the department.

The department may also, upon its own motion, review any decision of a local board of public welfare and may consider any application upon which a decision has not been made by such a board within the required time.

The department may make such additional investigation as it may deem necessary and shall make such decision as to the granting of medical assistance and the amount of such assistance to be granted as in its opinion is justified and in conformity with the provisions of this chapter. Applicants or recipients affected by such decisions of the department shall, upon request, be given reasonable notice and opportunity for a hearing by the department. The provisions relating to the conduct of fair hearings and decisions thereon made, as provided in this section, shall be equally applicable in all cases wherein the department acts upon its own motion.

Every decision of the department shall be rendered not later than sixty days after the claim of appeal was filed or after the department acted upon its own motion to review any decision of such a local board. Every decision of the department shall be final and binding upon the local board involved and shall be complied with by such local board.

This section shall not be construed to limit the right of a board of public welfare or its officials to confer with the commissioner on policies and procedures of the department.

*Section 22.* No employee of the board of public welfare shall be engaged in the administration of medical assistance to the aged under this chapter unless such person has been appointed in accordance with chapter thirty-one.

*Section 23.* There shall be no recovery of any medical assistance for the aged correctly paid on behalf of a recipient during his lifetime or the lifetime of his surviving spouse. When recovery is appropriate, action shall be brought in accordance with the proceedings set forth in section four A.

*Section 24.* The ownership of an interest in real estate by an applicant for or recipient of medical assistance for the aged who resides thereon or who, in the opinion of the board, is residing elsewhere than on such real estate because of physical or mental incapacity, shall not disqualify him from receiving such assistance. Ownership by an applicant of any interest in any other real estate shall disqualify him for such assistance.

*Section 25.* Money received by the commonwealth from the federal government as a grant for medical assistance for the aged and for the administration of medical assistance for the aged shall be paid to the several cities and towns as allotted by the department and shall be kept as a separate account by every such city and town and used only for purposes specified by the department, notwithstanding the provisions of section fifty-three of chapter forty-four. Said money may be

allotted by the department to the cities and towns on an estimated basis immediately upon their receipt from the federal government, subject to later audit and adjustment, notwithstanding the provisions of section twenty-two of chapter twenty-nine or any other provision of law.

*Section 26.* In addition to the amount of federal reimbursement paid to a town under section twenty-five, the town shall also be reimbursed by the commonwealth for two thirds of the remainder of such disbursements for assistance, and for one half of the remainder of the expense of administration except as otherwise provided in this section. Expenses of administering this chapter shall be available to welfare districts established under chapter one hundred and seventeen and cities and towns which have entered into combinations under chapter one hundred and eighteen B only as provided in said chapters one hundred and seventeen and one hundred and eighteen B. All accounts against the commonwealth for allowances to towns on account of moneys paid for which they are entitled to reimbursement by the commonwealth hereunder shall be rendered to the department on forms prescribed by the department, and, if rendered as aforesaid, approved by the department and certified by the comptroller, but not otherwise, shall be paid by the commonwealth from such funds as may be appropriated therefor. The approval of accounts by the department under this chapter shall have the effect of a provisional pre-audit of such accounts, and reimbursements based thereon shall be subject to verification and adjustment by the department. Such adjustments shall be made by reducing or increasing any subsequent reimbursements under this chapter by the amount of such adjustment. Failure to comply with the rules and regulations of the department shall be cause for disapproval of any account.

*Section 27.* No medical assistance for the aged shall be furnished to any person for any period during which he received aid to the blind under chapter sixty-nine, aid to dependent children under chapter one hundred and eighteen, assistance to disabled persons under chapter one hundred and eighteen D, or old age assistance under this chapter.

*Section 28.* The board of public welfare of each town shall cause to be visited as required by the rules and regulations at his home or other place where he may be living, each person who is receiving medical assistance for the aged from the town.

*Section 29.* If a recipient of medical assistance for the aged removes to another town in the commonwealth and remains in need of continued assistance, the town of his former residence shall be responsible for rendering him such assistance as shall be necessary until the end of the first full month after his removal; provided, however, that when such recipient moves to another town for purposes of entering an institution, the town of his former residence shall continue to be responsible for rendering assistance to him as long as he remains in need thereof and until such time as he may leave the institution and establish residence in another town.

*Section 30.* Children shall be liable for the support of parents under the medical assistance program and in determining the resources

of an aged person seeking medical assistance under section eighteen the following schedule relative to the financial ability to support by a child of such person shall be followed:—

1. In the case of an employed single child living with his aged parent or parents, income up to twenty-four hundred and fifty dollars per annum shall be considered exempt and available to said child for his personal needs and his board and lodging. Of the amount of income in excess of the twenty-four hundred and fifty dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

2. In the case of an employed single child living apart from his aged parent or parents, income up to twenty-seven hundred dollars per annum shall be considered exempt and available to said child for his personal needs and his board and lodging. Of the amount of income in excess of the twenty-seven hundred dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

3. In the case of an employed married child living apart from his aged parent or parents, income up to four thousand dollars per annum shall be considered exempt and available to said child for his personal needs. Of the amount of income in excess of four thousand dollars per annum received by said child, one third shall be contributed as support to the parent or parents.

4. The amounts of exempted income of any child hereinabove specified shall be increased by the amount of six hundred dollars for each dependent, other than the spouse, of such child.

5. In any case any unusual circumstances within the immediate family shall be considered with a view to determining whether such circumstances justify an exemption from the general rule relative to persons coming within the above classes.

6. Said support by children of their parent or parents shall include support by children residing outside the commonwealth as well as those residing therein.

7. The word "income" as used in this schedule shall mean income after deducting state and federal income taxes thereon. In determining the income of a child of an aged person seeking to receive, or receiving, medical assistance under this chapter, the statement of said child under oath shall be accepted, except as hereinafter provided. No investigation as to the income of such child shall be made by a local board of public welfare unless the child shall have refused to submit such a statement, or unless the board reasonably doubts the accuracy of a statement submitted.

*Section 31.* No enrollment fee, premium or similar charge shall be required as a condition of eligibility for medical assistance for the aged.

*Section 32.* In the case of any person who was a patient at the Tewksbury hospital on the first day of October, nineteen hundred and sixty, and who was receiving assistance which was paid directly by the department of public welfare, medical assistance for the aged shall be granted to such person, if otherwise eligible, such assistance to be paid directly by the department of public welfare. In the event that a



person aided under this section leaves the Tewksbury hospital and establishes a residence in a town, this section shall not apply, and application shall be made in such town.

SECTION 9. All persons in licensed nursing homes, licensed chronic hospitals, and public medical institutions on October first, nineteen hundred and sixty, or who were admitted to such institutions between said date and the date of passage of this act, and for whom payments are made to the institution for medical services under the old age assistance program, shall be entitled to medical assistance for the aged without the submission of applications as provided in chapter one hundred and eighteen A of the General Laws, and the same benefits to and for them shall be continued as medical assistance for the aged. Each such person shall be so notified and shall have the right to appeal from such action.

SECTION 10. Notwithstanding any other provisions of any general or special law in towns, payments for the purposes of this act may be made from appropriations previously voted by the town for old age assistance purposes.

SECTION 11. Except as otherwise provided, a town granting old age assistance to a patient in a licensed chronic hospital, licensed nursing home, or approved public medical institution on the effective date of this act shall be responsible for granting and continuing medical assistance for the aged to an eligible applicant until the need for such institutional assistance is terminated.

SECTION 12. The first sentence of section 6 of chapter 118 of the General Laws, as appearing in chapter 405 of the acts of 1941, is hereby amended by striking out, in line 10, the word "disbursed" and inserting in place thereof the words:—of disbursements for assistance, and one half of the remainder of the expense of administration, except as otherwise provided in section five of chapter one hundred and eighteen B.

SECTION 13. Section 8 of chapter 118A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 8 of chapter 729 of the acts of 1941, and inserting in place thereof the following sentence:—Any town rendering assistance under this chapter shall also be reimbursed by the commonwealth for two thirds of the remainder of such reimbursements and assistance, and one half of the expense for administration, except as otherwise provided in section five of chapter one hundred and eighteen B, or for all of such remainder of disbursements for assistance if the person so assisted has no settlement in the commonwealth.

SECTION 14. This act shall take effect as of October first, nineteen hundred and sixty.

*Approved November 23, 1960.*

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**Chap. 782.** AN ACT PROVIDING SALARY INCREASES FOR CERTAIN EMPLOYEES OF THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide without delay additional compensation for certain employees of the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

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

SECTION 1. Except as provided in section three of this act, all employees of the commonwealth whose positions are allocated in the general salary schedule in section forty-six of chapter thirty of the General Laws, as amended by section one of chapter six hundred and twenty of the acts of nineteen hundred and fifty-nine, shall be placed in the same job group and step in the general salary schedule, amended by section two of this act, as allocated in the general salary schedule provided in section one of said chapter six hundred and twenty. Nothing in this section shall retard a step increase due such employees so placed.

SECTION 2. Paragraph (1) of section 46 of chapter 30 of the General Laws is hereby amended by striking out the salary schedule, as amended by section 1 of chapter 620 of the acts of 1959, and inserting in place thereof the following:—

GENERAL SALARY SCHEDULE.

*Effective October 2, 1960.*

Weekly Rates (on total cash basis).

JOB GROUP.	STEP 1 MINI- MUM.	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7 MAXI- MUM.
I . . . . .	\$ 53.75	\$ 56.00	\$ 58.25	\$ 60.50	\$ 62.75	\$ 65.00	\$ 67.25
II . . . . .	55.75	58.00	60.25	62.50	64.75	67.00	69.25
III . . . . .	58.00	60.50	63.00	65.50	68.00	70.50	73.00
IV . . . . .	61.00	63.50	66.00	68.50	71.00	73.50	76.00
V . . . . .	63.25	66.00	68.75	71.50	74.25	77.00	79.75
VI . . . . .	67.25	70.00	72.75	75.50	78.25	81.00	83.75
VII . . . . .	70.75	73.75	76.75	79.75	82.75	85.75	88.75
VIII . . . . .	74.00	77.25	80.50	83.75	87.00	90.25	93.50
IX . . . . .	79.25	82.75	86.25	89.75	93.25	96.75	100.25
X . . . . .	84.50	88.25	92.00	95.75	99.50	103.25	107.00
XI . . . . .	89.75	93.75	97.75	101.75	105.75	109.75	113.75
XII . . . . .	96.00	100.25	104.50	108.75	113.00	117.25	121.50
XIII . . . . .	104.25	108.75	113.25	117.75	122.25	126.75	131.25
XIV . . . . .	111.75	116.75	121.75	126.75	131.75	136.75	141.75
XV . . . . .	120.00	125.25	130.50	135.75	141.00	146.25	151.50
XVI . . . . .	128.50	134.25	140.00	145.75	151.50	157.25	163.00
XVII . . . . .	137.75	143.75	149.75	155.75	161.75	167.75	173.75
XVIII . . . . .	145.25	151.75	158.25	164.75	171.25	177.75	184.25
XIX . . . . .	153.75	160.75	167.75	174.75	181.75	188.75	195.75
XX . . . . .	163.00	170.25	177.50	184.75	192.00	199.25	206.50
XXI . . . . .	171.50	179.25	187.00	194.75	202.50	210.25	218.00
XXII . . . . .	181.00	189.25	197.50	205.75	214.00	222.25	230.50
XXIII . . . . .	191.25	199.75	208.25	216.75	225.25	233.75	242.25
XXIV . . . . .	200.75	209.75	218.75	227.75	236.75	245.75	254.75
XXV . . . . .	210.25	219.75	229.25	238.75	248.25	257.75	267.25
XXVI . . . . .	218.75	228.75	238.75	248.75	258.75	268.75	278.75
XXVII . . . . .	229.00	239.25	249.50	259.75	270.00	280.25	290.50
XXVIII . . . . .	238.50	249.25	260.00	270.75	281.50	292.25	303.00
XXIX . . . . .	249.00	260.25	271.50	282.75	294.00	305.25	316.50
XXX . . . . .	260.50	272.25	284.00	295.75	307.50	319.25	331.00
XXXI . . . . .	271.00	283.25	295.50	307.75	320.00	332.25	344.50
XXXII . . . . .	282.50	295.25	308.00	320.75	333.50	346.25	359.00
XXXIII . . . . .	294.00	307.25	320.50	333.75	347.00	360.25	373.50

SECTION 3. Notwithstanding the provisions of section one of this act, any employee of the commonwealth who is entitled to receive an increase in salary, other than a regular step rate increase or an increase through promotion, between July first and December thirty-first, nineteen hundred and sixty, both dates inclusive, shall not receive any additional remuneration as the result of this act. Such employee shall be paid in accordance with the salary schedule in effect immediately prior to the effective date of this act.

SECTION 4. The wages paid to blind workers by the division of the blind in the department of education as provided by section fourteen of chapter sixty-nine of the General Laws, shall be increased by two dollars and twenty-five cents per week beginning October second, nineteen hundred and sixty.

SECTION 5. The rate of compensation for each position in a public institution of higher education operated by the commonwealth which was affected by section two of chapter six hundred and twenty of the acts of nineteen hundred and fifty-nine shall be placed in the same job group number and step in the general salary schedule below as said position was allocated under said section two of said chapter six hundred and twenty; provided, however, if any incumbent of such position has received an increase in salary between July first and December thirty-first, nineteen hundred and sixty, both dates inclusive, other than a regular step rate increase or an increase through promotion, he shall not receive any increase in salary as a result of this act, but shall continue to be paid under the provisions of said section two of said chapter six hundred and twenty.

“E” AND “A”.

*Effective October 2, 1960.*

Weekly Rate (on total cash basis).

JOB GROUP	STEP 1 MINI- MUM.	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7 MAXI- MUM.
13A . . . . .	\$ 97.50	\$102.00	\$106.50	\$111.00	\$115.50	\$120.00	\$124.50
14E . . . . .	105.00	110.00	115.00	120.00	125.00	130.00	135.00
15E . . . . .	113.25	118.50	123.75	129.00	134.25	139.50	144.75
17E . . . . .	131.00	137.00	143.00	149.00	155.00	161.00	167.00
19E . . . . .	147.00	154.00	161.00	168.00	175.00	182.00	189.00
20E . . . . .	156.25	163.50	170.75	178.00	185.25	192.50	199.75
21E . . . . .	164.75	172.50	180.25	188.00	195.75	203.50	211.25
22E . . . . .	174.25	182.50	190.75	199.00	207.25	215.50	223.75
24E . . . . .	194.00	203.00	212.00	221.00	230.00	239.00	248.00
25E . . . . .	203.50	213.00	222.50	232.00	241.50	251.00	260.50
26E . . . . .	212.00	222.00	232.00	242.00	252.00	262.00	272.00
27E . . . . .	222.25	232.50	242.75	253.00	263.25	273.50	283.75
29E . . . . .	242.25	253.50	264.75	276.00	287.25	298.50	309.75

SECTION 6. This act shall take effect as of October second, nineteen hundred and sixty.

*Approved November 23, 1960.*

**Chap. 783.** AN ACT INCREASING THE SALARY OF THE MEMBERS OF THE GENERAL COURT.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is in part to make effective on January fourth, nineteen hundred and sixty-one certain provisions thereof providing for the payment of additional compensation to members of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 9 of chapter 3 of the General Laws, as most recently amended by section 1 of chapter 742 of the acts of 1956, is hereby further amended by striking out the first four sentences and inserting in place thereof the following four sentences:—Each member of the general court shall receive for each regular annual session six thousand seven hundred dollars. The president of the senate and the speaker of the house of representatives shall each receive six thousand seven hundred dollars additional compensation. The floor leaders of each of the major political parties in the senate and house of representatives shall each receive three thousand three hundred and fifty dollars additional compensation. The chairman of the senate committee on ways and means, the chairman and the vice chairman of the house committee on ways and means shall each receive three thousand three hundred and fifty dollars additional compensation.

SECTION 2. Section 10 of said chapter 3, as most recently amended by section 1 of chapter 733 of the acts of 1957, is hereby further amended by striking out, in line 5, the word “fifty-two” and inserting in place thereof the word:—sixty-seven,—so as to read as follows:—*Section 10.* Each member of the general court chosen to fill a vacancy, or who resigns his seat during a regular annual session, shall be entitled to a per diem compensation for the time of his membership at the rate of sixty-seven hundred dollars for each regular annual session, and the allowances for travel and other expenses for the time of his membership as provided in section nine B.

SECTION 3. This act shall take effect on January fourth, nineteen hundred and sixty-one.

*Approved November 23, 1960.*

Chapter 783, Acts of 1960.

Referendum petition filed February 21, 1961.

See page 57.

**Chap. 784.** AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two, for the several purposes and subject to the conditions specified therein, are hereby appropriated from the funds designated in said section two subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter five hundred and seven of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-one, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

### GENERAL FUND.

#### STATE PURPOSES APPROPRIATIONS.

##### Legislature.

##### Senate.

Item		
0101-07	For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate, prior appropriation continued	\$8,000 00
0101-20	For a certain payment, as authorized by chapter one hundred and seventeen of the resolves of the current year	1,600 00

##### House of Representatives.

0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	\$3,000 00
0102-08	For clerical and other assistance to the house committee on ways and means, including not more than nine permanent positions, prior appropriation continued	8,000 00
0102-20	For certain payments, as authorized by chapters twenty-six and thirty-one of the resolves of the current year	9,600 00
0102-52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued	2,000 00

##### Sergeant-at-Arms.

0103-01	For the salary of the sergeant-at-arms	\$75 00
0103-51	For contingent expenses of the senate and house of representatives and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, prior appropriation continued	23,500 00

##### Recodification Counsel.

0105-01	For expenses of the recodification counsel, including not more than four permanent positions	\$7,500 00
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*Other Expenses.*

Item		
0110-12	For the emergency services of a physician, for medical supplies in the state house and for expenses including the purchase of equipment in connection therewith, subject to the approval of the joint committee on rules; provided, that section twenty-one of chapter thirty of the General Laws shall not apply to the payments made under this item	\$500 00
0110-21	For printing a descriptive pamphlet of the murals, house of representatives	800 00
0110-80	For the expenses of a special committee, authorized by orders adopted in the senate on May sixteenth and June thirteenth, nineteen hundred and sixty, for the year nineteen hundred and sixty-one and the previous year	5,798 00
0110-81	For the expenses of a special committee authorized by an order adopted in the senate on July twenty-fifth, nineteen hundred and sixty	13,580 00
0110-82	For expenses of a special committee authorized by an order adopted in the senate on September sixth, nineteen hundred and sixty	36,436 00
0110-83	For expenses of the joint special committee authorized under an order adopted by the house of representatives on May 5, 1959 and by the senate on May 14, 1959 and continued under an order adopted by the house of representatives on January 26, 1960 and by the senate on January 27, 1960	3,310 00

*Special Investigations.*

0245-00	For an investigation and study relative to retarded children and the training facilities available therefor, as authorized by chapter nine of the resolves of the current year	\$6,000 00
0258-07	For an investigation and study relative to the laws relating to certain youthful offenders, as authorized by chapter fifty-eight of the resolves of the current year	1,500 00
0259-02	For expenses of the Massachusetts civil war centennial commission, as authorized by chapter one hundred and thirty-seven of the resolves of nineteen hundred and fifty-eight	10,000 00
0261-01	For an investigation and study relative to the continuation of state and local governments in the event of atomic attack, as authorized by chapter fifty-five of the resolves of the current year	1,000 00
0261-02	For an investigation and study relative to the sale, exchange, transfer and use of space heaters, as authorized by chapter sixty-eight of the resolves of the current year	1,000 00
0261-03	For an investigation and study relating to certain matters affecting workmen's compensation, as authorized by chapter ninety of the resolves of the current year	1,000 00
0261-04	For an investigation and study relative to edible shellfish, shellfish purification plants and the establishment of a shellfish laboratory, as authorized by chapter ninety-two of the resolves of the current year	1,000 00
0261-05	For an investigation and study of the adequacy and effectiveness of the laws relative to the conviction, commitment, care, treatment and rehabilitation of sexually dangerous persons, as authorized by chapter forty-seven of the resolves of the current year	2,500 00
0261-06	For an investigation and study relative to the laws relating to convalescent and nursing homes and to the standards and costs thereof, as authorized by chapter forty-three of the resolves of the current year	1,000 00
0298-00	For an investigation and study of communism and subversive activities and related matters in the commonwealth, as	

## Item

authorized by chapters fifty-four and one hundred and eleven  
of the resolves of the current year . . . \$20,000 00

**Judiciary.***Supreme Judicial Court.*

0301-03	For the salary of the clerk for the commonwealth	\$935 00
0301-05	For law clerks and clerical assistance for the justices	80 00
0301-08	Item 0301-08 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:— For the commonwealth's part of the salaries of the clerk and assistant clerks for the county of Suffolk, as authorized by section ninety-four of chapter four hundred and twenty-one of the General Laws . . .	2,198 00
0301-12	For the service of the executive secretary . . .	2,500 00

*Judicial Council.*

0308-10	For expenses of the Massachusetts defenders committee, as authorized by chapter five hundred and sixty-five of the acts of the current year; provided, that expenditures from this item shall be allowed from the effective date of said chapter; to be in addition to any amounts otherwise available for the purpose . . .	\$61,588 00
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*Administrative Committee of District Courts.*

0310-01	For the service of the administrative committee of district courts . . .	\$2,000 00
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*Probate and Insolvency Courts.*

For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:

Barnstable:		
0321-01	Judge of probate . . . . .	\$1,685 00
0321-02	Register . . . . .	2,258 00
0321-03	Assistant register . . . . .	1,972 00
Berkshire:		
0322-01	Judge of probate . . . . .	1,685 00
0322-02	Register . . . . .	1,880 00
0322-03	Assistant register . . . . .	1,601 00
Bristol:		
0323-01	Two judges of probate . . . . .	4,044 00
0323-02	Register . . . . .	1,787 00
0323-03	Two assistant registers . . . . .	3,202 00
Dukes:		
0324-01	Judge of probate . . . . .	1,011 00
Essex:		
0325-01	Two judges of probate . . . . .	5,392 00
0325-02	Register . . . . .	1,921 00
0325-03	Three assistant registers . . . . .	4,702 00
Franklin:		
0326-01	Judge of probate . . . . .	1,685 00
0326-02	Register . . . . .	2,258 00
0326-03	Assistant register . . . . .	1,972 00
Hampden:		
0327-01	Two judges of probate . . . . .	5,392 00
0327-02	Register . . . . .	2,292 00
0327-03	Three assistant registers . . . . .	5,814 00
0327-04	Item 0327-04 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by	

Item		
	striking out, in lines two and three, the word "thirteen" and inserting in place thereof the word:—fifteen . . . . .	\$4,564 00
	<b>Hampshire:</b>	
0328-01	Judge of probate . . . . .	1,685 00
0328-02	Register . . . . .	2,258 00
0328-03	Assistant register . . . . .	1,972 00
	<b>Middlesex:</b>	
0329-01	Three judges of probate . . . . .	7,077 00
0329-02	Register . . . . .	1,315 00
0329-03	Five assistant registers . . . . .	6,218 00
0329-04	Item 0329-04 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in lines one and two, the word "forty-three" and inserting in place thereof the word:—forty-four . . . . .	4,456 00
0329-05	For a certain payment, as authorized by chapter five hundred and one of the acts of the current year . . . . .	1,032 00
	<b>Nantucket:</b>	
0330-01	Judge of probate . . . . .	1,011 00
	<b>Norfolk:</b>	
0331-01	Two judges of probate . . . . .	4,718 00
0331-02	Register . . . . .	2,427 00
0331-03	Three assistant registers . . . . .	5,763 00
	<b>Plymouth:</b>	
0332-01	Judge of probate . . . . .	1,685 00
0332-02	Register . . . . .	1,888 00
0332-03	Assistant register . . . . .	1,601 00
0332-04	Clerical assistance to register, including not more than nine permanent positions . . . . .	247 00
	<b>Suffolk:</b>	
0333-01	Three judges of probate . . . . .	5,561 00
0333-02	Register . . . . .	1,315 00
0333-03	Five assistant registers . . . . .	6,218 00
0333-04	Item 0333-04 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in lines one and two, the word "forty-nine" and inserting in place thereof the word:—fifty . . . . .	4,456 00
	<b>Worcester:</b>	
0334-01	Two judges of probate . . . . .	5,392 00
0334-02	Register . . . . .	1,921 00
0334-03	Four assistant registers . . . . .	6,151 00

*Land Court.*

0340-02	Item 0340-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in lines one and two, the word "forty-four" and inserting in place thereof the word:—forty-five . . . . .	\$7,470 00
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*District Attorneys.*

0350-01	For the salaries of the district attorney and assistants for the Suffolk district, including not more than twenty-six permanent positions . . . . .	\$2,077 00
0355-01	Item 0355-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "five" and inserting in place thereof the word:—seven . . . . .	6,715 00
0356-01	Item 0356-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "four" and inserting in place thereof the word:—six . . . . .	4,930 00



*Board of Bar Examiners.*

Item		
0380-01	For the service of the board, including not more than six permanent positions . . . . .	\$351 00

**Executive.***Civil Defense Agency.*

0406-05	Item 0406-05 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by adding at the end the following:— ; for the year nineteen hundred and sixty-one and the previous year . . . . .	\$4,550 00
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**Military Division.***Adjutant General.*

0421-05	For compensation for special and miscellaneous duty, transportation of officers to and from military meetings and drills and expenses of camps of instruction, including not more than seven permanent positions . . . . .	\$56,200 00
0421-14	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property . . . . .	3,900 00
0421-16	For the payment of a claim of the federal government for certain damage to a motor truck operated by a member of Company G, 104th Infantry, National Guard . . . . .	830 00

*State Quartermaster.*

0423-25	For certain repairs to armories . . . . . Militia:	\$30,000 00
0424-04	For certain repairs and improvements to Camp Curtis Guild, including the cost of equipment . . . . .	30,000 00

**Boards and Commissions serving under Governor and Council.***Commission on Administration and Finance.*

0441-04	For the personal expenses of the governor while living in the vicinity of Boston, with the approval of the commissioner of administration . . . . .	\$10,000 00
0444-01	Item 0444-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "seventy-five" and inserting in place thereof the word:—seventy-six . . . . .	3,000 00
0446-01	For the division of building construction, including not more than forty-eight permanent positions . . . . .	16,297 00
0448-01	For administration of the state employees' group insurance, including not more than twenty-five permanent positions . . . . .	41,000 00
0448-02	For the commonwealth's share of the state employees' group insurance premium; provided, that the group insurance commission shall charge the division of employment security and other departments and divisions which have federal or other funds allocated to them for this purpose for that portion of the cost of the program as it determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds, and amounts received in payment of all such charges or such transfers shall be credited to the General Fund, prior appropriation continued . . . . .	109,000 00

*State Superintendent of Buildings.*

Item		
0450-01	For the office of the superintendent of buildings and for the maintenance of the state house and Ford building including not more than one hundred and seventy-two permanent positions . . . . .	\$20,000 00

*State Library.*

0459-01	For the service of the library, including not more than thirty-one permanent positions . . . . .	\$4,550 00
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*Ballot Law Commission.*

0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions . . . . .	\$48 00
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*Council for the Aging.*

0465-01	For expenses of the council for the aging . . . . .	\$9,000 00
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*Alcoholic Beverages Control Commission.*

0469-01	Item 0469-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-five" and inserting in place thereof the word:—sixty-six . . . . .	\$4,655 00
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*Obscene Literature Control Commission.*

0472-01	For expenses of the commission, as authorized by section one hundred and one of chapter six of the General Laws . . . . .	\$3,000 00
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*Retirement Law Commission.*

0478-01	For the expense of the retirement law commission, as authorized by chapter six hundred and twenty-three of the acts of nineteen hundred and fifty-eight . . . . .	\$3,000 00
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*Medical, Dental and Nursing Scholarship Board.*

0479-01	For expenses of the board . . . . .	\$150 00
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*Soldiers' Home in Holyoke.*

0482-01	For the maintenance of the Soldiers' Home in Holyoke, including not more than two hundred and twelve permanent positions . . . . .	\$30,000 00
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*State Housing Board.*

0483-01	Item 0483-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line one, the word "thirty-five" and inserting in place thereof the word:—thirty-six . . . . .	\$3,600 00
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*Massachusetts Aeronautics Commission.*

0490-02	Item 0490-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line one, the word "nine" and inserting in place thereof the word:—ten . . . . .	\$3,000 00
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*Massachusetts Rehabilitation Commission.*

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued . . . . .	\$76,556 00
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**Secretary of the Commonwealth.**

Item		
0501-02	For the office of the secretary, including not more than eighty-six permanent positions . . . . .	\$6,200 00

*Matters Relating to Elections.*

0504-01	For preparing, printing and distributing ballots, and other miscellaneous expenses for primary and other elections, including not more than five permanent positions, prior appropriation continued . . . . .	\$312 00
0504-05	For the services and expenses of the electoral college . . . . .	1,200 00

**Treasurer and Receiver-General.***State Board of Retirement.*

0604-01	For the administrative office of the board, including not more than twenty-three permanent positions . . . . .	\$1,500 00
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*Emergency Finance Board.*

0605-01	For administrative expenses of the board, including not more than one permanent position . . . . .	\$5,000 00
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**Auditor of the Commonwealth.**

0701-02	For the office of the auditor, including not more than forty-seven permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and six thousand one hundred and twenty-nine dollars from the Highway Fund . . . . .	\$17,357 00
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**Department of the Attorney General.**

0801-02	For the office of the attorney general, including not more than forty-two permanent positions . . . . .	\$6,000 00
0801-04	For an investigation and study of public charities . . . . .	10,000 00

**Department of Agriculture.**

0901-24	For matching certain federal funds allocated to the department for a program of quality improvement of the production and marketing of eggs . . . . .	\$7,500 00
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**Department of Natural Resources.***Division of Forests and Parks.*

1002-37	Item 1002-37 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:— For the purchase of equipment for Berkshire county.	
1002-38	For the cost of an accelerated program of forest management on state forest lands, as authorized by chapter four hundred and eighty-six of the acts of the current year . . . . .	\$50,700 00
1002-39	For the reimbursement of the city of Lowell for the removal of Dutch Elm diseased trees in the calendar years nineteen hundred and fifty-four and nineteen hundred and fifty-five in accordance with the provisions of chapter one hundred and thirty-two of the General Laws notwithstanding the provisions of section fourteen of said chapter as then in effect; provided, that the commissioner of natural resources shall certify said reimbursements as otherwise in accordance with law . . . . .	24,478 00

*Division of Marine Fisheries.*

- Item  
1004-71 For the operation of a shellfish treatment plant in the city of Newburyport, including not more than four permanent positions; provided, the department of natural resources shall enter into a lease of said plant with the city of Newburyport; and, provided further, that on the effective date of this act, employees of said treatment plant shall be transferred to the department of natural resources without loss of seniority or other rights and shall be classified by the division of personnel and standardization in position titles in the state classified service; and, provided further, that the salary of any person so transferred shall not be reduced below the rate of compensation effective on the date of such transfer . \$16,600 00

*Division of Water Resources.*

- 1010-01 For the service of the division, including not more than eight permanent positions, to be in addition to any federal funds available for the purpose . \$19,900 00  
1010-03 For expenses of the Connecticut river valley flood control commission and for reimbursement for loss of taxes, as authorized by chapter six hundred and ninety-two of the acts of nineteen hundred and fifty-one 4,300 00  
1010-05 Reimbursements received from the federal government in accordance with agreements made under the provisions of section six of chapter six hundred and sixty-nine of the acts of the current year may be expended without further appropriation for payments in connection with the watershed projects authorized by said chapter six hundred and sixty-nine in lieu of issuing notes or for the redemption of notes authorized to be issued under section seven of said chapter.  
1010-06 The water resources commission, notwithstanding the provisions of chapter six hundred and sixty-nine of the acts of the current year, is hereby authorized to expend from the state's share of funds appropriated in section six of said act such sums not exceeding twenty thousand dollars for such planning, engineering and construction as it may deem necessary and advantageous in lieu of the purchase, taking or obtaining of portions of land, easements or rights-of-way on any of the reservoir areas designated in said act, said expenditures not being reimbursable as provided in said section six of said act.

**Department of Banking and Insurance.**

*Division of Banks.*

- 1102-01 Item 1102-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "thirty-eight" and inserting in place thereof the word:—forty-one . \$9,000 00

*Division of Insurance.*

- 1103-02 Item 1103-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out in line four, the word "fifty-seven" and inserting in place thereof the word sixty, and said item is hereby further amended in line four by inserting after the " ; " the following:—provided, that the position of "area legal counsel" shall not be subject to the provisions of chapter thirty-one of the General Laws; and, further . \$26,000 00

**Department of Corporations and Taxation.**

- 1201-02 For personal services of the department except as otherwise pro-

## Item

vided, including not more than seven hundred and sixty-two permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and eighty-six thousand one hundred and fifty-eight dollars from the Highway Fund and the sum of two million four hundred and eighty-two thousand one hundred and ten dollars from the receipts of the income tax; and, provided further, that the position of deputy commissioner or a position of like nature shall not be established in said department and that there shall be no increase in the number of positions designated as "tax supervisor" in said department . . . \$45,000 00

- 1201-03 For expenses of the department except as otherwise provided; provided, that the comptroller shall transfer to the General Fund the sum of forty-six thousand seven hundred and sixty dollars from the Highway Fund . . . 19,200 00
- 1202-02 For expenses of the income tax division; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax . . . 20,000 00

*Appellate Tax Board.*

- 1204-01 For the service of the board, including not more than twenty-nine permanent positions; provided, that the board is hereby authorized to prepare official transcripts of hearings at no net expense to the commonwealth and, in addition to the sums appropriated in this item, expend from the receipts therefor, without appropriation, income derived from the sale of such transcripts . . . \$312 00

*Department of Education.*

- 1301-01 For the salary of the commissioner . . . \$7,100 00
- 1301-02 Item 1301-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "seventy-nine" and inserting in place thereof the word:—eighty . . . 9,000 00
- 1301-05 For the expenses of a study of an educational program, as authorized by chapter sixty-one of the resolves of the current year . . . 8,393 00
- 1301-10 For the service of the state building on Newbury Street, Boston, including not more than five permanent positions . . . 2,000 00

*Division of Vocational Education.*

- 1307-01 For the training of teachers for vocational schools, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes act, so called, including not more than thirty-two permanent positions; provided, that such courses may be furnished free of charge to veterans, as authorized in sections seven and seven A of chapter sixty-nine of the General Laws . . . \$1,200 00

*Division of Immigration and Americanization.*

- 1315-01 For the service of the division, including not more than seventeen permanent positions . . . \$294 00

*Division of Public Libraries.*

- 1316-01 For the service of the division, including not more than twenty-five permanent positions . . . \$8,541 00

*Division of the Blind.*

- 1317-01 For general administration and for instruction of the adult blind

	in their homes, including not more than seventy-three permanent positions . . . . .	\$2,215 00
1317-15	For the operation of the salesroom and other expenses in connection with the sales of materials made by blind persons, including not more than four permanent positions . . . . .	135 00
1317-16	For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions . . . . .	2,143 00

*For the maintenance of and for certain improvements at the following state colleges, and the boarding halls attached thereto, with the approval of the commissioner of education; provided, that the board of education may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions not more than twelve professional personnel in positions approved for use at state colleges in position titles designated with the prefix "Commonwealth":*

1330-11	For certain plumbing renovations in Woodward Hall, to be in addition to the amount appropriated in item 8256-13 of section two of chapter seven hundred and thirty-eight of the acts of nineteen hundred and fifty-five . . . . .	\$523 00
1332-01	State college at Framingham, including not more than ninety-two permanent positions . . . . .	17,500 00
1334-23	For certain roof and other repairs . . . . .	15,000 00

*For the maintenance of and for certain improvements at the following institutes, with the approval of the commissioner of education and the trustees thereof; provided, that the trustees may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than one professional person at each institute in a position approved for use at the institute in position titles designated with the prefix "Commonwealth":*

1340-01	Item 1340-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-four" and inserting in place thereof the word:—sixty-five . . . . .	\$13,000 00
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*Lowell Technological Institute of Massachusetts.*

1345-01	For the maintenance of the Lowell Technological Institute of Massachusetts, with the approval of the trustees, including not more than one hundred and eighty-six permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and sixty; provided, that the trustees may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than three professional personnel in positions approved for use at the institute in position titles designated with the prefix "Commonwealth"; and, provided further, that said institute is hereby authorized to conduct a summer school at no expense to the commonwealth, and for said purpose the institute may receive and expend income derived therefrom . . . . .	\$8,078 00
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*Massachusetts Board of Regional Community Colleges.*

1360-01	For administration of the program, as authorized by section twenty-seven of chapter fifteen of the General Laws, including not more than three permanent positions . . . . .	\$21,000 00
1360-10	Regional community college in metropolitan Boston, appropri-	

Item		
	tion expires June thirtieth, nineteen hundred and sixty-two	\$7,596 00
1360-20	Regional community college in northeastern Massachusetts, appropriation expires June thirtieth, nineteen hundred and sixty-two	7,271 00
1360-30	Regional community college in southeastern Massachusetts, appropriation expires June thirtieth, nineteen hundred and sixty-two	7,394 00
1365-01	Regional community college in central Massachusetts, appropriation expires June thirtieth, nineteen hundred and sixty-two	20,000 00
1366-01	Regional community college, Connecticut valley, appropriation expires June thirtieth, nineteen hundred and sixty-two	20,000 00

*Division of Youth Service.*

	For the maintenance of and for certain improvements at the institutions within the division:	
1381-01	Industrial school for boys, including not more than one hundred and twenty-nine permanent positions	\$897 00
1384-01	Item 1384-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty" and inserting in place thereof the word:—sixty-two	10,000 00
1386-01	Item 1386-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-nine" and inserting in place thereof the word:—thirty-two	10,600 00
1387-01	For the operation of a detention center in Hampden county, including not more than eighteen permanent positions	1,500 00
1388-01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-six permanent positions	11,358 00
1389-01	For the operation of a detention center in Worcester county, including not more than nineteen permanent positions	1,500 00
1390-01	For the maintenance of the Stephen L. French Youth Forestry Camp	1,500 00

*Board of Educational Assistance.*

1394-01	For the expenses of the board, as authorized by section twenty-six of chapter fifteen of the General Laws, prior appropriation continued	\$2,000 00
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**Department of Civil Service and Registration.**

*Division of Civil Service.*

1402-01	For the salary of the director and for the compensation of members of the commission	\$3,233 00
1402-02	For the service of the division, including not more than two hundred and twenty permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and sixty-six thousand eight hundred and forty-eight dollars from the Highway Fund	64,500 00

*Division of Registration.*

*For the service of the following agencies in the division:*

1408-01	Board of registration of nurses, including not more than ten permanent positions	\$700 00
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Item		
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions . . . . .	\$125 00
1418-01	Item 1418-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-four" and inserting in place thereof the word:—twenty-six, and said item is hereby further amended by adding at the end the following:— ; provided, that persons employed under this item shall not be subject to the civil service laws and rules . . . . .	15,200 00
1419-01	Item 1419-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by adding at the end the following:— , for the year nineteen hundred and sixty-one and the previous year . . . . .	453 00
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions . . . . .	1,600 00

**Department of Commerce.**

1551-04	For expenses of the Sport Parachuting Commission, as authorized by chapter five hundred and twenty-seven of the acts of the current year, appropriation expires June thirtieth, nineteen hundred and sixty-two . . . . .	\$25,000 00
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**Department of Labor and Industries.**

1603-01	For the division of industrial inspection, including not more than sixty-eight permanent positions . . . . .	\$580 00
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions . . . . .	1,644 00
1609-05	For administration, by said division, of sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions . . . . .	1,500 00
1615-01	For the division of standards, including not more than twenty-one permanent positions . . . . .	10,220 00

*Division of Industrial Accidents.*

1651-02	For the service of the board and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and seventy-two permanent positions . . . . .	\$2,940 00
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**Department of Mental Health.**

1701-01	For the salary of the commissioner . . . . .	\$3,980 00
1701-02	Item 1701-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line eight, the word "sixty-one" and inserting in place thereof the word:—fifty-eight . . . . .	225,950 00
1701-04	For a special program for the care, treatment and education of emotionally disturbed children . . . . .	15,000 00
1701-21	For the preparation of plans for a community mental health treatment center, to be in addition to the amount appropriated in item 8260-30 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine . . . . .	60,000 00

*For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:*

1710-00	Item 1710-00 of section two of chapter five hundred and seven	
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Item		
	of the acts of the current year is hereby amended by striking out, in line two, the word "seventy-three" and inserting in place thereof the word:—seventy-five . . .	\$10,605 00
1711-00	Item 1711-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "two" and inserting in place thereof the word:—four . . .	25,105 00
1711-36	For certain roof repairs . . . . .	22,000 00
1712-00	Danvers state hospital, including not more than eight hundred and forty-two permanent positions . . . . .	10,605 00
1713-00	Foxborough state hospital, including not more than five hundred and fifty-three permanent positions . . . . .	8,605 00
1713-34	For certain repairs to the power plant and utility distribution systems . . . . .	15,000 00
1714-00	Gardner state hospital, including not more than four hundred and eighty-four permanent positions . . . . .	36,805 00
1715-00	Grafton state hospital, including not more than five hundred and seventy permanent positions . . . . .	4,605 00
1716-00	Medfield state hospital, including not more than six hundred and seventy-three permanent positions . . . . .	8,605 00
1717-00	Metropolitan state hospital, including not more than seven hundred and thirty-one permanent positions . . . . .	12,105 00
1718-00	Northampton state hospital, including not more than seven hundred and thirty-two permanent positions . . . . .	100,060 00
1719-00	Taunton state hospital, including not more than six hundred and ninety-seven permanent positions . . . . .	17,565 00
1720-00	Westborough state hospital, including not more than seven hundred and sixty-nine permanent positions . . . . .	3,355 00
1720-34	For certain repairs in the power plant . . . . .	15,000 00
1721-00	Worcester state hospital, including not more than one thousand and twenty-eight permanent positions . . . . .	15,605 00
1722-00	Monson state hospital, including not more than seven hundred and forty-seven permanent positions . . . . .	12,105 00
1723-00	Item 1723-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty-five" and inserting in place thereof the word:—sixty-seven . . . . .	18,155 00
1724-00	Item 1724-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "sixty" and inserting in place thereof the word:—sixty-one . . . . .	60,000 00
1725-00	Wrentham state school, including not more than six hundred and forty-one permanent positions . . . . .	8,805 00
1725-25	For the construction of porch roofs, boys' infirmary and "A" building . . . . .	9,100 00
1726-00	Paul A. Dever state school, including not more than six hundred and nineteen permanent positions . . . . .	4,605 00
1727-00	Item 1727-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by adding at the end the following:— ; provided, that notwithstanding any other provision of law to the contrary, there shall be allowed and paid the sum of seven thousand two hundred dollars on account of purchase order number 530,568 . . . . .	6,605 00

#### Department of Correction.

1801-02	Item 1801-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line one, the word "sixty-seven" and inserting in place thereof the word:—sixty-eight . . . . .	\$4,000 00
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*For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:*

Item		
1810-01	Correctional institution at Bridgewater, including not more than five hundred and sixteen permanent positions .	\$11,664 00
1812-01	Item 1812-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "ninety" and inserting in place thereof the word:—ninety-one . . . . .	11,640 00
1814-01	Item 1814-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "forty-six" and inserting in place thereof the word:—forty-seven . . . . .	11,000 00
1816-01	Item 1816-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "thirty-two" and inserting in place thereof the word:—thirty-three . . . . .	5,117 00
1816-02	Item 1816-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "eleven" and inserting in place thereof the word:—ten . . . . .	3,344 00
1818-01	Item 1818-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "fifty-four" and inserting in place thereof the word:—fifty-five . . . . .	8,900 00

*Parole Board.*

1830-01	For the service of the board, including not more than sixty-five permanent positions . . . . .	\$12,000 00
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*Department of Public Welfare.*

1901-03	For the office of the commissioner and expenses of the department, including not more than five hundred and fifty-one permanent positions . . . . .	\$50,000 00
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*Department of Public Health.*

*Bureau of Administration.*

2001-02	Item 2001-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "thirty-eight" and inserting in place thereof the word:—thirty-nine . . . . .	\$7,664 00
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*Bureau of Environmental Sanitation.*

2002-04	For the service of the air pollution control district, as authorized by section one hundred and forty-two B of chapter one hundred and eleven of the General Laws, including not more than nine permanent positions; provided, that the commissioner of public health shall certify the amounts to be assessed by the state treasurer upon the several cities and towns in the district in accordance with the provisions of said chapter one hundred and forty-two B . . . . .	\$39,450 00
2002-24	Item 2002-24 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by adding at the end the following:—, appropriation expires June thirtieth, nineteen hundred and sixty-two.	
2002-26	For the removal of weeds in certain ponds throughout the commonwealth, appropriation expires June thirtieth, nineteen hundred and sixty-two . . . . .	40,000 00

*Bureau of Preventive Disease Control.*

2003-01	Item 2003-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking	
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## Item

out, in line three, the word "sixty" and inserting in place thereof the word:—fifty-nine . . . . . **\$8,548 00**

*Bureau of Health Services.*

2004-01 For the service of the bureau, including not more than sixty-one permanent positions . . . . . **\$1,014 00**

*Bureau of Consumer Products Protection.*

2008-01 Item 2008-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line one, the word "forty-six" and inserting in place thereof the word:—forty-seven . . . . . **\$13,500 00**

*For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:*

2021-00 Item 2021-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "twenty-four" and inserting in place thereof the word:—thirty-two . . . . . **\$14,863 00**

2021-32 For certain improvements to the Long Pond well field water system . . . . . **4,960 00**

2022-00 Lakeville state sanatorium, including not more than two hundred and forty-seven permanent positions . . . . . **1,554 00**

2022-22 For the cost of relocating and repairing a sewer main . . . . . **8,600 00**

2023-00 } From the unexpended balance remaining in item 2023-00 of  
2021-00 } section two of chapter five hundred and seven of the acts of the current year, the sum of twenty-five thousand seven hundred and ninety-two dollars is hereby transferred and made available for the purposes of item 2021-00 of section two of said chapter five hundred and seven, and said item 2023-00 is hereby amended by striking out, in line two, the word "eight" and inserting in place thereof the word:—one.

2024-00 Rutland state sanatorium, including not more than two hundred and fifty-four permanent positions . . . . . **31,730 00**

2026-00 Item 2026-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "six" and inserting in place thereof the word:—eight . . . . . **19,132 00**

2027-00 Massachusetts Hospital School, including not more than two hundred and thirteen permanent positions . . . . . **16,766 00**

2031-00 Item 2031-00 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "seventy-three" and inserting in place thereof the word:—seventy-four . . . . . **8,200 00**

*Department of Public Safety.*

2101-02 Item 2101-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by inserting after the word "hundred", in line two, the words:—and one . . . . . **\$9,300 00**

*Division of Fire Prevention.*

2103-01 For the fire prevention service, including not more than twenty-five permanent positions . . . . . **\$11,440 00**

*Board of Fire Prevention Regulations.*

2108-01 Item 2108-01 of section two of chapter five hundred and seven

Item

of the acts of the current year is hereby amended by striking out, in line one, the word "six" and inserting in place thereof the word:—eight . . . . . \$800 00

*Division of Subversive Activities.*

2109-01 For the service of the division, including not more than five permanent positions . . . . . \$546 00

**Department of Public Works.**

*Division of Waterways.*

2220-47 For the additional cost of the commonwealth's share of projects authorized to be constructed under authority of chapter six hundred and forty-nine of the acts of nineteen hundred and fifty, to be in addition to the amount appropriated in item 8258-75 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven . . . . . \$300,000 00

2220-48 For the payment of certain judgments as recorded in the Berkshire superior court by docket numbers 16481, 16609 and 17248 . . . . . 184,239 00

**Mass Transportation Commission.**

2260-02 Item 2260-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by inserting after the word "fifty-nine", in line three, the words:—, including not more than three permanent positions . . . . . \$4,000 00

**Annuities and Payments.**

2405-02 For payment of any claims, as authorized by sections eighty-nine and eighty-nine A of chapter thirty-two of the General Laws, for allowances to the families of certain employees killed or fatally injured in the discharge of their duties . . . . . \$625 00

**Miscellaneous.**

2420-05 For the payment of certain claims, as authorized by chapters fifteen and sixteen of the resolves of the current year . . . . . \$5,188 00

2420-08 For the payment of claims for unpaid checks, with the approval of the state treasurer and certification by him to the comptroller of the amount due, where payment has otherwise been prevented as a result of the application of section thirty-two of chapter twenty-nine of the General Laws . . . . . 9,599 00

2420-09 For the payment of a certain claim, as authorized by chapter six hundred and seventy-one of the acts of the current year . . . . . 10,710 00

2445-03 For a reserve for the additional cost of overtime payments authorized in accordance with the provisions of section thirty B of chapter one hundred and forty-nine of the General Laws and rule OE 2 of the division of personnel and standardization and approved as provided in section six of chapter five hundred and seven of the acts of the current year; provided, that the governor, upon recommendation of the commission on administration and finance, is hereby authorized to transfer from the sum appropriated in this item to items of appropriation for the fiscal year nineteen hundred and

**Item**

sixty-one which are available in whole or in part for personal services such amounts as are necessary, to be in addition to amounts otherwise appropriated for personal services in appropriations authorized for said fiscal year; and, provided further, that the governor, upon recommendation of the commission on administration and finance, is hereby further authorized to allocate the amount of such transfers to the several states or other funds to which such items of appropriation are charged . . . . . **\$300,000 00**

**LOCAL AID APPROPRIATIONS.**

*The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:*

**Boards and Commissions serving under Governor and Council.****Service of the Commissioner of Veterans' Services.**

- 2604-07 For the reimbursement of the town of Chester, as authorized by chapter six hundred and ninety of the acts of the current year . . . . . **\$1,310 00**

**Department of Education.**

- 2613-05 For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law . . . . . **\$146,723 00**  
 2613-07 For the reimbursement of certain towns for the transportation of pupils, as authorized by section eight A of chapter seventy-four of the General Laws; provided, that a sum equivalent to the payments under this item shall be transferred to the General Fund from the receipts of the income tax **8,682 00**

**Division of Youth Service.**

- 2613-15 For the reimbursement of cities and towns for part of the cost of employing school adjustment counsellors, as authorized by section forty-six G of chapter seventy-one of the General Laws . . . . . **\$2,500 00**

**HIGHWAY FUND.****STATE PURPOSES APPROPRIATIONS.****Department of Public Works.****Highway Activities.**

*The salaries of all officers and employees of the department engaged in projects or activities relating to highways shall be charged for the nineteen hundred and sixty-one fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:*

- 2900-02 Item 2900-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out in lines six to eight, inclusive, the words:— ; provided, that the position of personnel director, public works department, shall not be subject to the civil service laws and rules.

Item		
2900-04	For the maintenance and repair of state highways and bridges, traffic signs and signals, including traffic safety devices on town and city ways as the department may deem necessary; for work for which the Highway Fund is reimbursed other than work in connection with the projects included in federal aid programs; and for the purchase, construction and repair of shelters for departmental equipment and material including land necessary therefor, the cost of which is less than ten thousand dollars for each project, prior appropriation continued	\$1,560 00
2900-08	For the cost of snow and ice control on state highways and town roads, including the removal of sand and other additional expenses in connection therewith, prior appropriation continued	1,704 00
2900-20	Item 2900-20 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line four, the word "twenty-seven" and inserting in place thereof the word:—twenty-eight.	
2900-35	Item 2900-35 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by inserting after the word "aggregate", in line five, the words:—in place.	
2900-45	For the payment of a certain claim for damages, as authorized by chapter one hundred and eighteen of the resolves of the current year	11,000 00
2900-80	For the operation and maintenance of the public works building, including not more than eighty-three permanent positions	3,000 00
2900-81	For certain repairs and repointing of the public works building, appropriation expires June thirtieth, nineteen hundred and sixty-one	30,000 00

**Registry of Motor Vehicles.**

2924-01	Item 2924-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "nine" and inserting in place thereof the word:—ten	\$187,560 00
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**Department of Public Safety.**

*Division of State Police.*

2926-01	For the service of the division, including not more than six hundred and fifty permanent positions	\$204,325 00
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**Metropolitan District Commission.**

*The following items are to be paid with the approval of the Metropolitan District Commission:*

2931-01	Item 2931-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line one, the word "sixty-five" and inserting in place thereof the word:—sixty-six	\$6,500 00
2931-06	Item 2931-06 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line ten, the word "eighty-eight" and inserting in place thereof the word:—eighty-nine	200,000 00
2931-25	For certain improvements to the property adjacent to the Bunker Hill monument, as authorized by chapter five hundred and forty-nine of the acts of the current year; provided, that a sum equal to the payments under this item shall be transferred to the Highway Fund from the General Fund	25,000 00
2931-75	For the payment of a certain claim, as authorized by chapter ninety-five of the resolves of the current year	564 00

## STATE RECREATION AREAS FUND.

## STATE PURPOSES APPROPRIATIONS.

## Department of Natural Resources.

*Division of Forests and Parks.*

Item		
4010-01	Item 4010-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "seventy-one" and inserting in place thereof the word:—seventy-seven .	\$58,192 00

## METROPOLITAN DISTRICT COMMISSION FUND.

## STATE PURPOSES APPROPRIATION.

*The following appropriation is to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction of the Metropolitan District Commission:*

## Metropolitan Sewerage District.

8701-00	For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including the retirement of veterans under the provisions of the General Laws, and including not more than three hundred and twenty-one permanent positions . . . . .	\$8,000 00
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## DEFICIENCIES.

*For deficiencies in certain appropriations of previous years, in certain funds, as follows:*

2499-00	General Fund . . . . .	\$10,615 00
2999-00	Highway Fund . . . . .	2,523 00
3999-00	Mosquito Control Fund . . . . .	1,598 00
4099-00	State Recreation Areas Fund . . . . .	1,932 00

SECTION 2A. No agency of the commonwealth authorized to make an expenditure as authorized by the Capital Outlay Act of 1960, chapter 774 shall make any expenditure for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title '03 Services—Non-employees' unless the rate of compensation for such services shall have been approved by the commission on administration and finance, in accordance with the applicable provisions of sections thirty A to thirty J, inclusive, of chapter seven of the General Laws; or in the case of projects not subject to the provisions of said sections, the commission has approved in like manner said rate or rates of compensation. The said commission shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the House and Senate committees on Ways and Means.

SECTION 3. This act shall take effect upon its passage.

*Approved November 23, 1960.*

**Chap. 785.** AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS AND NOTES TO BE ISSUED BY THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would cause great inconvenience in the issues of bonds and notes to carry out the purposes of various acts passed at the current session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three of chapter five hundred and twenty-eight of the acts of the current year, relative to the federal highway program, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-four, as recommended by the governor in a message to the general court, dated November twenty-third, nineteen hundred and sixty, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section five and section seven of chapter six hundred and thirty-five of the acts of the current year, establishing the government center commission to construct a state office building and a health, welfare and education service center, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five, as recommended by the governor in a message to the general court, dated November twenty-third, nineteen hundred and sixty, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section seven of chapter six hundred and sixty-nine of the acts of the current year, authorizing the water resources commission to construct reservoirs for flood control and other purposes in the watershed of the Sudbury, Assabet and Concord rivers, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-five, and the bonds which the state treasurer is authorized to issue under section eight of said chapter six hundred and sixty-nine, shall be issued for maximum terms of ten years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and seventy-five, as recommended by the governor in a message to the general court, dated November twenty-third, nineteen hundred and sixty, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.



SECTION 4. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section three and under section five of chapter seven hundred and seventy-four of the acts of the current year, to provide for a special capital outlay program for the commonwealth, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and sixty-six, and the bonds which the state treasurer is authorized to issue under section four of said chapter seven hundred and seventy-four, shall be issued for maximum terms of twenty years, the initial maturities of which shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-six, as recommended by the governor in a message to the general court, dated November twenty-third, nineteen hundred and sixty, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

*Approved November 23, 1960.*

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**Chap. 786.** AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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

SECTION 1. To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sums set forth in section two, for the several purposes and subject to the conditions specified therein, are hereby appropriated from the funds designated in said section two subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter five hundred and seven of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-one, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

#### GENERAL FUND.

##### STATE PURPOSES APPROPRIATIONS.

##### Legislature.

##### *Senate.*

Item		
0101-01	For the compensation of senators, prior appropriation continued	\$67,500 00
0101-30	For expenses of senators, including travel, prior appropriation continued	20,000 00

##### *House of Representatives.*

0102-01	For the compensation of representatives, prior appropriation continued	\$369,000 00
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Item		
0102-20	For a certain payment, as authorized by chapter one hundred and twenty-four of the resolves of the current year . . . . .	\$2,000 00
0102-30	For expenses of representatives, including travel, prior appropriation continued . . . . .	120,000 00

*District Attorneys.*

0352-01	Item 0352-01 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line two, the word "five" and inserting in place thereof the word:—seven . . . . .	\$5,292 00
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**Executive.**

*Lieutenant Governor.*

Item 0402-02 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by adding at the end the following:— " ; provided, that notwithstanding any provision of law to the contrary, persons employed on the first day of October nineteen hundred and sixty, are authorized to be continued in the service of the office through December thirty-first, nineteen hundred and sixty, upon certification of the senior employee."

*Governor's Council.*

0403-02	For personal services for the council . . . . .	\$2,100 00
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**Department of Civil Service and Registration.**

*Division of Registration.*

1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions . . . . .	\$2,250 00
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**Department of Labor and Industries.**

*Division of Industrial Accidents.*

1651-02	Item 1651-02 of section two of chapter seven hundred and eighty-four of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following:— For the service of the board and for clerical and other assistance for the industrial accident rehabilitation board, including not more than one hundred and seventy-three permanent positions . . . . .	\$3,300 00
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**Department of Public Welfare.**

1901-03	Item 1901-03 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by adding at the end thereof the following:— and including the administration of the program for medical assistance for the aged as authorized by chapter seven hundred and eighty-one of the acts of the current year . . . . .	\$75,000 00
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**Department of Public Health.**

*Bureau of Consumer Products Protection.*

2008-01	Item 2008-01 of section two of chapter seven hundred and eighty-four of the acts of the current year is hereby amended by striking out the word "forty-seven" and inserting in place thereof the word:—fifty . . . . .	\$9,000 00
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## LOCAL AID APPROPRIATIONS.

## Item

*The following appropriations are for reimbursements and grants to local governments and for certain other purposes, and are to be in addition to any unexpended balance of appropriations heretofore made for the purpose:*

## Department of Public Welfare.

- 2619-08 } From the unexpended balance remaining in item 2619-08 of  
 2619-09 } section two of chapter five hundred and seven of the acts of the current year, the sum of three million dollars is hereby transferred and made available for the purposes of the following item:—  
 2619-09 For reimbursement to cities and towns for medical assistance for the aged, as provided by chapter seven hundred and eighty-one of the acts of the current year.

## Miscellaneous.

## Parole Board.

- 1830-01 Item 1830-01 of section two of chapter seven hundred and eighty-four of the acts of the current year is hereby amended by striking out the word "sixty-five" and inserting in place thereof the word:—sixty-six . . . . . \$3,500 00

## Sergeant-at-Arms.

- 0103-01 For the salary of the sergeant-at-arms . . . . . \$300 00  
 0103-02 For clerical and other assistance employed by the sergeant-at-arms, including not more than six permanent positions . . . . . 1,800 00  
 0103-03 For the salaries of the doorkeepers of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than two permanent positions . . . . . 600 00  
 0103-04 Item 0103-04 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line four, the word "thirty-six" and inserting in place thereof the word:—fifty-four . . . . . 16,200 00  
 0103-05 Item 0103-05 of section two of chapter five hundred and seven of the acts of the current year is hereby amended by striking out, in line three, the word "twenty-four" and inserting in place thereof the word:—"thirty-six" . . . . . 7,200 00  
 0101-02 For the salary of the clerk of the senate . . . . . 300 00  
 0101-03 For the salary of the assistant clerk of the senate . . . . . 300 00  
 0101-04 For clerical assistance to the clerk of the senate, including not more than two permanent positions . . . . . 600 00  
 0101-05 For the salary of the chaplain of the senate . . . . . 300 00  
 0101-06 For personal services of the counsel to the senate and assistants, including not more than four permanent positions . . . . . 1,200 00  
 0101-07 For clerical and other assistance including expenses of the senate committee on rules, including not more than seven permanent positions; provided, that notwithstanding any provision of law to the contrary, the present clerk of the senate committee on rules may continue to serve in said office subject to the will of the senate, prior appropriation continued . . . . . 3,000 00  
 0102-02 For the salary of the clerk of the house of representatives . . . . . 300 00  
 0102-03 For the salary of the assistant clerk of the house of representatives . . . . . 300 00

Item		
0102-04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	\$1,200 00
0102-05	For the salary of the chaplain of the house of representatives	300 00
0102-06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	2,400 00
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	3,600 00
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	1,800 00
0110-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	600 00

SECTION 3. To provide for meeting the cost of salary adjustments authorized by chapter seven hundred and eighty-two of the acts of the current year, the sum of six million five hundred thousand dollars is hereby appropriated; provided, that the governor, upon the recommendation of the commission on administration and finance, is hereby authorized to transfer from said sum to items of appropriation for the fiscal year nineteen hundred and sixty-one, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of said salary adjustments, to be in addition to amounts otherwise appropriated for personal services in appropriations authorized for said fiscal year. The governor, upon recommendation of the commission on administration and finance, is further authorized to allocate the amount of such transfers to the several state or other funds to which such items of appropriation are charged.

SECTION 4. This act shall take effect upon its passage.

*Approved November 23, 1960.*

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**Chap. 787.** AN ACT IN CONFIRMATION AND NOT IN DEROGATION OF ACTS RELATING TO AMOUNTS OF REAL AND PERSONAL PROPERTY HELD BY THE UNIVERSITY OF MASSACHUSETTS BUILDING ASSOCIATION, THE LOWELL TEXTILE INSTITUTE BUILDING ASSOCIATION, AND LEASES EXECUTED THEREUNDER.

*Whereas*, The deferred operation of this act would tend to defeat its purpose which is in part to maintain public confidence in obligations hereto, incurred for the construction of buildings for the benefit of the University of Massachusetts, and the Lowell Technological Institute, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine (except section one thereof), chapter three hundred and ninety of the acts of nineteen hundred and forty-five, chapter three hundred and fifty-two of the acts of nineteen hundred and forty-six, chapter one hundred and eighty-five of the

acts of nineteen hundred and forty-eight, chapter four hundred and fourteen of the acts of nineteen hundred and fifty, chapter two hundred and eleven of the acts of nineteen hundred and fifty-two, chapter three hundred and fifty-six of the acts of nineteen hundred and fifty-three, chapter four hundred of the acts of nineteen hundred and fifty-four, chapter four hundred and forty-four of the acts of nineteen hundred and fifty-five, chapter five hundred and seventeen of the acts of nineteen hundred and fifty-seven, chapter four hundred and fifty-six of the acts of nineteen hundred and fifty-eight relating to the University of Massachusetts Building Association, chapter four hundred and twenty-eight of the acts of nineteen hundred and forty-six (except section one thereof), chapter four hundred and thirty-nine of the acts of nineteen hundred and forty-seven, chapter two hundred and eighty-four of the acts of nineteen hundred and forty-nine, chapter two hundred and eighty-four of the acts of nineteen hundred and fifty-six, and chapter three hundred and seventy-eight of the acts of nineteen hundred and fifty-eight relating to the Lowell Textile Institute Building Association are hereby confirmed and ratified.

SECTION 2. All acts performed under the aforesaid prior legislation and all leases executed under the authority thereof prior to the effective date of this act by the University of Massachusetts Building Association and the trustees of the University of Massachusetts, and by the Lowell Textile Institute Building Association and the trustees of the Lowell Technological Institute, or their predecessors are hereby confirmed and ratified.

SECTION 3. All payments made or to be made of rentals reserved in building leases from the University of Massachusetts Building Association and the Lowell Textile Institute Building Association to the commonwealth of Massachusetts executed under the authority of the aforesaid prior legislation are ratified and confirmed as being payments applicable to the principal of and interest on bonds of the University of Massachusetts Building Association and the Lowell Textile Institute Building Association, and incidental charges as provided in the trust indentures securing said bonds.

*Approved November 25, 1960.*

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**Chap. 788.** AN ACT AUTHORIZING THE ATTORNEY GENERAL TO INSTITUTE, PROSECUTE AND INTERVENE IN CERTAIN ACTIONS FOR DAMAGES UNDER ANTI-TRUST LAWS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize the attorney general to institute forthwith suits and prosecute violations of the federal anti-trust laws on behalf of certain political subdivisions and bodies politic of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Chapter 12 of the General Laws is hereby amended by striking out section 10, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 10.* He shall take cog-

nizance of all violations of law or of orders of courts, tribunals or commissions affecting the general welfare of the people, including combinations, agreements and unlawful practices in restraint of trade or for the suppression of competition, or for the undue enhancement of the price of articles or commodities in common use, and shall institute or cause to be instituted such criminal or civil proceedings before the appropriate state and federal courts, tribunals and commissions as he may deem to be for the public interest, and shall investigate all matters in which he has reason to believe that there have been such violations. Whenever it appears to the attorney general that the commonwealth or any city, town, or other governmental agency, body or authority established under the laws of the commonwealth has been so injured or damaged by any conspiracy, combination or agreement in restraint of trade or commerce or similar unlawful action, as to entitle the commonwealth, a city, town, or other such governmental agency, body or authority to a right to bring any action or proceeding for the recovery of damages under the provisions of any federal anti-trust or other similar law, the attorney general shall have authority to institute and prosecute any such actions or proceedings on behalf of the commonwealth or of any city, town, or other governmental agency, body or authority established under the laws of the commonwealth, and shall have authority to intervene on behalf of the commonwealth or of any city, town or other governmental agency, body or authority in such actions or proceedings. For the purposes of this section, he may appoint necessary assistants, with such compensation as, with the approval of the governor and council, he may fix, and may expend such sums as may be approved by the governor and council. In criminal proceedings hereunder he may require district attorneys to assist him and under his direction to act for him in their respective districts. *Approved November 25, 1960.*

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**Chap. 789.** AN ACT CLARIFYING CERTAIN PROVISIONS OF LAW RELATIVE TO CERTAIN ZONING ORDINANCES AND BY-LAWS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to clarify immediately the right to build on certain residential lots, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 5A of chapter 40A of the General Laws, added by chapter 492 of the acts of 1958, is hereby amended by adding at the end the following paragraph:—

The provisions of this section shall not be construed to prohibit a lot being built upon, if at the time of building, building upon such lot is not prohibited by the zoning ordinances or by-laws in effect in such city or town.

SECTION 2. This act shall take effect as of October twenty-seventh, nineteen hundred and fifty-eight. *Approved November 25, 1960.*

**Chap. 790.** AN ACT REQUIRING NOTICE TO THE STATE DEPARTMENT OF PUBLIC WORKS OF INTENTION TO ERECT STRUCTURES OR TO FILL IN OR OVER PRIVATELY-OWNED LAND COVERED BY THE WATERS OF CONGAMOND LAKES IN THE TOWN OF SOUTHWICK.

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

SECTION 1. No structure shall be erected nor fill placed in or over privately-owned land covered by the waters of Congamond Lakes, a great pond in the town of Southwick, above the natural high water mark unless a written notice of intention to erect such structure or place such fill, containing a statement of the ownership of such land and of the land adjoining it on the perimeter of such pond and a sufficient description of such structure or fill, is given the state department of public works not less than ten days prior thereto; nor shall any structure be erected or fill placed in or over the waters of said great pond below the natural high water mark unless authorized by a license from said department in accordance with the provisions of chapter ninety-one of the General Laws.

SECTION 2. This act shall take effect upon its passage.

*Approved November 25, 1960.*

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**Chap. 791.** AN ACT PROVIDING FOR THE SUPPORT OF MINOR CHILDREN BY THEIR PARENTS IN EXCESS OF ANY AMOUNT STIPULATED IN A COURT DECREE.

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

Section 8 of chapter 273 of the General Laws is hereby amended by striking out the second sentence, added by chapter 505 of the acts of 1953, and inserting in place thereof the following sentence:—The legal duty of the parent or parents to support a minor child shall continue notwithstanding the absence of a court decree ordering them or either of them to pay for the support of said child and notwithstanding any court decree granting custody of such child to another.

*Approved November 25, 1960.*

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**Chap. 792.** AN ACT AUTHORIZING LIENS ON WORKMEN'S COMPENSATION PAYMENTS TO THE EXTENT OF VETERANS' BENEFITS PAID TO THE EMPLOYEE.

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

Chapter 152 of the General Laws is hereby amended by striking out section 47, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 47.* No payment shall be assignable or subject to attachment or be liable in any way for debts, except to a veteran's agent or the commissioner of veterans' services as and to the extent permitted by section five of chapter one hundred and fifteen.

*Approved November 25, 1960.*

**Chap. 793.** AN ACT PROVIDING FOR AN ARBITRATION PROVISION IN POLICIES INSURING AGAINST PHYSICAL DAMAGE TO MOTOR VEHICLES OF THE ASSURED.

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

Chapter 175 of the General Laws is hereby amended by inserting after section 191, as appearing in the Tercentenary Edition, the following section:—*Section 191A.* No company shall issue a policy or contract which insures against physical damage to a motor vehicle of the assured unless said policy contains the following provision:—In case of loss under this policy and a failure of the parties to agree as to the amount of loss within thirty days of notice of loss to the company or its agent, it is mutually agreed that the amount of such loss shall be referred to three disinterested persons, the company and the assured each choosing one out of three persons to be named by the other, and the two persons so chosen selecting the third; that the award shall be in writing, signed by a majority of the referees, and shall be conclusive and final upon the company and the assured as to the amount of loss or damage; that such reference, unless waived by the company and the assured, shall be a condition precedent to any right of action in law or equity to recover for such loss; and that no person shall be chosen or act as referee, over the objection of the company or the assured, who has acted in a like capacity within four months.

*Approved November 25, 1960.*

**Chap. 794.** AN ACT PROVIDING THAT THE REDUCTION IN SENTENCE FOR PRISONERS WHO DONATE BLOOD TO CERTAIN CAUSES BE MADE APPLICABLE TO THE MINIMUM SENTENCE OF SUCH PRISONERS.

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

Section 129A of chapter 127 of the General Laws, as amended by section 1 of chapter 382 of the acts of 1959, is hereby further amended by inserting after the first sentence the following sentence:—Such reduction of sentence shall be applicable to the minimum sentence of the prisoner.

*Approved November 25, 1960.*

**Chap. 795.** AN ACT REQUIRING PAYMENT OF DETERMINED WAGES TO OPERATORS OF TRUCKS AND OTHER EQUIPMENT RENTED FOR USE ON PUBLIC WORKS.

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

Chapter 149 of the General Laws is hereby amended by inserting after section 27E the following section:—*Section 27F.* No agreement of lease, rental or other arrangement, and no order or requisition under which a truck or any automotive or other vehicle or equipment is to be engaged in public works by the commonwealth or by a county, city, town or district, shall be entered into or given by any public official or public body unless said agreement, order or requisition contains a stipulation requiring prescribed rates of wages, as determined by the commissioner, to be paid to the operators of said trucks, vehicles



or equipment. Any such agreement, order or requisition which does not contain said stipulation shall be invalid, and no payment shall be made thereunder. Said rates of wages shall be requested of said commissioner by said public official or public body, and shall be furnished by the commissioner in a schedule containing the classifications of jobs, and the rate of wages to be paid for each job. Said rates of wages shall include payments to health and welfare plans, or, if no such plan is in effect between employers and employees, the amount of such payments shall be paid directly to said operators.

Whoever pays less than said rates of wages, including payments to health and welfare funds, or the equivalent in wages, on said works, and whoever accepts for his own use, or for the use of any other person, as a rebate, gratuity or in any other guise, any part or portion of said wages or health and welfare funds, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars.

*Approved November 25, 1960.*

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**Chap. 796.** AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE SECOND DISTRICT COURT OF EASTERN WORCESTER AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES.

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

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws, as appearing in section 1 of chapter 675 of the acts of 1958, is hereby amended by inserting after the line reading "central district court of Worcester," the following line:—second district court of eastern Worcester,.

SECTION 2. Section 78 of said chapter 218, as appearing in section 2 of said chapter 675, is hereby amended by striking out line 31, reading "second district court of eastern Worcester,".

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-one.

*Approved November 25, 1960.*

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**Chap. 797.** AN ACT AUTHORIZING THE COUNTY OF PLYMOUTH TO REBUILD UNION BRIDGE OVER NORTH RIVER BETWEEN THE TOWNS OF MARSHFIELD AND NORWELL.

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

SECTION 1. The county commissioners of the county of Plymouth, subject to the provisions of chapter ninety-one of the General Laws, and of all other laws which may be applicable, are hereby authorized and directed on or before December thirtieth, nineteen hundred and sixty-one to reconstruct Union bridge, so called, over North river, between the towns of Marshfield and Norwell. The bridge as reconstructed shall have suitable permanent approaches, and the spans at either side of the draw shall be of permanent construction. The draw shall be twenty-five feet wide in the clear, and the lift shall provide a vertical clearance of not less than six feet above mean high water and shall be of such type and construction that it may be operated in an

expeditious manner. The whole work shall be done subject to the approval of the division of waterways of the department of public works and in accordance with the plans on file in the office of said division.

SECTION 2. The expense incurred under this act shall not exceed the sum of three hundred and sixty thousand dollars, and said county commissioners are hereby authorized to borrow on the credit of the county, and to issue notes of the county therefor, such sums, not exceeding said amount as may from time to time be required for the cost and expense aforesaid. Such notes shall be payable by such annual payments beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. All amounts so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out of the same such sums as are authorized by the county commissioners, and shall keep a separate and accurate account of all monies borrowed and expended under the provisions of this act, including interest.

SECTION 3. The county commissioners shall, upon completion of the work, determine the total cost, file a detailed statement of the same in the office of the clerk of courts for the said county, and apportion the amount in the manner hereinafter provided among the department of public works, the county of Plymouth, the town of Marshfield and the town of Norwell. Of the total cost so determined the said department of public works shall bear sixty-two per cent, the said county of Plymouth twenty-six per cent, the said town of Marshfield six per cent and the said town of Norwell six per cent.

SECTION 4. Each of said towns of Marshfield and Norwell acting through their respective boards of selectmen may, without further appropriation, expend from the amounts appropriated at prior annual town meetings for the reconstruction of the bridge hereinbefore described a sum not to exceed fifteen thousand dollars for the purposes of this act. The county commissioners shall as soon as may be after the completion of the work notify the selectmen of each of said towns of the amount of the cost apportioned thereto and each of said towns shall pay said amount into the treasury of the county within sixty days thereafter.

SECTION 4A. There is hereby appropriated the sum of two hundred and twenty-three thousand two hundred dollars from the Highway Fund, as the commonwealth's share of the cost of reconstruction of said Union bridge, as provided in section three.

SECTION 5. The cost of maintenance and operation of the bridge shall be borne equally by the towns of Marshfield and Norwell, and any sums appropriated for the maintenance and repair of highways may be expended for this purpose.

SECTION 6. The custody of said bridge shall vest in the selectmen of the towns of Marshfield and Norwell on the date the county commissioners give notice of the amounts apportioned for each of said towns to pay. Upon receipt of such notice the selectmen shall forthwith

place the draw of said bridge under the direction of a suitable draw-tender, and the provisions of section twenty-seven of chapter eighty-five of the General Laws shall apply to the person so designated. Said selectmen may arrange with the department of public works for the operation of said bridge on such terms as may be agreed upon.

SECTION 6A. Sections one to six, inclusive and section eight of chapter six hundred and fifty-eight of the acts of nineteen hundred and fifty-six are hereby repealed.

SECTION 7. Any action heretofore taken under the provisions of chapter six hundred and fifty-eight of the acts of nineteen hundred and fifty-six, as amended, is hereby validated and confirmed.

SECTION 8. This act shall take effect upon its passage.

*Approved November 28, 1960.*

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**Chap. 798.** AN ACT PROVIDING FOR THE ACQUISITION OF LAND AND FOR THE ACQUISITION OR CONSTRUCTION OF BUILDINGS TO BE USED EXCLUSIVELY BY THE MASSACHUSETTS DIVISION OF EMPLOYMENT SECURITY.

*Whereas,* The deferred operation of this act would unnecessarily delay the construction or acquisition of the much needed buildings provided for herein and thereby delay the removal of the present handicaps and hardships encountered in the existing buildings of the division of employment security, therefore, this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

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

SECTION 1. To provide for the acquisition of land and for the acquisition or construction of buildings to be used exclusively by the division of employment security and for the expenses of the director of the division of employment security in carrying out the provisions of this act there is hereby appropriated from the account of the commonwealth in the unemployment trust fund that is held pursuant to section nine hundred and three of the Social Security Act, as amended, the sum of four million, four hundred fifty-eight thousand, nine hundred and ninety-eight dollars.

SECTION 2. The money expended in compliance with this act shall be subject to the limitations set forth in section fifty-three A of chapter one hundred and fifty-one A of the General Laws but in no event shall said division of employment security obligate funds provided under this act in a total amount during any fiscal year which shall exceed the aggregate of the amounts credited to the account of the commonwealth by the federal government pursuant to Title IX of the Social Security Act during such fiscal year and the four preceding fiscal years, less the aggregate of the amounts of such funds used by the commonwealth and charged against the amounts credited to the account of the commonwealth during any of such five fiscal years.

SECTION 3. All expenditures of funds hereby appropriated shall be for expenses incurred after the effective date of this act.

SECTION 4. No part of the moneys appropriated by section one of this act shall be encumbered nor shall any contractual obligation be

incurred hereunder after the close of the two-year period which begins on the effective date of this act. Any unencumbered moneys appropriated by section one shall revert to the account of the commonwealth in the unemployment trust fund at the earliest practical date but in no event later than at the close of such two-year period. Any unexpended funds appropriated by section one shall revert to the account of the commonwealth in the unemployment trust fund at the earliest practical date but in no event later than the time of the payment of all expenditures for the acquisition of land and for the acquisition or construction of buildings in each city or town.

SECTION 5. The director may, on behalf of and in the name of the commonwealth, acquire by purchase or otherwise, on such terms and conditions and in such manner as he may deem proper, or may take by eminent domain, under chapter seventy-nine of the General Laws, such lands, including buildings thereon as may be necessary for the purposes of this act; provided, however, that before a taking is made, the director shall give security to the state treasurer, in such amount and in such form as may be determined by the attorney general, for the payment of such damages and costs as may be awarded for the land or other property so taken or injured; and provided, further, that if, upon petition of the owner and notice to the director, any security taken appears to the attorney general to have become insufficient, he shall require the director to give further security, to his satisfaction, to the state treasurer. If the director fails to so comply, any person entitled to such damages may treat the taking of his property or the proceedings by which the right to inflict injury thereon was acquired as void and any interference by said director with the use and enjoyment of his property as unlawful.

SECTION 6. The construction, razing, demolishing or remodeling of any buildings under this act shall be under the control and direction of the division of building construction in accordance with the provisions of chapter seven of the General Laws.

*Approved November 28, 1960.*

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**Chap. 799.** AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL OVER CERTAIN TIDEWATERS BE IRREVOCABLE.

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

SECTION 1. Any provision of general or special law to the contrary notwithstanding, all license and authority to fill so much of the area in that part of Boston called South Boston bounded northeasterly by Mt. Washington Avenue, southeasterly by A Street, southerly by West Second Street, westerly by Dorchester Avenue and northerly and northwesterly by the harbor line in Fort Point Channel, established by chapter two hundred and thirty-two of the acts of eighteen hundred and seventy-three and amended by chapter two hundred and seventy-eight of the acts of nineteen hundred and twenty-nine, as may lie below the original high water mark shall hereafter be deemed to be irrevocable, and any license hereafter issued by the department of public works or any successor authority to fill or to maintain existing fill on land within said area shall, upon compliance with the following conditions, be deemed to be irrevocable:

1. Application therefor, pursuant to the provisions of section fourteen of chapter ninety-one of the General Laws;

2. Recording thereof with accompanying plan within one year after the date thereof in the registry of deeds for Suffolk county, pursuant to the provisions of section eighteen of said chapter;

3. Payment to the commonwealth of such compensation, if any, as may properly be assessed by said department for tidewater displacement, pursuant to the provisions of section twenty-one of said chapter;

4. Payment to the commonwealth of such compensation, if any, as may be determined by the governor and council to be properly due to the commonwealth for occupation of Commonwealth Flats, so called, pursuant to the provisions of section twenty-two of said chapter;

5. Performance of any work authorized by any such license in accordance with plans submitted to and approved by said department, pursuant to the provisions of section twenty of said chapter;

6. Completion of said authorized work within five years after the date of any such license, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter; and

7. The actual building or making in good faith of valuable structures, fillings or enclosures under the authority of any such license and during the term thereof, or of any extension or extensions thereof, pursuant to the provisions of section fifteen of said chapter.

*Approved November 28, 1960.*

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**Chap. 800.** AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO GRANT AN ANNUITY TO THE WIDOW OF OSCAR Y. GAMEL.

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

SECTION 1. For the purpose of promoting the public good and in consideration of the long and meritorious service of Oscar Y. Gamel, former teacher in the employ of the city of Springfield, who died on October fifth, nineteen hundred and fifty-eight after more than twenty-nine years of service, said city may, notwithstanding any provision of general or special law to the contrary, grant an annuity to Blanche B. Gamel, surviving spouse of said Oscar Y. Gamel so long as she survives and does not remarry, in such amount as it may determine, but not to exceed two thirds of the actuarial equivalent to which said Oscar Y. Gamel would have been entitled had he completed thirty years of service and had his retirement allowances been computed under section fifty-eight B of chapter thirty-two of the General Laws as of the date of his death. The annuity provided by this section shall be in lieu of any annuity or pension payable to said widow under any other general or special law. The amount of the annuity reserve in the account of Blanche B. Gamel as determined by the actuary of the state department of insurance as of the date of acceptance of this act by the city council of Springfield shall be returned to said Blanche B. Gamel.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved November 28, 1960.*

**Chap. 801.** AN ACT RELATIVE TO THE SALARY OF THE CLERK OF THE MUNICIPAL COURT OF THE WEST ROXBURY DISTRICT.

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

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws, as appearing in section 1 of chapter 609 of the acts of 1959, is hereby amended by inserting, in *Class V*, after line 4, the following line:—municipal court of the West Roxbury district..

SECTION 2. Paragraph (2) of said section 79 of said chapter 218, as so appearing, is hereby amended by inserting after the words “Roxbury district”, in line 3, following the schedule, the words:—, the municipal court of the West Roxbury district.

SECTION 3. Section 80 of said chapter 218, as most recently amended by section 2 of said chapter 609, is hereby further amended by inserting after the word “district”, in line 2, the words:—and the municipal court of the West Roxbury district.

SECTION 4. Section 11 of chapter 738 of the acts of 1956, as most recently amended by section 3 of said chapter 609, is hereby further amended by inserting after the word “clerks”, the first time it appears in line 10, the words:—, except the clerk of the municipal court of the West Roxbury district.

SECTION 5. Section 49 of chapter 35 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 761 of the acts of 1960, and inserting in place thereof the following sentence:—Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, clerks and assistant clerks of the courts, the assistant clerk and second assistant clerk of the supreme judicial court for the county of Suffolk, the register of deeds and the assistant registers of deeds for the county of Suffolk, the assistant registers of deeds for the southern district of Middlesex, official stenographers, additional stenographers and temporary stenographers of the superior court in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, the secretary and assistant secretary of the municipal court of the city of Boston, clerks and assistant clerks of the district courts other than the clerks and assistant clerks of the Boston juvenile court and of district courts in the county of Suffolk except the municipal court of the city of Boston and except the clerk of the municipal court of the Roxbury district and the clerk of the municipal court of the West Roxbury district, and excluding other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, court officers in attendance upon the probate court in the county of Essex, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one,

shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification.

*Approved November 28, 1960.*

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**Chap. 802.** AN ACT FURTHER REGULATING THE BUSINESS OF PRIVATE DETECTIVES AND INVESTIGATORS, AND WATCH, GUARD OR PATROL AGENCIES.

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

SECTION 1. Chapter 147 of the General Laws is hereby amended by striking out sections 22 to 30, inclusive, and the caption preceding said section 22 and inserting in place thereof the following nine sections under the caption PRIVATE DETECTIVE BUSINESS:—

*Section 22.* In this section and in sections twenty-three to thirty, inclusive, the following words shall have the following meanings unless a different meaning is clearly required by the context:—

“Licensee”, any person licensed under section twenty-five.

“Private detective business”, the business of private detective or private investigator, and the business of watch, guard or patrol agency.

“Private detective” or “private investigator”, a person engaged in business as a private detective or private investigator, including any person who, for hire, fee, reward or other consideration, (1) uses a lie-detector for the purpose of obtaining information with reference to the conduct, integrity, efficiency, loyalty or activities of any person or (2) engages in the business of making investigations for the purpose of obtaining information with reference to any of the following matters, whether or not other functions or services are also performed for hire, fee, reward or other consideration, or other persons are employed to assist in making such investigations:—

(a) Crime or other acts committed or threatened against the laws or government of the United States or any state of the United States;

(b) The identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation or character of any person;

(c) Libels, fires, losses, accidents, or damage to, or loss or theft of, real or personal property;

(d) Evidence to be used before any investigating committee, board of award, or board of arbitration, or in the trial of civil or criminal cases.

“Watch, guard or patrol agency”, the business of watch, guard or patrol agency, including the furnishing, for hire or reward, of watchmen, guards, private patrolmen or other persons to protect persons or property, to prevent the theft or the unlawful taking of goods, wares or merchandise, or the misappropriation or concealment thereof or of money, bonds, stocks, notes or other valuable documents, papers or articles of value, or to procure the return thereof, whether or not other functions or services are also performed for hire or reward, or other persons are employed to assist therein.

*Section 23.* No person shall engage in, advertise or hold himself out as being engaged in, nor solicit private detective business or the business of watch, guard or patrol agency, notwithstanding the name or title used in describing such business, unless licensed for such purpose as provided in section twenty-five.

The provisions of this section shall not apply to an agent, employee or assistant of a licensee, to any corporation, if its resident manager, superintendent or official representative is a licensee, nor to the following:—

1. A person employed by or on behalf of the commonwealth, including the general court or either of its branches, any committee of the general court or either of its branches, any special commission required to report to the general court, any political subdivision of the commonwealth or any public instrumentality, while such person is engaged in the discharge of his official duties.

2. A charitable, philanthropic or law enforcement agency, duly incorporated under the laws of the commonwealth, or any agent thereof while he is engaged in the discharge of his duties as such agent; provided, that such agency is promoted and maintained for the public good and not for private profit.

3. A person employed as an investigator, detective, watchman, guard, patrolman, or employed or assigned to perform any of the activities described in the definition "watch, guard or patrol agency" or whose duties include an inquiry into the fitness of an applicant for employment, in connection with the regular and customary business of his employer and whose services are not let out to another for profit or gain, but only while so acting for his employer.

4. A credit reporting bureau or agency whose business is principally the furnishing of information as to business and financial standing and credit responsibility.

5. Investigations as to the personal habits and financial responsibility of applicants for insurance or indemnity bonds, provided, such investigations do not include other activities described in section twenty-two.

6. An attorney at law in the practice of his profession.

7. Investigations with respect to, or the compilation or dissemination of, any data or statistics pertaining to any business or industry, by any trade or business association, board or organization, incorporated or unincorporated, not operated for profit, representing persons engaged in such business or industry, or by any agent of any such trade or business association while he is engaged in the discharge of his duties as such agent.

8. An insurance adjuster or investigator while acting in such capacity.

9. Any trade or business association, board or organization, incorporated or unincorporated, which furnishes as a service to members thereof, information pertaining to the business and financial standing, credit responsibility or reputation of persons with whom such members consider doing business; provided, that an investigation conducted by such association, board or organization shall be no more extensive than is reasonably required to determine the business and financial standing, credit responsibility or reputation of such person.



Whoever violates any provision of this section shall be punished by a fine of not less than two hundred nor more than one thousand dollars or by imprisonment for not more than one year, or by both such fine and imprisonment.

*Section 24.* An application for a license to engage in the private detective business or a license to engage in the business of watch, guard or patrol agency shall be filed with the commissioner on forms furnished by him, and statements of fact therein shall be under oath of the applicant. Such application shall include a certification by each of three reputable citizens of the commonwealth residing in the community in which the applicant resides or has a place of business, or in which the applicant proposes to conduct his business, that he has personally known the applicant for at least three years, that he has read the application and believes each of the statements made therein to be true, that he is not related to the applicant by blood or marriage, and that the applicant is honest and of good moral character. The applicant, or, if the applicant is a corporation, its resident manager, superintendent or official representative, shall be at least twenty-five years of age and of good moral character, and, unless such application is for a license to engage in the business of watch, guard or patrol agency, shall have been regularly employed for not less than three years as a detective doing investigating work, a member of an investigative service of the United States, or a police officer, of a rank or grade higher than that of patrolman, of the commonwealth or any political subdivision thereof.

*Section 25.* The commissioner may grant to an applicant complying with the provisions of section twenty-four a license to engage in the private detective business or a license to engage in the business of watch, guard or patrol agency; provided, however, that no such license shall be granted to any person who has been convicted in any state of the United States of a felony.

Such license shall be for one year, shall state the name under which the licensed business is to be conducted and the address of its principal office, and shall be posted by the licensee in a conspicuous place in such office. Failure to comply with the provisions of this paragraph shall constitute cause for revocation of such license.

The commissioner may annually renew and may at any time for cause, after notice and a hearing, revoke, any such license. An application for a renewal shall be on a form furnished by the commissioner.

*Section 26.* The fee for an original license shall be five hundred dollars and for a renewal of any license two hundred dollars. If a person fails to apply for a renewal of a license within six months after the expiration thereof he shall pay for a renewal the fee herein provided for an original license.

Each licensee shall give to the commissioner a bond in the sum of five thousand dollars, executed by the applicant as principal and by a surety company authorized to do business as such in the commonwealth as surety. Such bond shall be in such form as the commissioner may prescribe, conditioned upon the honest conduct of the business of the licensee and the right of any person including the officer of any aggrieved labor union or association, whether or not incorporated, injured by the wilful, malicious or wrongful act of the licensee to bring in his own name an action on the bond.

*Section 27.* No licensee shall enter, or cause any person to enter, any place of employment for any purpose having to do with the organizing or organization of employees in said establishment, or any purpose having to do with hours of labor, wages or salaries paid, or conditions of employment in such establishment or its branches or subsidiaries or related units, or to disseminate propaganda of any sort among employees in such establishment, or to be concerned with labor conditions of employees as a group, nor shall any licensee or agent or employee of a licensee pose as an employee in any such establishment for any of the aforementioned purposes.

Violation of any provision of this section shall be cause for the suspension of such license for not less than one year, after a public hearing by the commissioner, on written complaint of any aggrieved person, or the officer of any aggrieved labor union or association, whether incorporated or otherwise.

*Section 28.* A licensee may employ to assist him in his business as many persons as he may deem necessary but shall not knowingly employ in connection with his business in any capacity any person who has been convicted of a felony or any former licensee whose license has been revoked.

If a licensee falsely states or represents that a person is or was in his employ, such false statement or representation shall be cause for revocation of his license. Whoever falsely states or represents that he has been a licensee or employed by a licensee shall be punished by a fine of not less than fifty nor more than five hundred dollars.

No person shall be employed by any licensee until he shall have executed and furnished to such licensee a statement under oath setting forth his full name, date of birth and residence; his parents' names and places of birth; the business or occupation in which he has been engaged for the three years immediately preceding the date of filing his statement; and that he has not been convicted of a felony or of any offence involving moral turpitude. Such statements shall be kept on file by the licensee and furnished to the commissioner on demand.

Any person who is or has been an employee of a licensee and any licensee who divulges to anyone other than to his employer or as his employer shall direct, except before an authorized tribunal, any information acquired by him during such employment in respect to any of the work to which he has been assigned by such employer, and any such employee who wilfully makes a false report to his employer in respect to any such work, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

*Section 29.* No licensee or employee or agent of a licensee shall use a badge of any kind for identification purposes except a guard or watchman in uniform who shall wear any such badge on the left breast of his uniform. Such badge shall not contain the word "Police" or any part of the seal of the Commonwealth of Massachusetts or of any political subdivision thereof. A licensee or his employee or agent may use as identification a card, approved as to form by the commissioner, which shall bear the signature of the licensee and, if such card is used as identification by an employee or agent, the signature of such employee or agent.

Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars.

*Section 30.* No licensee nor any of his employees shall knowingly:—

1. Incite, encourage or aid any person who has become a party to any strike to commit any unlawful act against any person or property.

2. Incite, stir up, create or aid in the inciting of discontent, or dissatisfaction among the employees of any person with the intention of having them strike.

3. Interfere with or prevent lawful and peaceful picketing during strikes.

4. Interfere with, restrain or coerce employees in the exercise of their right to form, join or assist any labor organization of their own choosing.

5. Interfere with or hinder lawful or peaceful collective bargaining between employers and employees.

6. Pay, offer or give any money, gratuity, consideration or other thing of value, directly or indirectly, to any person for any verbal or written report of the lawful activities of employees in the exercise of their right to organize, form or assist any labor organization and to bargain collectively through representatives of their own choosing.

7. Advertise for, recruit, furnish or replace, or offer to furnish or replace for hire or reward, within or without the commonwealth, any skilled or unskilled help or labor, armed guards, other than armed guards theretofore regularly employed for the protection of payrolls, property or premises, for service upon property which is being operated in anticipation of or during the course or existence of a strike.

8. Furnish armed guards upon the highways for persons involved in labor disputes.

9. Furnish or offer to furnish to employers or their agents, any arms, munitions, tear gas implements or any other weapons.

10. Send letters or literature to employers offering to eliminate labor unions.

11. Advise any person of the membership of an individual in a labor organization for the purpose of preventing such individual from obtaining or retaining employment.

Whoever violates any provision of this section shall be punished by a fine of not less than two hundred nor more than one thousand dollars or by imprisonment for not less than six months nor more than one year, or both.

*SECTION 2.* A license as a private detective granted under provisions of law in effect immediately prior to the effective date of this act shall remain valid and effective, and the provisions of sections twenty-two to thirty, inclusive, of chapter one hundred and forty-seven of the General Laws, inserted by section one of this act, shall not apply to any person, firm or corporation so licensed, until the expiration of such license; provided, however, that the fee for an original license granted after such expiration to any such person, firm or corporation under the provisions of said sections twenty-two to thirty as so inserted shall be two hundred dollars. *Approved November 28, 1960.*

**Chap. 803.** AN ACT RELEASING THE RIGHTS OF THE COMMONWEALTH IN CERTAIN PREMISES IN THE CITIES OF BOSTON AND CAMBRIDGE TO BOSTON SAND AND GRAVEL COMPANY AND RELEASING THE RIGHT TO REVOKE LICENSES AND AUTHORITIES WITH RESPECT TO SAID PREMISES.

*Be it enacted, etc., as follows:*

In consideration of the sum of one thousand dollars to be paid into the treasury of the commonwealth as hereinafter set forth, all right, title and interest of the commonwealth in the premises hereinafter described, situated in the cities of Boston and Cambridge, are hereby released to Boston Sand & Gravel Company, a Massachusetts corporation. The released premises include: (1) the parcels described in a deed to Boston Sand & Gravel Company from Boston and Maine Railroad dated and recorded on November 30, 1959 with Suffolk Registry of Deeds Book 7443, page 422, and with Middlesex Registry of Deeds, Southern District, Book 9507, page 444, and shown on a plan entitled "Land in Cambridge and Boston, Mass. Boston and Maine Railroad to Boston Sand & Gravel Company J. F. Kerwin, Engineer of Design, September 5, 1959," (2) the easements granted in said deed as appurtenant to said parcels, (3) any right of the commonwealth, arising out of the fact that said parcels are or have been covered by tidewater, to order the removal of any filling or structures now or hereafter placed on said parcels or placed on said easements, and to revoke any license or authority with respect to such structures or such filling. Said parcels are more particularly described as follows:—

*Parcel A.* Beginning on remaining land of the Boston and Maine Railroad at a point in said Cambridge thirty-two and thirty-nine hundredths (32.39) feet North 43° 32' 50" East from Station 19+91 on the base line of location of the Portland main line eastern route of the Terminal Division of said Railroad, thence running by said remaining land of said Railroad on three (3) courses as follows: North 46° 27' 10" West twelve hundred fifty and forty-eight hundredths (1250.48) feet; North 43° 21' 50" West seven (7) feet; and South 79° 27' East five hundred seventy-four (574) feet to point J at or in Millers River and shown upon plan next hereinafter mentioned; thence turning and running southeasterly by Millers River about two hundred ninety-six (296) feet to point I shown upon said plan; thence turning and running four hundred ninety-seven (497) feet slightly more southeasterly by Millers River through point H to point G<sup>2</sup> at remaining land of said Railroad; thence turning and running South 43° 32' 50" West by said last mentioned land one hundred eighty-nine and fifty-one hundredths (189.51) feet to the point of beginning, be all of said measurements more or less, said parcel containing about five and ninety-four hundredths (5.94) acres.

*Parcel B.*—Beginning on remaining land of said Railroad at a point in said Cambridge, which is North 43° 21' 50" West eighty (80) feet from a point which is North 46° 27' 10" West twelve hundred fifty and forty-eight hundredths (1250.48) feet from the point of beginning of the description of said Parcel A, thence running by said remaining land of said Railroad on ten (10) courses as follows: North 43° 21' 50" West two hundred seven and seventy-seven hundredths (207.77) feet;

North 31° 26' 00" East three hundred thirty-eight and seventeen hundredths (338.17) feet; South 70° 18' 00" East forty-seven and ninety-seven hundredths (47.97) feet; South 69° 48' 40" East one hundred twenty-nine and eighty-one hundredths (129.81) feet; South 63° 56' 10" East ninety-six and sixty-eight hundredths (96.68) feet; South 52° 16' 50" East one hundred ninety-seven and twenty-nine hundredths (197.29) feet; South 47° 24' 50" East three hundred (300) feet; South 39° 19' 40" West one hundred twenty-three and ninety hundredths (123.90) feet; Southerly on and by the line of Extreme High Water Mark as shown on said plan from point A in said line to point A' twenty-five (25) feet and North 79° 27' West about five hundred ninety-three (593) feet to the point of beginning, be all of said measurements more or less, said parcel containing about five and fifty-eight hundredths (5.58) acres plus two hundred ninety-four (294) square feet.

Unless such payment shall be made within three months from the effective date of this act, the release herein made shall be and become void; otherwise, this act shall be and remain in full force and effect, and shall take effect notwithstanding any contrary provision of general or special law with respect to such rights to revoke. The treasurer of the commonwealth shall upon payment of said consideration forthwith give to the company a receipt for the same in a form suitable for recording. The registers of deeds for Suffolk county and the register of deeds for Middlesex county, Southern District, shall accept for recording any receipt so given.

The act of the company in making such payment to the treasurer shall constitute a covenant with the commonwealth binding upon the company and all persons claiming under it that no damages will be claimed from the commonwealth by reason of any taking for an elevated highway of the premises shown on the Department of Public Works plan entitled "Exhibit IB20, Interstate Route 695, Sheet 19," or any taking in substantially the same form as shown on said plan, no matter how the plan or plans are designated; provided, that the taking is made in such a manner as to permit the company's concrete mixer trucks to pass and repass under said elevated highway.

*Approved November 28, 1960.*

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**Chap. 804.** AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION OF, AND THE INVESTMENT BY SAVINGS BANKS IN, CERTAIN MORTGAGE LOANS GUARANTEED BY THE SECRETARY OF DEFENSE.

*Be it enacted, etc., as follows:*

SECTION 1. Section 12 of chapter 63 of the General Laws, is hereby amended by adding at the end the following paragraph:—

(v) Such obligations relative to armed services housing accommodations as are guaranteed by the Secretary of Defense or his designee, pursuant to the provisions of Title VIII of the National Housing Act, as heretofore or hereafter amended.

SECTION 2. Paragraph 3 of section 34 of chapter 168 of the General Laws is hereby amended by striking out the last sentence, as ap-

pearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following sentence:—In determining the maximum amount of mortgage limits specified in this paragraph, loans on leases authorized by paragraph 6 of section thirty-eight shall be included, and mortgages taken upon the sale of foreclosed real estate as provided by section fifty-four, and mortgages taken pursuant to the authority contained in paragraph 13 of section thirty-five shall be excluded.

SECTION 3. Section 35 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out, in line 3, the figure "12" and inserting in place thereof the figure 13, —and by adding after paragraph 12 the following paragraph:—

13. Any such corporation may make, hold or acquire mortgage loans on real estate, regardless of location, relative to armed services housing accommodations as are guaranteed by the Secretary of Defense or his designee, pursuant to the provisions of Title VIII of the National Housing Act, as heretofore or hereafter amended.

*Approved November 28, 1960.*

**Chap. 805.** AN ACT RELATIVE TO SURVIVOR BENEFITS OF WIDOWS OF MEMBERS OF A RETIREMENT SYSTEM.

*Be it enacted, etc., as follows:*

SECTION 1. Option (d) of subdivision (2) of section 12 of chapter 32 of the General Laws is hereby amended by striking out the last paragraph, as most recently amended by section 1 of chapter 617 of the acts of 1959, and inserting in place thereof the following paragraph:—

The normal monthly retirement allowance payable under this option to a widow of a deceased member having at least two years of creditable service shall be not less than the allowance provided under section twelve B; provided that such widow had been married to such member for at least three years; and provided further that upon the remarriage of such widow any additional amount required to make the allowance for her own use equal to the allowance provided under section twelve B shall terminate and thereafter she shall receive two-thirds of the yearly amount of said option (c) allowance to which such member would have been entitled had his retirement taken place on the date of his death.

SECTION 2. Section 12B of said chapter 32 is hereby amended by striking out the first sentence, as amended by section 2 of said chapter 617, and inserting in place thereof the following sentence:—If a member in service, including such a member in the uniformed division of the state police, who has not designated a beneficiary under Option (d) of subdivision (2) of section twelve other than his wife and who has two full years of creditable service dies and leaves a wife to whom he had been married for at least one year and with whom he was living at the time of his death or who the board finds had been living apart from said member for justifiable cause other than desertion or moral turpitude on her part, there shall be paid to such widow an allowance of one hundred dollars a month, and if there are any chil-

dren of said deceased member who are under the age of eighteen or over said age and physically or mentally incapacitated from earning on the date of death of the member, an additional allowance of fifty dollars a month for one child plus an allowance of thirty-five dollars for each additional child shall be paid to the widow for the benefit of all such children.

SECTION 3. Said chapter 32 is hereby further amended by striking out section 12C, inserted by section 3 of said chapter 617, and inserting in place thereof the following section:—*Section 12C.* The benefits provided for a widow and children under section twelve B shall be paid in like manner to the widow and children of a deceased employee who had completed two years of creditable service and had been married to such widow for one year at the time of his death and who having had the right to become a member of the retirement system failed to become or elected not to become such a member; provided, that there is paid into the annuity savings fund of the appropriate retirement system an amount equal to the deductions that would have been made from his annual compensation had he become a member of the retirement system at the time of his entry into service together with accumulated interest to the date of such payment.

SECTION 4. Chapter 583 of the acts of 1960 is hereby amended by adding the following section:—*Section 2.* The provisions of section twelve B of chapter thirty-two of the General Laws, as amended by section one of this act, shall apply on and after the effective date of this act, to benefits paid or payable after the effective date of this act to a widow or to or for a child as provided in said section twelve B, whether or not such benefits were being so paid on said effective date.

SECTION 5. Sections one, two and three of this act shall take effect as of January first, nineteen hundred and sixty and shall apply to the widow and children of any employee whose death occurred on or after said date. Section four of this act shall take effect as of November tenth, nineteen hundred and sixty. *Approved November 28, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,

EXECUTIVE DEPARTMENT, STATE HOUSE,

BOSTON, NOVEMBER 30, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 805 of the Acts of 1960, entitled "An Act Relative to Survivor Benefits of Widows of Members of a Retirement System" and the enactment of which received my approval on November 28, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to establish forthwith survivor benefits for certain widows of members of a retirement system.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, NOVEMBER 30, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four thirty o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and five of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

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**Chap. 806.** AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT AN ANNUITY OF FIVE THOUSAND FIVE HUNDRED DOLLARS TO MARY GORMAN, WIDOW OF LAWRENCE W. GORMAN, OR TO HIS CHILDREN.

*Be it enacted, etc., as follows:*

SECTION 1. For the purpose of promoting the public good, and notwithstanding the provisions of any general or special law to the contrary, the city of Cambridge is hereby authorized to pay to Mary Gorman, widow of police officer Lawrence W. Gorman, who died on September third, nineteen hundred and sixty, as the result of having been shot while in the performance of duty as a patrolman in the police department of said city, an annuity of five thousand five hundred dollars, so long as she remains unmarried. If she remarries, in lieu of the aforesaid annuity to her, said city shall pay an annuity of five hundred and twenty dollars to or for the benefit of each child of said Lawrence W. Gorman until he reaches the age of eighteen, or after said age if any such child is physically or mentally incapacitated from earning.

SECTION 2. Upon acceptance of this act by the city council of Cambridge, the Cambridge retirement board shall forthwith pay to the beneficiaries all amounts standing to the credit of Lawrence W. Gorman in the annuity savings fund of the Cambridge retirement system, and the payments provided in section one of this act shall be in lieu of the benefits provided by section nine of chapter thirty-two of the General Laws.

SECTION 3. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

*Approved November 28, 1960.*



**Chap. 807.** AN ACT PROVIDING THAT THE SUPERINTENDENT OF A CORRECTIONAL INSTITUTION NOTIFY THE DISTRICT ATTORNEY OF EACH FELONY COMMITTED THEREIN.

*Be it enacted, etc., as follows:*

Chapter 127 of the General Laws is hereby amended by inserting after section 38B, inserted by section 1 of chapter 445 of the acts of 1959, the following section:—*Section 38C.* Whenever the superintendent of a correctional institution of the commonwealth determines that a felony has been committed therein, he shall forthwith notify the district attorney for the county in which such institution is located.

*Approved November 28, 1960.*

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**Chap. 808.** AN ACT FURTHER DEFINING THE DUTIES OF THE COMMISSIONER OF ADMINISTRATION.

*Be it enacted, etc., as follows:*

Section 7 of chapter 7 of the General Laws, as most recently amended by section 1 of chapter 680 of the acts of 1954, is hereby further amended by adding the following paragraph:—

The commissioner of administration shall, on or before the first Wednesday in December of each year ending in an even number, submit a report to the governor listing and discussing the proposals which have been made and the accomplishments which have been achieved during the preceding two years in the areas of improving departmental organization, structure, procedures, and administrative practices; promoting economy and efficiency and avoiding useless labor and expense in the business affairs of the commonwealth; and developing and improving programs, policies and activities which enhance the public service of the commonwealth. Said report shall contain a summary of the objectives of such proposals, their disposition, and such further recommendations for legislative or executive actions concerning these proposals or additional proposals as, in the judgment of the commissioner, should be made in order to improve the programs, services and business affairs of the commonwealth.

*Approved November 28, 1960.*

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**Chap. 809.** AN ACT PROVIDING FOR THE NUMBER OF APPOINTEES OF THE SERGEANT-AT-ARMS OF THE GENERAL COURT.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to retain the efficiency of the operation of the General Court at a time when maximum manpower is needed in the operations of the duties of the sergeant-at-arms of the General Court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted, etc., as follows:*

Section 19 of chapter 3 of the General Laws, as most recently amended by chapter 732 of the acts of 1956, is hereby further amended by striking out, in line 4, the word “sixty-three” and inserting in place thereof the words:—ninety-two,—so as to read as follows:—*Section 19.* The number of doorkeepers, assistant doorkeepers, general court officers and pages of the senate and of the house shall not exceed ninety-two in all.

*Approved November 29, 1960.*

**Chap. 810.** AN ACT PROVIDING THAT OPERATORS OF MOTOR VEHICLES SHALL YIELD THE RIGHT OF WAY TO PEDESTRIANS AT MARKED CROSSWALKS, THAT PEDESTRIANS IN THICKLY SETTLED OR BUSINESS DISTRICTS SHALL CROSS A WAY ONLY IN COMPLIANCE WITH TRAFFIC CONTROL SIGNALS, THE DIRECTIONS OF POLICE OFFICERS OR ON CERTAIN MARKED CROSSWALKS AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

*Be it enacted, etc., as follows:*

Chapter 90 of the General Laws is hereby amended by inserting after section 20A the following section:—*Section 20B.* In each city and town which accepts this section, as hereinafter provided, the following provisions shall apply:—Where traffic control signals are not in place or in operation, or no police officer is directing traffic, the operator of a motor vehicle shall yield the right of way to a pedestrian crossing within any marked crosswalk, slowing down or stopping if need be to so yield. Whenever any vehicle has stopped at a marked crosswalk to permit a pedestrian to cross the way, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. The operator of any motor vehicle, prior to driving over or across any sidewalk, shall yield the right of way to any pedestrian approaching thereon. In thickly settled or business districts, as defined in section one, pedestrians shall be subject to traffic control signals or to directions of police officers directing traffic, and whenever there is a traffic control signal, police officer directing traffic, or a marked crosswalk within three hundred feet of a pedestrian, no such pedestrian shall cross the way except upon such marked crosswalk or in compliance with the directions of a police officer or at such a traffic control signal. Whoever violates the provisions of this section shall be punished by a fine of not more than one dollar for each offence not exceeding three in each calendar year in the jurisdiction of the court and by a fine of two dollars for each subsequent offence, in each calendar year in the jurisdiction of the court.

Proceedings under this section shall not be deemed criminal, and no record of the case shall be entered in the probation records. A violation of, or conviction of or plea of guilty to a violation of, this section shall not constitute negligence or evidence of negligence nor be used in any manner in any civil proceeding in any manner in any court whatever.

This section shall take effect upon its acceptance in a city by a majority vote of the city council and in a town by vote of the voters thereof at an annual town meeting. *Approved November 29, 1960.*

**Chap. 811.** AN ACT INCREASING THE AMOUNT OF REAL PROPERTY THAT MAY BE HELD BY ONE SEEKING THE EXEMPTION FROM TAXATION APPLICABLE TO CERTAIN VETERANS, THEIR WIVES, WIDOWS, OR PARENTS.

*Be it enacted, etc., as follows:*

**SECTION 1.** The first sentence of clause Twenty-second of section 5

of chapter 59 of the General Laws, as appearing in section 1 of chapter 282 of the acts of 1958, is hereby amended by striking out, in line 13, the words "eight thousand" and inserting in place thereof the words:—ten thousand.

SECTION 2. The first paragraph of clause Twenty-second A of said section 5 of said chapter 59, as amended by section 4 of chapter 525 of the acts of 1957, is hereby further amended by striking out, in line 19, the words "eight thousand" and inserting in place thereof the words:—ten thousand.

*Approved November 29, 1960.*

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**Chap. 812.** AN ACT RELATIVE TO THE OBSERVANCE OF LEGAL HOLIDAYS WITHIN THE COMMONWEALTH.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to provide for the proper observance of legal holidays in order to promote the well-being of, and to afford rest and recreation for the citizens of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

*Be it enacted, etc., as follows:*

SECTION 1. Section 7 of chapter 4 of the General Laws is hereby amended by striking out Clause Eighteenth, as most recently amended by chapter 140 of the acts of 1958, and inserting in place thereof the following clause:—

Eighteenth, "Legal holiday" shall include January first, February twenty-second, March seventeenth, April nineteenth, May thirtieth, June seventeenth, July fourth, First Monday of September, October twelfth, November eleventh, Thanksgiving Day, Christmas Day, and such holidays shall be observed in the manner provided by chapter one hundred and thirty-six. When any legal holiday falls on Sunday the provisions of said chapter one hundred and thirty-six relative to the observance of such holiday shall apply to the following day.

SECTION 2. Chapter 136 of the General Laws is hereby amended by striking out the title and inserting in place thereof the following title:—OBSERVANCE OF THE LORD'S DAY AND LEGAL HOLIDAYS.

SECTION 3. Said chapter 136 is hereby further amended by adding at the end, under the caption LEGAL HOLIDAYS, the following five sections:—

*Section 33.* The provisions of this chapter shall apply from midnight to midnight on each of the following holidays, except as provided in section thirty-seven, and the public offices shall be closed on all of said days:—January first, May thirtieth, July fourth, First Monday of September, November eleventh, Thanksgiving Day, and Christmas Day.

*Section 34.* The provisions of this chapter shall apply from seven o'clock ante meridian to one o'clock post meridian on October twelfth, except as provided in section thirty-seven.

*Section 35.* The provisions of this chapter shall not apply to February twenty-second and April nineteenth, provided however that the public offices shall be closed on both of said days.

*Section 36.* The provisions of this chapter shall not apply on March seventeenth or June seventeenth, which days shall be legal holidays in Suffolk county only, provided that all public offices within said county shall be closed on each of said days. The words "legal holiday", as used in section forty-five of chapter one hundred and forty-nine, shall not include March seventeenth.

*Section 37.* Notwithstanding the provisions of this chapter, sporting events of any type, including those authorized under chapter one hundred and twenty-eight A, may be conducted on any legal holiday, and any business licensed under chapter one hundred and thirty-eight may be conducted in accordance with the provisions of said chapter on any such day. Hunting, if otherwise lawful, shall not be prohibited on November eleventh. Florist shops may be kept open all day on May thirtieth.

The mayor of a city or the selectmen of a town, upon written application therefor, and upon such terms and conditions as they may prescribe, may grant licenses for the maintenance and operation on May thirtieth, July fourth and the first Monday of September of establishments for the sale of souvenirs to the tourist trade, articles of beachware and other goods incidental thereto, at amusement parks or beach resorts.

Any entertainment, amusement or enterprise mentioned in sections four, four A and four B may be conducted or operated on any such legal holiday, provided, however, that the provisions for licensing and the hours of operation as contained in said sections shall apply on May thirtieth, November eleventh and Christmas Day.

*Approved November 29, 1960.*

**Chap. 813.** AN ACT ESTABLISHING A MINIMUM RATE FOR HOURS WORKED IN EXCESS OF FORTY HOURS IN A WORK WEEK.

*Be it enacted, etc., as follows:*

Chapter 151 of the General Laws is hereby amended by inserting after section 1 the following section:—*Section 1A.* Except as otherwise provided in this section, no employer in the commonwealth shall employ any of his employees in an occupation, as defined in section two, for a work week longer than forty hours, unless such employee receives compensation for his employment in excess of forty hours at a rate not less than one and one half times the regular rate at which he is employed; and the payment of a wage of less than one and one half times such regular rate for employment in excess of forty hours shall be conclusively presumed to be oppressive and unreasonable wherever the term "minimum wage" is used in this chapter.

This section shall not be applicable to any employee who is employed (1) as a janitor or caretaker of residential property, who when furnished with living quarters is paid a wage of not less than thirty dollars per week.

(2) as a golf caddy, newsboy or child actor or performer.

(3) as a bona fide executive, or administrative or professional person earning more than eighty dollars per week.

(4) as an outside salesman or outside buyer.

(5) as a learner, apprentice or handicapped person under a special license as provided in section nine.

(6) as a fisherman or as a person employed in the catching or taking of any kind of fish, shellfish or other aquatic forms of animal and vegetable life.

(7) as a switchboard operator in a public telephone exchange.

(8) as a driver or helper on a truck with respect to whom the Interstate Commerce Commission has power to establish qualifications and maximum hours of service pursuant to the provisions of section two hundred and four of the motor carrier act of nineteen hundred and thirty-five, or as employee of an employer subject to the provisions of Part 1 of the Interstate Commerce Act or subject to title II of the Railway Labor Act.

(9) in a business open only during June, July, August and September of each year and determined by the commissioner of labor and industries to be seasonal in nature.

(10) as a seaman.

(11) by an employer licensed and regulated pursuant to chapter 159A of the General Laws.

(12) in any occupation subject to a mandatory minimum fair wage order, which provides for compensation of not less than time and one half of an employee's regular rate for hours worked weekly in excess of forty.

(13) in a hotel, motel, motor court or like establishment.

(14) in a gasoline station.

(15) in restaurants.

(16) as a garageman.

(17) in a hospital, sanatorium, convalescent or nursing home, infirmary or rest home.

*Approved November 30, 1960.*

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**Chap. 814.** AN ACT PROVIDING THAT THE BOARD OF REGISTRATION OF ELECTROLOGISTS GRANT APPRENTICE LICENSES TO PRACTICE ELECTROLYSIS TO CERTAIN PERSONS UNDER THE AGE OF TWENTY-ONE.

*Be it enacted, etc., as follows:*

Notwithstanding the provisions of sections eighty-seven EEE to eighty-seven OOO, inclusive, of chapter one hundred and twelve of the General Laws or any other general or special law to the contrary, upon application to the board of electrologists, accompanied by a fee of twenty-five dollars, any person who has not attained the age of twenty-one and who has been actively engaged in the practice of electrolysis for one year during the three years immediately preceding August first, nineteen hundred and fifty-nine, shall be granted, without examination by said board, an apprentice license to engage in the practice of electrolysis under the supervision of a licensed electrologist until attaining the age of twenty-one, at which time he shall be licensed as a qualified electrologist and granted a certificate signed by the chairman and secretary of the board in testimony thereof.

*Approved November 30, 1960.*

**Chap. 815.** AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO GRANT LICENSES FOR THE PLACEMENT OF SOLID FILL AND CONSTRUCTION OF AN APPROACH LIGHT AND INSTRUMENT LANDING PIER IN BOSTON HARBOR BEYOND THE EXISTING HARBOR LINE.

*Be it enacted, etc., as follows:*

The department of public works is hereby authorized, notwithstanding any provision of section fourteen of chapter ninety-one of the General Laws, to grant licenses for the placement of solid fill and construction of an approach light and instrument landing pier extending into Boston harbor in the city of Boston at the General Edward Lawrence Logan International Airport beyond that portion of the Massachusetts harbor line extending between points "J", "B" and "C", established by chapter four hundred and eleven of the acts of nineteen hundred and thirty-nine, under the provisions of said chapter ninety-one.

*Approved November 30, 1960.*

# RESOLVES.

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- Chap. 1.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING DISCLOSURE OF RELIEF PAYMENTS IN LIBELS FOR DIVORCE AND PETITIONS FOR SEPARATE SUPPORT WHERE MINOR CHILDREN ARE INVOLVED, AND REQUIRING NOTICE OF HEARINGS TO WELFARE AGENTS OF CITIES OR TOWNS MAKING SAID PAYMENTS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 944, relative to requiring disclosure of relief payments in libels for divorce and petitions for separate support where minor children are involved, and requiring notice of hearings to welfare agents of cities or towns making said payments, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved February 4, 1960.*

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- Chap. 2.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO LAND TAKINGS PROVIDING THAT A PERSON PETITIONING FOR THE ASSESSMENT OF DAMAGES MAY RECOVER HIS REASONABLE ATTORNEY'S FEES AND OTHER COSTS AND PROVIDING THAT INTEREST BE PAID AT THE RATE OF SIX PER CENT PER ANNUM.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 61, relative to land takings providing that a person petitioning for the assessment of damages may recover his reasonable attorney's fees and other costs and providing that interest be paid at the rate of six per cent per annum, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved February 4, 1960.*

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- Chap. 3.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO NOTIFYING REGISTRIES OF DEEDS OF NAMES OF PLANNING BOARD MEMBERS AND THE FILING THEREIN OF CERTAIN INFORMATION; PROTECTING LAND TITLES FROM UNCERTAIN AND OBSOLETE RESTRICTIONS; AND DISCHARGING MORTGAGES HELD BY HUSBAND AND WIFE.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 268, requiring notice to registry of deeds of names of planning board members and amending provisions as to filing subdivision control information; of

current house documents numbered 1367, to protect land titles from uncertain and obsolete restrictions; and 1368, relative to the discharge of mortgages held by husband and wife, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved February 15, 1960.*

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**Chap. 4.** RESOLVE IN FAVOR OF HAROLD COLLINS OF SOMERVILLE.

*Resolved,* That, notwithstanding the provisions of any general or special law to the contrary, and for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed to Harold Collins of Somerville sick leave with pay for the period from January fifteenth, nineteen hundred and fifty-six, through October seventh, nineteen hundred and fifty-six, who, in the performance of his duties on November seventh, nineteen hundred and fifty-five, as a member of the metropolitan district commission police, contracted poliomyelitis. The sum necessary to carry out the purposes of this resolve shall be paid from funds currently available under appropriation item 2931-06 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine.

*Approved February 15, 1960.*

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**Chap. 5.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO NOTICE OF INJURIES ARISING OUT OF DEFECTIVE CONDITION OF PUBLIC WAYS AND RELATED MATTERS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate documents numbered 245, relative to notice of injuries arising out of defective condition of public ways; and 246, relative to notice to owners of private property of injuries resulting from snow and ice; and of current house document numbered 583, relative to actions against owners of private property for injuries resulting from snow and ice where the defendant knew of the injury or was not prejudiced by want of a written notice, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved February 15, 1960.*

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**Chap. 6.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE GRANTING OF CONCURRENT JURISDICTION TO THE DISTRICT COURTS TO ENFORCE OR MODIFY DECREES OF SEPARATE SUPPORT ISSUED BY THE PROBATE COURT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 903, providing for the granting of concurrent jurisdiction to the district courts to



enforce or modify decrees of separate support issued by the probate court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved February 15, 1960.*

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**Chap. 7.** RESOLVE AUTHORIZING THE COMMISSION ON INTERSTATE CO-OPERATION TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO EXTENDING DAYLIGHT SAVING TIME.

*Resolved,* That the commission on interstate co-operation is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 394 and 599, relative to making daylight saving time effective throughout the year. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved February 23, 1960.*

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**Chap. 8.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ENLARGING THE EQUITY JURISDICTION OF THE PROBATE COURT.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 946, relative to enlarging the equity jurisdiction of the probate court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 4, 1960.*

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**Chap. 9.** RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RETARDED CHILDREN AND THE TRAINING FACILITIES AVAILABLE THEREFOR.

*Resolved,* That the unpaid special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-two, and most recently revived and continued by chapter fifty-nine of the resolves of nineteen hundred and fifty-nine, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the number of retarded children in the commonwealth and the training facilities available for their instruction, and fitting said children for community living.

Said commission shall be provided with suitable quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and

may expend for clerical and other services the unexpended balance available in item 0245-00 of section two of chapter three hundred and ninety-eight of the acts of nineteen hundred and fifty-nine, and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect by filing one or more reports with the clerk of the house of representatives from time to time, and by filing its final report on or before the last Tuesday of December, nineteen hundred and sixty. *Approved March 4, 1960.*

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**Chap. 10.** RESOLVE FURTHER INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

*Resolved,* That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight and most recently continued by chapter one hundred and eleven of the resolves of nineteen hundred and fifty-nine shall, in the course of its study consider the subject matter of current senate document numbered 84, relative to authorizing the metropolitan district commission to acquire certain government land in the Brighton district of the city of Boston, and of current house documents numbered 2601 and 2728, increasing the scope of the special commission established to make a study relative to the organization and operation of the metropolitan district commission and other matters.

*Approved March 11, 1960.*

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**Chap. 11.** RESOLVE VALIDATING THE ACTS OF DAVID ROSS AS A NOTARY PUBLIC.

*Resolved,* That the acts of David Ross of Boston as a notary public between October tenth, nineteen hundred and fifty-eight and November nineteenth, nineteen hundred and fifty-nine, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office.

*Approved March 14, 1960.*

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**Chap. 12.** RESOLVE FURTHER CONTINUING THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO EQUINE ENCEPHALITIS.

*Resolved,* That the department of public health is hereby authorized and directed to continue further the investigation and study authorized by chapter thirty-seven of the resolves of nineteen hundred and fifty-seven and most recently continued by chapter thirty-six of the resolves of nineteen hundred and fifty-nine, relative to the spread and the means of control of equine encephalitis, otherwise known as horse sleeping sickness, which causes a fatal disease in man. Said de-

partment shall, in the course of its investigation and study, confer and co-operate with such agencies of the commonwealth or any political divisions thereof, and with such civic and other associations or organizations as may be engaged in making a study and investigation of said disease. Said department shall also invite the assistance and co-operation of the public health service and any other federal agency that may have an interest in the problem. For said purpose said department may expend for services, traveling expenses, materials, equipment and supplies, the unexpended balance made available by chapter thirty-six of the resolves of nineteen hundred and fifty-nine and an additional sum not exceeding thirty-one thousand dollars from such sums as may be appropriated. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

*Approved March 14, 1960.*

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**Chap. 13.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING AN EMPLOYER TO MAKE UP THE LOSS OF PAY OF AN EMPLOYEE SERVING AS A JUROR.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1877, relative to requiring an employer to make up the loss of pay of an employee serving as a juror, and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 14, 1960.*

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**Chap. 14.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO REQUIRING THE ELECTION OF THE SECOND MEMBER OF THE RETIREMENT BOARD OF STATE, CITIES, COUNTY, TOWN AND DISTRICT BY SECRET BALLOT.

*Resolved,* That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2201, relative to requiring the election of the second member of the retirement board of state, cities, county, town and district by secret ballot.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved March 15, 1960.*

**Chap. 15.** RESOLVE IN FAVOR OF GUSTAVUS COLLETTA OF WRENTHAM.

*Resolved,* That, for the purpose of discharging a moral obligation of the commonwealth there shall be allowed and paid out of the state treasury, subject to appropriation, to Gustavus Colletto of Wrentham, who was injured on December ninth, nineteen hundred and fifty-seven, when the motor vehicle which he was operating on route 1A in the town of Walpole was struck by a truck owned by the commonwealth and operated by an inmate of the Massachusetts Correctional Institution, Walpole, who was engaged in plowing roadways in the service of the commonwealth, the sum of two thousand one hundred and thirty-one dollars, the said sum being the amount of a judgment in favor of said Gustavus Colletto against said inmate. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by Gustavus Colletto that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

*Approved March 15, 1960.*

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**Chap. 16.** RESOLVE IN FAVOR OF LORETTA COLLETTA OF WRENTHAM.

*Resolved,* That, for the purpose of discharging a moral obligation of the commonwealth there shall be allowed and paid out of the state treasury, subject to appropriation, to Loretta Colletto of Wrentham, who was injured on December ninth, nineteen hundred and fifty-seven, when the motor vehicle in which she was a passenger on route 1A in the town of Walpole was struck by a truck owned by the commonwealth and operated by an inmate of the Massachusetts Correctional Institution, Walpole, who was engaged in plowing roadways in the service of the commonwealth, the sum of three thousand and fifty-seven dollars, the said sum being the amount of a judgment in favor of said Loretta Colletto against said inmate. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by Loretta Colletto that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

*Approved March 15, 1960.*

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**Chap. 17.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PENSIONS OF CERTAIN JUSTICES OF THE DISTRICT COURTS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1935, relative to pensions of certain justices of the district courts, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 15, 1960.*

**Chap. 18.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE LAWS RELATING TO THE INDETERMINATE SENTENCE.

*Resolved,* That the judicial council be requested to investigate the subject matter of the investigation and study proposed by current house document numbered 579, relative to the laws relating to the indeterminate sentence, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 21, 1960.*

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**Chap. 19.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING SUMMONSES AND WARRANTS ISSUED BY DISTRICT COURTS TO SPECIFY THE CHAPTER AND SECTION OF THE GENERAL LAWS WHICH THE ACCUSED IS ALLEGED TO HAVE VIOLATED.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2123, relative to requiring summonses and warrants issued by district courts to specify the chapter and section of the General Laws which the accused is alleged to have violated, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 21, 1960.*

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**Chap. 20.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING A DEGREE OF CARE OWED BY A PROPERTY OWNER TO A POLICE OFFICER ENTERING PROPERTY IN THE PERFORMANCE OF HIS DUTY.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 904, relative to establishing a degree of care owed by a property owner to a police officer entering property in the performance of his duty, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 28, 1960.*

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**Chap. 21.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT A MOTOR VEHICLE TORT ACTION PENDING IN SUPERIOR COURT SHALL NOT BE ASSIGNED TO AN AUDITOR IF EITHER PARTY OBJECTS THERETO.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 60, providing that a motor vehicle tort action pending in superior court shall not be assigned to an auditor if either party objects thereto, and to include its conclusions and its recommendations, if any, in relation thereto,

together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 28, 1960.*

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**Chap. 22.** RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE SPECIAL COMMISSION ON TAXATION.

*Resolved,* That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the resolves of nineteen hundred and forty-eight and most recently revived and continued by chapter twenty-nine of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 148, relative to further increasing certain exemptions under the income tax law; 150, relative to further increasing certain exemptions under the income tax law; and 426, relative to reimbursing the town of Norfolk for the loss of taxes on certain land therein owned by the commonwealth and held for public institution purposes; and of current house documents numbered 357, relative to exempting federal civil service annuities from the laws relative to the taxation of income; 729, relative to regulating the revaluation of certain property after the abatement of taxes assessed thereon; 1172, relative to exempting federal civil service annuities from the laws relative to the taxation of income; 1182, relative to requiring assessors of cities and towns to notify owners of real and personal property of any increase in the fair cash valuation thereof; 1533, relative to removing inequities with respect to the exemption from tax of pensions paid by the veteran's bureau; 2004, relative to providing for a real estate tax exemption for certain disabled veterans; 2284, relative to requiring assessors to notify applicants for abatements of unfavorable action by certified mail.

*Approved March 28, 1960.*

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**Chap. 23.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO LIABILITY FOR DAMAGES IN CASE OF COLLISION AT GRADE CROSSINGS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 391, relative to liability for damages in case of collision at grade crossings, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 28, 1960.*

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**Chap. 24.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING A STATE PRISON SENTENCE FOR HUSBANDS OR FATHERS WHO LEAVE THE STATE WITHOUT PROVIDING FOR THEIR FAMILIES.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 912, relative to providing a state prison sentence for husbands or fathers who leave

the state without providing for their families, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 28, 1960.*

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**Chap. 25.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING A PENALTY FOR FAILING TO DISPERSE UPON THE ORDER OF A POLICE OFFICER AND FOR MAKING, AIDING AND ABETTING IN A RIOT OR DISTURBANCE.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2122, relative to providing a penalty for failing to disperse upon the order of a police officer and for making, aiding and abetting in a riot or disturbance, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved March 28, 1960.*

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**Chap. 26.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE STUART D. PUTNAM.

*Resolved,* That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the widow of the late Stuart D. Putnam, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved March 30, 1960.*

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**Chap. 27.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE CONTROL OF THE NUISANCE CAUSED BY "FISH FLIES" OR "MAY FLIES" IN THE NARROWS AREA OF FALL RIVER AND WESTPORT ADJACENT TO THE WATUPPA PONDS.

*Resolved,* That the department of public health is hereby authorized and directed to make an investigation and study relative to the control of the nuisance and hazard caused by "fish flies" or "may flies" in the Narrows area of the city of Fall River and the town of Westport adjacent to the Watuppa ponds. For the purposes of this resolve, said department may expend such sums as may be appropriated therefor. Said department shall report to the general court the results of its investigations and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives from time to time but in no case later than the first Wednesday of December, nineteen hundred and sixty-one.

*Approved March 30, 1960.*

**Chap. 28.** RESOLVE FURTHER INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE SPECIAL COMMISSION ON TAXATION.

*Resolved,* That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the resolves of nineteen hundred and forty-eight and most recently continued by chapter twenty-nine of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 143, exempting from taxation real property of the father and mother of certain soldiers and sailors.

*Approved April 11, 1960.*

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**Chap. 29.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ARBITRATION UNDER COLLECTIVE BARGAINING AGREEMENTS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 261, relative to arbitration under collective bargaining agreements, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved April 11, 1960.*

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**Chap. 30.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT CERTAIN MENTAL DISEASES OR DEFECTS SHALL PRECLUDE THE CONVICTION OF PERSONS ACCUSED OF MURDER OR MANSLAUGHTER.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2599, Appendix D, relative to providing that certain mental diseases or defects shall preclude the conviction of persons accused of murder or manslaughter, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved April 11, 1960.*

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**Chap. 31.** RESOLVE IN FAVOR OF THE WIDOW OF THE LATE MANUEL V. MEDEIROS.

*Resolved,* That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the widow of the late Manuel V. Medeiros, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved April 27, 1960.*



- Chap. 32.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT CONTRIBUTORY NEGLIGENCE SHALL NOT BE A BAR TO RECOVERY IN ACTIONS FOR INJURIES TO THE PERSON OR PROPERTY OR FOR WRONGFUL DEATH.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1333, relative to providing that contributory negligence shall not be a bar to recovery in actions for injuries to the person or property or for wrongful death, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 2, 1960.*

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- Chap. 33.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE AWARDING OF COUNSEL FEES IN ACTIONS BROUGHT AGAINST A CITY OR TOWN FOR FAILURE TO PROVIDE MONEY FOR THE SUPPORT OF PUBLIC SCHOOLS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 899, relative to providing for the awarding of counsel fees in actions brought against a city or town for failure to provide money for the support of public schools, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 2, 1960.*

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- Chap. 34.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING GROSS NEGLIGENCE IN THE OPERATION OF A MOTOR VEHICLE FOR CONVICTION OF THE OFFENCE OF DRIVING SO AS TO ENDANGER.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 1869, relative to requiring gross negligence in the operation of a motor vehicle for conviction of the offence of driving so as to endanger, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 2, 1960.*

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- Chap. 35.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR BLOOD GROUPING TESTS TO AID IN THE DETERMINATION OF PATERNITY.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2396, relative to providing for blood grouping tests to aid in the determination of paternity, and to include its conclusions and its recommendations, if

any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 2, 1960.*

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**Chap. 36.** RESOLVE REVIVING AND CONTINUING THE UNPAID COMMISSION ESTABLISHED FOR THE PURPOSE OF CONSOLIDATING AND ARRANGING THE SPECIAL LAWS RELATING TO THE CITY OF BOSTON.

*Resolved,* That the unpaid commission established by chapter one hundred and fifty-one of the resolves of nineteen hundred and fifty-eight for the purpose of continuing the work of the unpaid special commission established by chapter twenty-eight of the resolves of nineteen hundred and fifty and revived and continued by chapter forty-three of the resolves of nineteen hundred and fifty-one, chapter ninety-eight of the resolves of nineteen hundred and fifty-two, chapter ninety-five of the resolves of nineteen hundred and fifty-three, and chapter seventy of the resolves of nineteen hundred and fifty-six is hereby revived and continued for the purpose of consolidating and arranging, as provided in said chapter forty-three, all special laws relating to the city of Boston which may be in force and operation at the time of the report hereinafter provided for. The corporation counsel of said city shall prepare for the use of said commission a draft of said consolidation and arrangement; and said commission may call upon such corporation counsel for such other assistance as it may desire. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for assistance and expenses such sums as may be appropriated therefor. Said commission shall complete said consolidation and arrangement and report thereon to the general court by filing the same with the clerk of the senate not later than the last Tuesday of December, nineteen hundred and sixty.

*Approved May 2, 1960.*

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**Chap. 37.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE RIGHTS OF DEFENDANTS IN CRIMINAL PROCEEDINGS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 914, relative to the rights of defendants in criminal proceedings, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 2, 1960.*

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**Chap. 38.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR CONTINUITY OF THE JUDICIAL SYSTEM IN EVENT OF ENEMY ATTACK.

*Resolved,* That the judicial council be requested to investigate the judicial system of the commonwealth for the purpose of determining

measures necessary to provide for continuity of the judicial branch of the government and the continued operation of the judicial system in event of enemy attack upon or affecting the commonwealth, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 2, 1960.*

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**Chap. 39.** RESOLVE PROVIDING FOR A SUITABLE MEMORIAL TO THE LATE FREDERIC W. COOK.

*Resolved,* That the governor and council are hereby authorized to cause to be placed in the archives building a suitable memorial, the plans for which shall be submitted to and approved by the art commission, to commemorate the services to the commonwealth of Frederic W. Cook who was state secretary for a period of twenty-eight years. For the purposes of this resolve there may be expended such sums as may be appropriated therefor.

*Approved May 2, 1960.*

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**Chap. 40.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ENCOURAGING THE CITIZENS OF THE COMMONWEALTH IN CONSTRUCTING APPROPRIATE SHELTERS AGAINST THE DANGERS OF RADIOACTIVE FALLOUT.

*Resolved,* That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the attorney general of the commonwealth or his nominee, the adjutant general or his nominee, the commissioner of public safety or his nominee, the budget commissioner or his nominee, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the need for revising the General Laws in order to remove present legal barriers which may hamper or impede the efforts of the citizens of the commonwealth to protect themselves against the dangers of radioactive fallout by such means as the construction of appropriate shelters, or other means, and to formulate and recommend legal, economic or other incentives designed to stimulate, encourage and promote such efforts.

The commission, in the course of its investigation and study, shall review the legislation and legislative proposals of other states designed to encourage their citizenry to protect themselves against the dangers of thermonuclear warfare, shall determine whether the present laws of the commonwealth inhibit the citizens thereof from so protecting themselves, and shall formulate and recommend statutory provisions to stimulate and encourage self-protection against such dangers by citizens of the commonwealth.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and

papers, may travel within and without the commonwealth, and may expend for legal, technical, clerical and other services, and for expenses, such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate from time to time, provided, that said commission shall file its final report on or before the last Wednesday in December, nineteen hundred and sixty.

*Approved May 3, 1960.*

**Chap. 41.** RESOLVE REVIVING AND CONTINUING THE UNPAID SPECIAL COMMITTEE TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ERECTION OF A MEMORIAL TO COLONEL THOMAS CASS AND THE OFFICERS AND MEN OF THE NINTH REGIMENT OF INFANTRY AND INCREASING ITS SCOPE.

*Resolved,* That the unpaid special committee established under the provisions of chapter seventy of the resolves of nineteen hundred and fifty-five to make an investigation and study relative to a mural in commemoration of Colonel Thomas Cass and the officers and men of the Ninth Regiment of Infantry, Massachusetts Volunteers is hereby revived and continued. Said committee shall also make suitable arrangements for the one hundredth anniversary commemoration of the organization of said regiment for service in the Civil War and for the proper designation of the battle-flags of the regiment, and shall arrange for the official acceptance by the governor, in behalf of the commonwealth, of certain flags carried by said regiment in the Spanish-American War and now in process of rehabilitation at the Boston Museum of Fine Arts. Said committee shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the last Tuesday of December in the current year.

*Approved May 3, 1960.*

**Chap. 42.** RESOLVE FURTHER INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE SPECIAL COMMISSION ON TAXATION.

*Resolved,* That the special commission known as the special commission on taxation, established by chapter 86 of the resolves of nineteen hundred and forty-eight and most recently revived and continued by chapter 29 of the resolves of nineteen hundred and fifty-nine, shall in the course of its investigation and study consider the subject matter of current Senate document numbered 147 and of current House document numbered 349, relative to providing for an investigation and study by an unpaid special commission relative to the distribution of financial aid to cities and towns, and relative to inheritance tax laws; and of current House document numbered 1997, relative to revising the method of determining the state tax apportionment.

*Approved May 3, 1960.*

- Chap. 43.** RESOLVE REVIVING AND CONTINUING THE SPECIAL UNPAID COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

*Resolved,* That the unpaid special commission established by chapter one hundred and forty-three of the resolves of nineteen hundred and fifty-eight, and revived and continued by chapter ninety-two of the resolves of nineteen hundred and fifty-nine, is hereby further revived and continued for the purpose of continuing its study of the laws governing convalescent or nursing homes and the medical and nursing care of recipients of public aid, the standard of care which should be provided to such recipients, the cost of such care and the comparative cost to the taxpayer of convalescent or nursing home care in private convalescent or nursing homes and in public institutions. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within and without the commonwealth, and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the senate from time to time, and by filing its final report not later than the fourth Wednesday in December, nineteen hundred and sixty.

*Approved May 3, 1960.*

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- Chap. 44.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CARE AND TREATMENT OF THE CHRONICALLY ILL, THE AGED AND THE INFIRM IN THE COMMONWEALTH.

*Resolved,* That an unpaid special commission to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, three persons to be appointed by the governor, the commissioner of mental health, the commissioner of public health, the commissioner of public welfare, the commissioner of rehabilitation and the chairman of the council for the aging is hereby established for the purpose of making an investigation and study relative to the care and treatment of the chronically ill, the aged and the infirm in the commonwealth. Said commission may expend for clerical and other assistance and expenses such sums as may be appropriated therefor. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings and may travel within the commonwealth. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the current year.

*Approved May 3, 1960.*

- Chap. 45.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION IS REQUIRED TO COMPLETE ITS STUDY AND FILE ITS FINAL REPORT RELATIVE TO THE WATER RESOURCES OF THE WARE, QUABOG AND QUINEBAUG RIVER VALLEYS.

*Resolved,* That the time within which the water resources commission is required to complete its study and file its final report relative to the water resources of the Ware, Quabog and Quinebaug river valleys, as authorized by chapter ninety-six of the resolves of nineteen hundred and fifty-eight, and continued by chapter fifty of the resolves of nineteen hundred and fifty-nine, is hereby extended to the first Wednesday of December in the year nineteen hundred and sixty-one.

*Approved May 3, 1960.*

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- Chap. 46.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING A TRAINING PROGRAM FOR MUNICIPAL POLICE OFFICERS.

*Resolved,* That a special unpaid commission consisting of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, the commissioner of public safety or a member of his department designated by him, and six persons to be appointed by the governor, one to be selected from a list of two nominees to be submitted by the board of directors of the Massachusetts Mayors' Association, one to be selected from a list of two nominees to be submitted by the board of directors of the Massachusetts Selectmen's Association, one to be selected from a list of two nominees to be submitted by the board of directors of the Massachusetts Managers' Association, two to be selected from at least four nominees to be submitted by the board of directors of the Massachusetts Chiefs of Police Association and one to be selected from at least two nominees to be submitted by the board of directors of the Massachusetts Police Association is hereby established for the purpose of making an investigation and study relative to establishing a training program for police officers in cities and towns, particularly with reference to minimum courses of study, attendance requirements and equipment and facilities to be required at municipal police training schools, minimum qualifications for instructors at police training schools, the requirements of minimum basic training which police officers shall complete and the time within which such basic training must be completed, minimum courses of study and attendance requirements and exemptions from the provisions of such training program.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings and may expend for necessary assistance and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigations and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives not later than the fourth Wednesday of December, nineteen hundred and sixty.

*Approved May 3, 1960.*

**Chap. 47.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE ADEQUACY AND EFFECTIVENESS OF THE LAWS RELATIVE TO THE CONVICTION, COMMITMENT, CARE, TREATMENT AND REHABILITATION OF SEXUALLY DANGEROUS PERSONS.

*Resolved,* That an unpaid special commission, to consist of three members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, the attorney general, the commissioner of mental health, the commissioner of correction, and four persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the adequacy and effectiveness of the laws relative to the conviction, commitment, care, treatment and rehabilitation of sexually dangerous persons.

Said commission shall, in the course of its investigation and study, review the history of legislation of the commonwealth and other jurisdictions relative to sexually dangerous persons and shall consider the continuing problems of law enforcement officers, the courts, and custodial agencies in dealing with such persons. Said commission shall evaluate the protection given to citizens of the commonwealth from the aggressive acts of persons suffering from abnormal sex tendencies, bearing in mind the constitutional rights of all citizens.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony under oath of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for legal, technical, clerical and other assistance, and for other expenses such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing one or more reports with the clerk of the senate at such time or times as the commission may elect; provided, that it shall file its final report on or before the last Wednesday in January, nineteen hundred and sixty-one.

*Approved May 9, 1960.*

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**Chap. 48.** RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE SPECIAL COMMISSION ON TAXATION.

*Resolved,* That the unpaid special commission, known as the special commission on taxation, established by chapter eighty-six of the resolves of nineteen hundred and forty-eight and most recently revived and continued by chapter twenty-nine of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 146, relative to providing for local taxation of private parties using government owned real estate; and of current house documents numbered 350, relative to providing for local taxation of private parties using

government owned real estate; 422, relative to providing for local taxation of private parties using government owned real estate; 425, relative to establishing the municipal fire fighters salary and pension fund, said fund to be financed by certain payments from insurance companies; 730, relative to assessment of new construction at less than fair value thereof; 740, relative to changing the date for the assessment of personal property taxes on pleasure boats; 742, relative to the computation of equity in real estate owned by certain veterans upon which exemptions are claimed and whose valuations have been changed as the result of a general revaluation of all real estate in a city or town; 1196, relative to the tax on farm machinery and certain farm animals; 2003, relative to providing that certain tax titles shall convey a good title in fee to land or property; and 2545, relative to the validity of tax titles, so called.

*Approved May 9, 1960.*

**Chap. 49.** RESOLVE FURTHER EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION SHALL FILE ITS REPORT ON THE WATER RESOURCES AND SEWERAGE DISPOSAL FACILITIES ON PLUM ISLAND.

*Resolved,* That the time within which the water resources commission shall make its report to the general court of its survey of the water resources and sewerage disposal facilities of Plum Island, as authorized by chapter seventy-three of the resolves of nineteen hundred and fifty-seven, having most recently been extended by chapter forty-three of the resolves of nineteen hundred and fifty-nine, is hereby further extended to the first Wednesday of December, nineteen hundred and sixty.

*Approved May 9, 1960.*

**Chap. 50.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL IN THE NORTH AND SOUTH METROPOLITAN SEWERAGE DISTRICTS AND IN THE CITY OF BOSTON, AND THE METROPOLITAN WATER SUPPLY SYSTEM.

*Resolved,* That the unpaid special commission established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and fifty-six, and most recently revived and continued by chapter sixty-three of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 37, relative to providing for the construction of works and appurtenances to meet the needs of the metropolitan water district, and 1391, relative to increasing the amount of water which the town of Southborough may take from the pressure aqueduct and tunnel of the metropolitan water system.

*Approved May 9, 1960.*



- Chap. 51.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION FOR THE PURPOSE OF REVISING THE LAW RELATIVE TO THE TAXATION OF CORPORATIONS.

*Resolved,* That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 425, relative to revising the law regarding the taxation of corporations. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-one.

*Approved May 9, 1960.*

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- Chap. 52.** RESOLVE IN FAVOR OF THE WIDOW OF WALTER R. McDONALD, A FORMER MEMBER OF THE STATE POLICE.

*Resolved,* That, for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Mary T. McDonald of Waltham, widow of Walter R. McDonald, former member of the department of public safety doing police duty, who, while on duty at the Wareham barracks on September nineteenth, nineteen hundred and forty, sustained injuries which resulted in his death on said date, an annuity of fifteen hundred dollars, payable in equal monthly instalments, for a period of five years, commencing on June first, nineteen hundred and sixty. Said annuity shall cease upon the remarriage of said Mary T. McDonald. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Mary T. McDonald that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per centum of the maximum amount payable hereunder.

*Approved May 14, 1960.*

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- Chap. 53.** RESOLVE AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO MAKE A STUDY AND INVESTIGATION OF THE WATERS OF THE MERRIMACK RIVER IN THE AREA OF THE CITY OF LOWELL.

*Resolved,* That the department of public health is hereby authorized and directed to make a study and investigation of a portion of the Merrimack river, beginning at a point referred to as the Pawtucketville dam in the city of Lowell and running northerly to the New Hampshire line, with reference to the pollution of its waters and the causes for such condition.

Said department shall report to the general court the results of its study and investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the first Wednesday in December in the current year.

*Approved May 14, 1960.*

**Chap. 54.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH.

*Resolved,* That the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and fifty-three and most recently revived and continued by chapter fifty-one of the resolves of nineteen hundred and fifty-nine, and the membership of which was increased by chapter ninety-four of the resolves of nineteen hundred and fifty-nine, is hereby further revived and continued for the purpose of continuing its investigation and study of the extent, character and objects of communism and subversive activities and related matters within the commonwealth; the diffusion within the commonwealth of subversive and un-American propaganda that is instigated from foreign countries, or of a domestic origin, and attacks the principle of the form of government as guaranteed by our constitution and all other questions in relation thereto that would aid the general court in enacting any necessary remedial legislation.

Said commission in making its investigation shall consider all the aspects of such activities, including, but not limiting its investigation thereto, educational, governmental, industrial and political activities. Said commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, may travel within and without the commonwealth, may sit during the session and recess of the general court, may require by summons the attendance of such witnesses and the production of such books, papers and documents, and take such testimony as it deems necessary.

Upon a majority vote of the commission, summonses shall be issued under the signature of the chairman or vice chairman, and shall be served by an officer of the general court or by any person designated by the commission. The chairman or any member of the commission may administer oaths to witnesses. Every person who behaves in a disorderly or contemptuous manner before such commission shall be deemed guilty of a misdemeanor punishable as provided in section twenty-eight A of chapter three of the General Laws.

The subject of any investigation in connection with which witnesses are summoned shall be clearly stated before the commencement of any hearings and the evidence sought to be elicited shall be relevant and germane to the subject as so stated.

Any witness summoned at a public hearing and any witness before a private hearing shall have the right to be accompanied by counsel, who shall be permitted to advise the witness while on the witness stand of his rights.

Every witness shall have the opportunity at the conclusion of the examination by the commission to supplement the testimony which he has given by making a written or oral statement, which shall be made part of the record, but such statement shall be confined to matters with regard to which he has previously been examined.

Any person whose name is mentioned or who is specifically identified and who believes that testimony or other evidence given in a

public hearing before the commission or any subcommittee thereof or comment made by any member of the commission or its counsel tends to defame him or otherwise adversely affects his reputation, shall be afforded the following privileges:—

(a) He may file with the commission a sworn statement concerning such testimony, evidence or comment, which shall be made part of the record of such hearing.

(b) He may appear personally before the commission and testify in his own behalf.

Said commission, during its investigation, shall have the assistance of the attorney general, the department of education and such other departments, boards, commissions and officers of the state government as may be requested by said commission to assist and cooperate.

Said commission shall report its findings to the general court at such time or times as it may deem advisable, but in any event shall file a final report not later than the last Wednesday of December in the current year. Such report may include the name and all other identifying data available to the commission, of any individual, concerning whom, the commission, during the course of the investigation, has received creditable evidence that such individual was or is a member of the communist party, a communist or a subversive. Said commission may expend for expenses and legal, clerical and other assistance, the balance available in item 0298-00 of section two of chapter one hundred and ninety-seven of the acts of nineteen hundred and fifty-four, the balance available in item 0298-00 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and fifty-five, the balance available in item 0298-00 of section two of chapter seven hundred and forty-six of the acts of nineteen hundred and fifty-six, and such additional sums as may be appropriated therefor.

*Approved May 14, 1960.*

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**Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CONTINUATION OF STATE AND LOCAL GOVERNMENT IN THE EVENT OF ATOMIC ATTACK.**

*Resolved,* That an unpaid special commission, consisting of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the attorney general or his designee, the commissioner of administration or his designee, the director of civil defense or his nominee, and five persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the continuation of state and local government, including legislative, executive and judicial functions, in the event of atomic attack. Said commission shall, in the course of its investigation and study, consider the subject matter of current house document numbered 1499, relative to authorizing the designation of additional, alternate department heads in event of atomic attack, of the investigation and study proposed by current house document numbered 1500, relative to con-

tinuity of the government of the political subdivisions of the commonwealth in event of enemy attack, of current house documents numbered 1501, relative to authorizing temporary appointments to fill vacancies in certain offices caused by enemy attack, 1502, relative to authorizing removal of certain officers in emergencies resulting from enemy attack, 1503, relative to authorizing the relocation of the executive department in event of enemy attack, and 2538, relative to placing the civil defense office in the military department. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth and may expend for expert, legal, clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives from time to time, and by filing its final report on or before the fourth Wednesday of January, nineteen hundred and sixty-one.

*Approved May 14, 1960.*

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**Chap. 56.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING FOR THE INCLUSION OF CERTAIN MEMBERS UNDER THE MINIMUM GUARANTEE PROVISION FOR MEMBERS TERMINATING THEIR SERVICE UNDER THE AGE OF FIFTY-FIVE.

*Resolved,* That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 663, relative to providing for the inclusion of certain members under the minimum guarantee provision for members terminating their service under the age of fifty-five.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved May 14, 1960.*

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**Chap. 57.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A MUNICIPAL STADIUM IN THE CITY OF MEDFORD AND RELATIVE TO AUTHORIZING SAID COMMISSION TO CONVEY TO SAID CITY CERTAIN LAND LOCATED THEREIN.

*Resolved,* That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the commissioner of the metropolitan district commission or his authorized representative, the city planner of the city of Medford, and two persons to be appointed by the governor, is hereby

established for the purpose of making an investigation and study of the subject matter of current house documents numbered 2151, relative to authorizing the metropolitan district commission to construct a municipal stadium in the city of Medford, and 2152, relative to authorizing the conveyance of certain lands in Medford by the metropolitan district commission to the city of Medford.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within the commonwealth, and may expend for clerical and other assistance, and for expenses, such sums as may be appropriated therefor. Said commission shall report the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved May 14, 1960.*

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**Chap. 58.** RESOLVE FURTHER REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY AND TO INVESTIGATE THE LAWS RELATING TO CERTAIN YOUTHFUL OFFENDERS.

*Resolved,* That the unpaid special commission established by chapter fifty-five of the resolves of nineteen hundred and fifty-seven and most recently revived and continued by chapter seventy-nine of the resolves of nineteen hundred and fifty-nine, is hereby further revived and continued for the purpose of continuing its study and investigation of the laws in the various states of the nation relative to youthful offenders, especially the laws of the state of New York relating thereto, and to examine existing programs of detention, classification, diagnosis and treatment of youthful offenders, and methods of co-ordination and implementation of existing programs designed to reduce antisocial conduct by youthful offenders with a view to the revision of laws of the commonwealth on the said subject matter, and to the recommending of such changes therein and additions thereto as may appear necessary and desirable. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth and may expend for legal, clerical and other assistance such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and investigation and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives from time to time, but in any event, shall file a final report not later than the fourth Wednesday of January, nineteen hundred and sixty-one.

*Approved May 18, 1960.*

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**Chap. 59.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

*Resolved,* That the unpaid special commission established by chapter one hundred and forty-three of the resolves of nineteen hundred and fifty-eight, and most recently revived and continued by chapter

forty-three of the resolves of the current year, shall, in the course of its study, consider the subject matter of current house document numbered 2226, relative to requiring that all convalescent, nursing and rest homes be equipped with a complete sprinkler system.

*Approved May 18, 1960.*

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**Chap. 60.** RESOLVE PROVIDING FOR A STUDY AND SURVEY OF THE LAND AREA OF PLUM ISLAND WITHIN THE CITY OF NEWBURYPORT AND THE TOWNS OF NEWBURY, ROWLEY AND IPSWICH FOR THE PURPOSE OF DEFINING AND ESTABLISHING A MASTER PLAN FOR THE FUTURE UTILIZATION, DEVELOPMENT AND PRESERVATION OF SAID PLUM ISLAND.

*Resolved,* That an unpaid special commission, to consist of two representatives from the department of commerce to be designated by the commissioner thereof, two representatives from the department of natural resources to be designated by the commissioner thereof, and one representative from the state reclamation board to be designated by the chairman thereof, is hereby authorized and directed to make a study and survey of the land area of Plum island within the city of Newburyport and the towns of Newbury, Rowley and Ipswich for the purpose of defining and establishing a master plan for the future development and preservation of said Plum island. Said commission may consult with any federal agency in the process of its survey and study. For the purpose of this resolve, said commission may expend such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and survey and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

*Approved May 18, 1960.*

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**Chap. 61.** RESOLVE PROVIDING FOR A STUDY AND INVESTIGATION BY THE STATE BOARD OF EDUCATION OF EDUCATIONAL PROGRAMS TO MEET THE NEEDS OF TALENTED PUPILS IN PUBLIC SCHOOLS.

*Resolved,* That the state board of education is hereby authorized and directed to make a study and investigation of special enrichment of programs, ability groupings, methods of early identification and other measures to meet the needs of academically talented pupils in public schools. The said board shall appoint an advisory committee to consist of at least two classroom teachers, two directors of gifted pupil programs, two specialists in educational research and two persons who are not professional educators. The said board may employ such clerical, technical and other assistance as may be necessary to carry out the purposes of this resolve and may expend such sums as may be appropriated therefor. Said board shall report to the general court the results of its study and investigation, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved May 18, 1960.*

**Chap. 62.** RESOLVE VALIDATING THE ACTS OF PHYLLIS B. BOUTHILLETTE AS A NOTARY PUBLIC.

*Resolved,* That the acts of Phyllis B. Bouthillette of Milford as a notary public between September twenty-sixth, nineteen hundred and fifty-nine and February fifteenth, nineteen hundred and sixty, both dates inclusive, in so far as the same were invalid by reason of the fact that, upon the change of her name from Phyllis B. Lemoine, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

*Approved May 23, 1960.*

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**Chap. 63.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL UNPAID COMMISSION RELATIVE TO EXEMPTION OF SOCIAL SECURITY BENEFITS FROM TAXATION.

*Resolved,* That an unpaid special commission to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the commissioner of corporations and taxation and two persons to be appointed by the governor is hereby established for the purpose of making an investigation and study relative to the feasibility of suspending the statute of limitations for the refunding of income taxes formerly paid on social security benefits, of the problems involved therein, and procedures, if any, to be adopted for processing refunds.

Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings and may expend for clerical and other expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of any legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives not later than the third Wednesday of December in the current year.

*Approved May 23, 1960.*

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**Chap. 64.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ERECTING IN THE CITY OF QUINCY A STATUE OR OTHER SUITABLE MEMORIAL IN COMMEMORATION OF JOHN ADAMS AND JOHN QUINCY ADAMS.

*Resolved,* That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the feasibility of erecting in the city of Quincy a statue or other suitable memorial in commemoration of John Adams and John Quincy Adams, illustrious father and son, and the second and sixth presidents of the United States. Said commission shall be provided with quarters in the state house or elsewhere, may travel within and without the commonwealth and may expend for clerical and expert

services, and for such plans, designs and models, and for such other services and expenses as may be necessary or desirable to accomplish the purposes of this resolve such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives not later than the last Wednesday of December in the current year.

*Approved May 23, 1960.*

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**Chap. 65.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF AN ATOMIC ENERGY INDUSTRIAL RESEARCH CENTER AND INCREASING THE MEMBERSHIP OF SAID COMMISSION.

*Resolved,* That the unpaid special commission established by chapter seventy-seven of the resolves of nineteen hundred and fifty-seven and most recently revived and continued by chapter fifty-six of the resolves of nineteen hundred and fifty-nine, is hereby further revived and continued for the purpose of completing its investigation and study relative to the establishment of an atomic energy industrial research center. The membership of said commission is hereby increased by four members, who shall be: the senate chairman of the joint committee on Power and Light, the house chairman of said committee, and two members of the house of representatives of said committee to be designated by the speaker. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, may travel within and without the commonwealth, and may expend for expert, legal, clerical and other services and expenses the unexpended balance available in item 0258-06 of section two of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-seven, and such other sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December, nineteen hundred and sixty.

*Approved May 25, 1960.*

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**Chap. 66.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CLAIMS AND DEFENSES OF RETAIL INSTALLMENT BUYERS OF CONSUMER GOODS OTHER THAN MOTOR VEHICLES.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2913, relative to claims and defenses of retail installment buyers of consumer goods other than motor vehicles, and to include its conclusions and its recommendations, if any, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved May 25, 1960.*



**Chap. 67.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO THE WATER SUPPLY NEEDS AND RESOURCES OF THE MUNICIPALITIES OF THE COUNTY OF ESSEX.

*Resolved,* That the water resources commission is hereby authorized and directed to make an investigation and study relative to the water supply needs and resources of the municipalities of the county of Essex. Said commission shall determine the best method of supplying said municipalities with water and of protecting the purity of such water. Said commission shall make such surveys as may be necessary to determine sites suitable for storage reservoirs in the watershed of the Ipswich river and of the Merrimack river within the commonwealth, with special reference to developing the highest practicable and economical yield for water supply purposes of the Ipswich river and its tributaries for the use of cities and towns, or groups of cities and towns, which may reasonably be supplied therefrom within the limits of said county of Essex. Said commission shall consider the practicability of the development of water supplies for any of the cities and towns, or groups of cities and towns, in the valley of the Merrimack river by the use of any natural ponds now used as sources of water supply or any ponds or reservoirs which may be made available for the purpose, either separately or in connection with waters diverted from the watershed of the Ipswich river. Said commission shall also consider and examine proposed sources of water supply recommended for use of any of the municipalities in the county of Essex in previous reports of state commissions or local authorities. Said commission may employ such engineers, geologists, consultants, and other experts and assistants, and may incur such expenses, as may be necessary to carry out the provisions of this resolve and may expend such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study together with maps and plans showing proposed reservoirs or water supply systems and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than December first of the current year.

*Approved June 2, 1960.*

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**Chap. 68.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SALE, EXCHANGE, TRANSFER AND USE OF SPACE HEATERS WITHIN THE COMMONWEALTH.

*Resolved,* That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, four persons to be appointed by the governor, one of whom shall be a representative of the Fire Chiefs' Association of Massachusetts, one of whom shall be a representative of the Associated Firefighters of Massachusetts, A.F.L.-C.I.O., one of whom shall represent oil dealers and one of whom shall represent manufacturers of space heaters, the state fire marshal and the commissioner of public

safety or their designees, is hereby established for the purpose of making an investigation and study of the sale, exchange, transfer and use of space heaters within the commonwealth. In the course of its investigation and study, said commission shall also consider the subject matter of current senate document numbered 448, the report of the state fire marshal relative to regulating the sale and use of certain portable space heaters; of current house documents numbered 679, relative to requiring the installation of safety devices on range oil burners; 680, relative to requiring the installation of safety devices on range oil burners; 2664, relative to prohibiting the sale or use of space heaters within the commonwealth. Said commission shall also consider the possibility of recommending a safety code for the control and supervision of space heaters. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for clerical and other assistance and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved June 2, 1960.*

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**Chap. 69.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS.

*Resolved,* That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight, and most recently continued by chapter one hundred and eleven of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study consider the subject matter of current house document numbered 60, relative to authorizing the department of public works to transfer to the control of the metropolitan district commission such state highways or portions thereof as are no longer needed for state highway purposes, subject to limited access conditions, where established.

*Approved June 2, 1960.*

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**Chap. 70.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF LABOR AND INDUSTRIES RELATIVE TO DEFINING "OCCUPATION" UNDER THE MINIMUM WAGE LAW, AND TO ELIMINATING THE PRACTICE OF INDUSTRIAL HOMEWORK.

*Resolved,* That the department of labor and industries is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1873, relative to defining "occupation" under the minimum wage law, and of the investigation and study proposed by current house document numbered 3103, relative to eliminating the practice of industrial homework. Said department shall report to the general court the results of its investi-

gation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved June 6, 1960.*

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**Chap. 71.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION RELATIVE TO YOUTH PROBLEMS.

*Resolved,* That an unpaid special commission, to consist of three members of the senate, to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, and five persons to be appointed by the governor, is hereby established to make an investigation and study of the problems of children and youth, including research and training programs for children and youth, co-ordination of the various state and local agencies concerned with child and youth problems, parent education, community and regional planning and the participation of youth in community programs. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within and without the commonwealth and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty.

*Approved June 7, 1960.*

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**Chap. 72.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH OF THE COLLECTION AND DISPOSAL OF SEWAGE IN CERTAIN MUNICIPALITIES IN THE COUNTY OF WORCESTER.

*Resolved,* That the department of public health is hereby authorized and directed to make an investigation and study relative to the adequate collection, treatment and disposal of sanitary sewage and industrial waste originating in the city of Worcester and the towns of Auburn, Boylston, Charlton, Dudley, Grafton, Holden, Leicester, Millbury, Oxford, Paxton, Princeton, Rutland, Shrewsbury, Southbridge, Sterling, Webster and West Boylston. Said department shall consider the various methods of collection and disposal of sewage and the application of such methods to the existing sewerage systems and treatment facilities in said city and in said towns and shall recommend such methods, as it deems best, together with estimates of the costs thereof.

Said department shall have access to all plans, reports and specifications of said city and towns and of any person, corporation or industry located therein relative to sewerage and sewage disposal and waste disposal. For the purposes of this resolve said department may employ such engineering and other assistants, as may be necessary

and may expend such sums as may be appropriated therefor. Said department shall report its findings and recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and sixty-one.

*Approved June 10, 1960.*

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**Chap. 73.** RESOLVE FURTHER INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL IN THE NORTH AND SOUTH METROPOLITAN SEWERAGE DISTRICTS AND THE CITY OF BOSTON, AND THE METROPOLITAN WATER SYSTEM.

*Resolved,* That the unpaid special commission established by chapter one hundred and twenty-nine of the resolves of nineteen hundred and fifty-six, and most recently revived and continued by chapter sixty-three of the resolves of nineteen hundred and fifty-nine, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 308, relative to changing the effective date of the law revising the basis for apportionment of costs of construction and operation of the metropolitan district commission.

*Approved June 10, 1960.*

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**Chap. 74.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT MISAPPROPRIATION OF A MOTOR VEHICLE SHALL CONSTITUTE LARCENY.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 113, relative to providing that misappropriation of a motor vehicle shall constitute larceny, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved June 14, 1960.*

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**Chap. 75.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR TRIAL BY A JURY OF SIX IN THE CENTRAL DISTRICT COURT OF WORCESTER IN CASES INVOLVING MISDEMEANORS AND CERTAIN OTHER VIOLATIONS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current senate document numbered 242 providing for trial by a jury of six in the central district court of Worcester in cases involving misdemeanors and certain other violations, and to include its conclusions and its recommendations, if any, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved June 14, 1960.*

**Chap. 76.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE ESTABLISHMENT OF A RECREATIONAL AREA IN THE TOWN OF ADAMS.

*Resolved,* That the department of natural resources is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 641, authorizing the department of natural resources to establish a recreational area in the town of Adams and to designate it as the Susan B. Anthony memorial park. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year.

*Approved June 14, 1960.*

**Chap. 77.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF LABOR AND INDUSTRIES RELATIVE TO SPECIAL WAGE PROVISIONS FOR PHYSICALLY HANDICAPPED AND AGING WORKERS.

*Resolved,* That the department of labor and industries is hereby authorized and directed to make an investigation and study to determine whether any special wage provisions or special workmen's compensation provisions should be made to encourage the employment of physically handicapped and aging workers. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

*Approved June 20, 1960.*

**Chap. 78.** RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE DESTRUCTION OF CRIMINAL RECORDS OF PARKING OFFENSES AFTER THE EXPIRATION OF SIX YEARS.

*Resolved,* That the judicial council be requested to investigate the subject matter of current house document numbered 2393, relative to providing for the destruction of criminal records of parking offenses after the expiration of six years, and to include its conclusions and its recommendations, if any, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

*Approved June 20, 1960.*

**Chap. 79.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES OF CERTAIN MATTERS PERTAINING TO SAID DEPARTMENT.

*Resolved,* That the department of natural resources is hereby authorized and directed to make an investigation and study of current

house documents numbered 1038, establishing an advisory council within the division of marine fisheries and the division of law enforcement of the department of natural resources; and 1416, authorizing and directing the department of natural resources to acquire certain lands and utilize Plum Island beach reservation within the towns of Newbury, Rowley and Ipswich. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year. *Approved June 20, 1960.*

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**Chap. 80.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COUNCIL FOR THE AGING RELATIVE TO ESTABLISHING THE MASSACHUSETTS COMMISSION ON ELDER CITIZENS.

*Resolved,* That the council for the aging is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2530, relative to establishing the Massachusetts commission on elder citizens. Said council shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year. *Approved June 24, 1960.*

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**Chap. 81.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN METROPOLITAN MATTERS.

*Resolved,* That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of the investigation and study proposed by current senate document numbered 305, relative to redevelopment of certain Mystic river land and current house document numbered 2439, relative to the establishment of a community sailing program at Wollaston beach in the city of Quincy. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Tuesday of December in the current year. *Approved June 24, 1960.*

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**Chap. 82.** RESOLVE PROVIDING FOR A STUDY BY THE WATER RESOURCES COMMISSION OF THE WATER RESOURCES OF THE WESTFIELD RIVER VALLEY.

*Resolved,* That the water resources commission is hereby authorized and directed to make a study of the water resources of the Westfield river valley. Said commission shall consult with the appropriate officers and boards of the municipalities and counties affected, shall hold at least one public hearing, giving proper notice thereof, and may request such assistance of federal, state and local governmental agen-

cies as will facilitate and promote said study. Said commission may expend for engineering, technical and clerical assistance and expenses such sums as may be appropriated therefor. Said commission shall report from time to time to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and shall file its final report with the clerk of the senate on or before the first Wednesday of January, nineteen hundred and sixty-two.

*Approved June 24, 1960.*

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**Chap. 83.** RESOLVE CONTINUING THE STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO THE WATER RESOURCES IN THE WATERSHED OF THE CONCORD, SUDBURY AND ASSABET RIVER VALLEYS.

*Resolved,* That the water resources commission is hereby authorized and directed to continue the study authorized by chapter seventy-five of the resolves of nineteen hundred and fifty-nine, relative to flood control works in the watersheds of the Concord, Sudbury and Assabet valleys in so far as such study relates to the maintenance of a sufficient flow of water in said rivers for water needs and the determination of the availability of underground water resources. Said commission may expend for engineering, technical and clerical assistance and for expenses such sums as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-one.

*Approved July 6, 1960.*

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**Chap. 84.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE CONSTRUCTION OF A PARKING AREA OVER THE NEPONSET RIVER IN THE MATTAPAN DISTRICT OF THE CITY OF BOSTON.

*Resolved,* That the metropolitan district commission is hereby authorized and directed to make an investigation and study relative to the advisability and feasibility of constructing a parking area over the Neponset river in the Mattapan district of the city of Boston so as to provide parking facilities for the Mattapan business district extending from the Mattapan bridge to a point opposite Edgewater drive. Said commission shall consider the feasibility of constructing such parking area on piles or stanchions so that the flow of said river will not be obstructed. Said commission may expend such sums as may be appropriated therefor. Said commission shall report the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved July 6, 1960.*

**Chap. 85.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO EXEMPTION OF SOCIAL SECURITY BENEFITS FROM TAXATION.

*Resolved,* That the unpaid special commission established by chapter sixty-three of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of current house document numbered 358, relative to exempting social security lump sum death payments from taxation under the inheritance and joint property tax laws.

*Approved August 5, 1960.*

**Chap. 86.** RESOLVE PROVIDING FOR A STUDY BY THE DEPARTMENT OF NATURAL RESOURCES FOR THE PRESERVATION OF THE WETLANDS IN THE SUDBURY AND CONCORD RIVER VALLEYS.

*Resolved,* That the department of natural resources is hereby authorized and directed to make a study of the Sudbury and Concord river valleys for the purpose of determining the advisability of preserving the wetlands, so called, including swamps and marshlands, in said valleys, for conservation, recreation or other necessary and desirable purposes. Said department shall consult with the appropriate officers and boards of the municipalities and the counties affected, may hold public hearings, and may expend for engineering, technical and clerical assistance and other expenses such sums as may be appropriated therefor. It shall report from time to time to the general court the results of its study, together with its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and estimated costs thereof, by filing the same with the clerk of the house of representatives, and shall so file its final report on or before the last Wednesday of January, nineteen hundred and sixty-one.

*Approved August 5, 1960.*

**Chap. 87.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO YOUTH PROBLEMS.

*Resolved,* That the unpaid special commission established by chapter seventy-one of the resolves of the current year shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3152, relative to further regulating the licensing of agencies giving day care to children.

*Approved August 5, 1960.*

**Chap. 88.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE OPERATION AND MANAGEMENT OF THE METROPOLITAN TRANSIT AUTHORITY, THE EXTENSION AND EXPANSION OF CERTAIN RAPID TRANSIT FACILITIES BY SAID AUTHORITY AND TO CHANGING THE NAME OF SAID AUTHORITY.

*Resolved,* That the mass transportation commission is hereby authorized and directed to make an investigation and study of the sub-



ject matter of the investigation and study proposed by current senate document numbered 303, relative to the operation and management of the Metropolitan Transit Authority; and of current house documents numbered 987, relative to providing for the extension of the rapid transit from Forest Hills to Dedham; 995, relative to providing for extension of rapid transit facilities in the cities of Boston and Quincy and the towns of Braintree, Weymouth and Hingham; 1001, relative to authorizing the Metropolitan Transit Authority to extend the Cambridge-Dorchester line; 1005, relative to extending the domain of the Metropolitan Transit Authority to include all passenger transit services throughout the commonwealth and to change the name of said Authority to that of Massachusetts Transit Authority; 1009, relative to authorizing and directing the Metropolitan Transit Authority to extend its rapid transit facilities to the area of the Butler street terminal station; 1011, relative to authorizing the Metropolitan Transit Authority to extend the Cambridge-Dorchester line; 1394, relative to authorizing and directing the Metropolitan Transit Authority to extend its Cambridge-Dorchester rapid transit line to a point in the vicinity of the Southeast Expressway and the Neponset river; 1395, relative to providing for the extension of the rapid transit line from the Ashmont terminal to Mattapan square; 1404, relative to providing for studies and estimates of cost by the Metropolitan Transit Authority relative to alterations of subway facilities in Boston necessitated by the conversion of the present trolley car operation to rapid transit train operation; 1406, relative to the extension of rapid transit, street railway, trackless trolley or motor bus lines of the Metropolitan Transit Authority outside the limits of the cities and towns constituting the Authority; 1654, relative to providing for construction of additions to the subway system in the city of Boston; 1668, relative to authorizing and directing the Metropolitan Transit Authority to remove the elevated structure on Washington street in the city of Boston; 1670, relative to authorizing the Metropolitan Transit Authority to extend its rapid transit system from Forest Hills in Boston to the town of Dedham along existing tracks of the Old Boston and Providence railroad; and 1903, relative to providing for the extension of the rapid transit line from the Forest Hills terminal to Cleary square in the Hyde Park section of Boston. For the purposes of this resolve said commission may expend such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

*Approved August 5, 1960.*

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**Chap. 89.** RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES OF CERTAIN MATTERS PERTAINING TO SAID DEPARTMENT.

*Resolved,* That the department of natural resources, authorized and directed by chapter seventy-nine of the resolves of the current year to make an investigation and study of certain matters pertaining to said department, shall, in the course of its investigation and study,

consider the subject matter of current house documents numbered 1683, relative to resident commercial fishing licenses; and 1684, relative to non-resident commercial fishing licenses.

*Approved August 5, 1960.*

**Chap. 90.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CERTAIN MATTERS AFFECTING WORKMEN'S COMPENSATION.

*Resolved,* That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, four members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, of whom one shall be from two nominees designated by the Massachusetts State Labor Council, AFL:CIO and one shall be from two nominees designated by the Associated Industries of Massachusetts, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 263, relative to clarifying the law with respect to notice of claim under the workmen's compensation law; and of current house documents numbered 921, relative to encouraging seriously injured workers to seek and obtain vocational rehabilitation, without penalizing them financially; 1342, relative to protecting the rights of injured employees under the workmen's compensation law; 1356, relative to the reporting of injuries by employers under the workmen's compensation law; 1359, relative to establishing adequate maximum weekly benefits under the workmen's compensation act; 1874, relative to assisting in the rehabilitation of employees who receive injuries arising out of and in the course of their employment; 2410, relative to providing that under certain circumstances a county, city or town shall provide payment of compensation of its employees by insurance with an insurer; and of the investigation and study proposed by current house document numbered 2131, relative to certain matters affecting workmen's compensation. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for clerical and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved August 5, 1960.*

**Chap. 91.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO ALTERING THE COMPOSITION OF THE METROPOLITAN TRANSIT AUTHORITY AND MAKING OTHER CHANGES THEREIN.

*Resolved,* That the mass transportation commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 2440, relative to

altering the composition of the Metropolitan Transit Authority and making other changes therein. For the purposes of said investigation and study the commission may expend such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

*Approved August 5, 1960.*

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**Chap. 92.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO EDIBLE SHELLFISH, SHELLFISH PURIFICATION PLANTS AND THE ESTABLISHMENT OF A SHELLFISH LABORATORY.

*Resolved,* That an unpaid special commission, to consist of the director of the division of marine fisheries or his designee, the director of the division of sanitary engineering or his designee, one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and one person to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to shellfish in contaminated areas, relative to the advisability of maintaining existing shellfish purification plants, relative to programs of shellfish propagation in coastal areas, and the advisability of constructing and maintaining a shellfish laboratory for the commonwealth in the city of Salem. Said commission may, in the course of its investigation and study, confer with federal, state and local offices or officers relative to formulating a long-range shellfish program for all coastal areas of the commonwealth. Said commission shall apply for such federal funds as may be available to enable it to carry out its purposes, and may expend such other funds as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

*Approved August 5, 1960.*

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**Chap. 93.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ESTABLISHMENT OF AN ATOMIC ENERGY INDUSTRIAL RESEARCH CENTER.

*Resolved,* That the unpaid special commission, established by chapter seventy-seven of the resolves of nineteen hundred and fifty-seven, and most recently revived and continued by chapter sixty-five of the resolves of the current year, shall, in the course of its investigation and study, further consider the subject matter of current house document numbered 2904, being the report of the special commission relative to the establishment of an atomic energy industrial research center. Said commission shall also study the advisability and feasibility of locating the atomic energy facilities in an area other than the area commonly known as Camp Edwards. *Approved August 5, 1960.*

**Chap. 94.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY OF THE BUSINESS CLIMATE OF THE COMMONWEALTH AND PROPOSED LEGISLATION RELATING TO BUSINESS, INDUSTRY AND AGRICULTURE IN TERMS OF ITS EFFECT UPON THE BUSINESS OF THE COMMONWEALTH, AND INCREASING ITS SCOPE.

*Resolved,* That the unpaid special commission established by chapter one hundred and two of the resolves of nineteen hundred and fifty-nine is hereby revived and continued for the purpose of continuing its study of the business climate of the commonwealth, and proposed legislation relating to business, industry and agriculture in terms of its effect upon the business of the commonwealth, and any matters pertinent thereto, with a view to determining what legislative action may be beneficial in promoting the investment of capital and the creation of additional payrolls in the commonwealth. Said commission shall, in the course of its investigation and study, consider the subject matter of so much of current senate document numbered 1 (see page 12) as relates to the establishment of a professional economic and advisory council to assist the legislative and executive branches of the government; and of current senate document numbered 417, relative to resolutions to preserve a favorable business climate in Massachusetts.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for expert and clerical services and for such other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-one.

*Approved August 12, 1960.*

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**Chap. 95.** RESOLVE IN FAVOR OF THE WIDOW OF JAMES E. CRONIN.

*Resolved,* That, for the purpose of promoting the public good, there shall, subject to appropriation, be allowed and paid out of the state treasury, to the widow of James E. Cronin, a former captain in the metropolitan district commission police force, the sum of five hundred and sixty-three dollars and fifty-one cents, in lieu of the vacation allowance earned by him for the period from July first, nineteen hundred and fifty-nine to May twenty-ninth, nineteen hundred and sixty, inclusive.

*Approved August 12, 1960.*

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**Chap. 96.** RESOLVE DESIGNATING THE EXHIBITION ROOM IN THE ARCHIVES BUILDING AS THE EDWARD J. CRONIN MEMORIAL ROOM.

*Resolved,* That the exhibition room of the archives building shall hereafter be known and designated as the Edward J. Cronin Memorial Room in memory of Edward J. Cronin who served as secretary of the commonwealth from nineteen hundred and forty-nine to nineteen hun-

dred and fifty-eight. A suitable tablet bearing said designation and a likeness, in bas-relief, of the face of said Edward J. Cronin shall, subject to the approval of the art commission, be placed in said room by the state superintendent of buildings. Said superintendent may expend for such purpose, including the services of a sculptor and any other necessary expenses incidental to the making of such tablet, such sums as may be appropriated. *Approved August 12, 1960.*

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**Chap. 97.** RESOLVE VALIDATING THE ACTS OF MARGARET R. O'MALLEY OF BRAINTREE AS A NOTARY PUBLIC.

*Resolved,* That the acts of Margaret R. O'Malley of Braintree as a notary public between November twenty-first, nineteen hundred and fifty-four, and June fourth, nineteen hundred and sixty, both dates inclusive, in so far as the same were invalid by reason of the fact that, upon the change of her name from Margaret R. Waterman, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

*Approved August 12, 1960.*

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**Chap. 98.** RESOLVE PROVIDING FOR A STUDY AND SURVEY BY THE DEPARTMENT OF NATURAL RESOURCES OF CERTAIN LAND IN THE TOWN OF AMESBURY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A STATE RECREATION AREA.

*Resolved,* That the department of natural resources is hereby authorized and directed to make a study and survey of certain land in the town of Amesbury, more especially those areas known as or commonly referred to as "Powow Hill" and "Lake Gardner", and all other adjacent open land area not developed or under development in the immediate vicinity of said "Powow Hill", to determine the feasibility of establishing a state recreation area. For the purposes of this resolve, said department may expend such sums as may hereafter be appropriated therefor. Said department shall report to the general court the results of its study and survey, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

*Approved August 24, 1960.*

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**Chap. 99.** RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE BUSINESS CLIMATE OF THE COMMONWEALTH AND PROPOSED LEGISLATION RELATING TO BUSINESS, INDUSTRY AND AGRICULTURE IN TERMS OF ITS EFFECT UPON THE BUSINESS OF THE COMMONWEALTH.

*Resolved,* That the unpaid special commission, established by chapter one hundred and two of the resolves of nineteen hundred and fifty-nine, and revived and continued by chapter ninety-four of the

resolves of nineteen hundred and sixty, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 1514, relative to creating an industrial advisory council and regional industrial advisory councils in the department of commerce; 1515, relative to the filing fee for the annual reports of certain trusts and providing for the refund of certain overpayments; 1516, relative to providing that the department of commerce may use funds to encourage the industrial development of certain areas; of the investigation and study proposed by current house document numbered 1517, relative to providing for the establishment of standards of qualifications for the positions of commissioner of administration, comptroller, budget commissioner, state superintendent of buildings, and state purchasing agent; of current house document numbered 1991, relative to the establishment of an economic advisory council for the continuous study of legislation pending before the general court, and of the quarterly report of the special commission on audit of state needs (dealing with new industries for Massachusetts), see current house document numbered 2649.

*Approved August 24, 1960.*

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**Chap. 100.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE ESTABLISHMENT OF MASS TRANSPORTATION FACILITIES AND CO-ORDINATING HIGHWAY PROGRAMS WEST AND NORTH OF BOSTON.

*Resolved,* That the mass transportation commission is hereby authorized and directed to make a study and investigation of the feasibility of extending rapid transit to the north and west of the present lines of the Metropolitan Transit Authority. Such study shall include, if practical, plans for a co-ordinated and complementary highway and rapid transit, bus or railroad passenger service with special emphasis on the transportation needs of the communities in the event that commuter passenger service is abandoned or curtailed by the Boston and Albany Railroad in these areas.

Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, concerning extension of rapid transit to the west and the north or other recommendations for commuter service together with plans and drafts of legislation necessary to carry said recommendations into effect by filing the same with the clerk of the house of representatives on or before the fourth Wednesday of December, nineteen hundred and sixty.

*Approved August 24, 1960.*

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**Chap. 101.** RESOLVE VALIDATING THE ACTS OF FLORENCE GANDOLFO AS A NOTARY PUBLIC.

*Resolved,* That the acts of Florence Gandolfo of Watertown as a notary public between July third, nineteen hundred and fifty-one and July eleventh, nineteen hundred and sixty, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, after

the change of her name from Florence Aste, she was reappointed under her maiden name and she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

*Approved August 30, 1960.*

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**Chap. 102.** RESOLVE AUTHORIZING THE CONTINUANCE OF AN INVESTIGATION RELATIVE TO THE STUDY OF THE ELIMINATION OR CONTROL OF SUBMERGED WEEDS IN CERTAIN GREAT PONDS OF THE COMMONWEALTH.

*Resolved,* That the department of public health, the department of public works and the department of natural resources, acting as a joint board, and directed by chapter sixty-seven of the resolves of nineteen hundred and fifty-three to make a survey and investigation relative to the elimination and control of submerged weeds in certain great ponds and tidal estuaries of the commonwealth, and authorized by chapter one hundred and twelve of the resolves of nineteen hundred and fifty-eight to continue its survey and investigation, is hereby further authorized and directed to continue said survey and investigation. The said joint board shall report to the general court the final results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry out the same by filing the same with the clerk of the house of representatives on or before the first Wednesday in December, nineteen hundred and sixty-two. For the purposes of carrying out the provisions of this resolve the said joint board may expend such sums as may be appropriated therefor.

*Approved August 30, 1960.*

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**Chap. 103.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO CORPORATION INCOME TAXES.

*Resolved,* That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1542 relative to the advisability of a more simplified and more equitable corporation income tax. Any tax suggested by said commission, if any, is to yield at least the estimated present income from said tax. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of January, nineteen hundred and sixty-one.

*Approved September 6, 1960.*

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**Chap. 104.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE DISCONTINUANCE OR CURTAILMENT OF SERVICE BY RAILROADS, THE CONTROL AND MAINTENANCE OF GRADE CROSSINGS AND OTHER RELATED MATTERS.

*Resolved,* That the mass transportation commission is hereby authorized and directed to make an investigation and study of the sub-

ject matter of current house documents numbered 166, relative to requiring railroad corporations with a terminus in Boston to furnish a morning train in and an evening train out on each week day for commuter use throughout the commonwealth; 167, relative to requiring railroad corporations having a terminus in Boston to furnish train service for distances of twenty miles upon application of two hundred or more persons; 168, relative to providing for the revocation of the license of a carrier to carry freight in a certain area where said carrier abandons or substantially reduces passenger service in said area; 170, relative to prohibiting the discontinuance or curtailment of any passenger service by any public carrier until March first, nineteen hundred and sixty; 1215, relative to gates or flashing lights at grade crossings of railroad and public ways; 1216, relative to the care, control, maintenance, installation and operation of all public grade crossings; and 1553, relative to discontinuance of service by railroads. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

*Approved September 6, 1960.*

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**Chap. 105.** RESOLVE VALIDATING THE ACTS OF MARGARET M. HENNESSY AS A NOTARY PUBLIC.

*Resolved,* That the acts of Margaret M. Hennessy of Boston as a notary public between August twenty-eighth, nineteen hundred and fifty-eight and August ninth, nineteen hundred and sixty, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Margaret M. Montgomery, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

*Approved September 6, 1960.*

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**Chap. 106.** RESOLVE FURTHER INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE LAWS RELATING TO CONVALESCENT OR NURSING HOMES, AND TO THE STANDARDS AND COSTS THEREOF.

*Resolved,* That the unpaid special commission established by chapter one hundred and forty-three of the resolves of nineteen hundred and fifty-eight, and most recently revived and continued by chapter forty-three of the resolves of the current year, shall, in the course of its study, consider the subject matter of current house document numbered 2849, relative to the establishment of rates to be paid by the commonwealth or its political subdivisions for licensed rest homes.

*Approved September 9, 1960.*

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**Chap. 107.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN WATERWAY IMPROVEMENT PROJECTS.

*Resolved,* That the department of public works is hereby authorized to make an investigation and study of the subject matter of cur-



rent house documents numbered 3118, providing for an investigation and study by the division of motorboats relative to cleaning and dredging the Merrymount Yacht Club channel in the city of Quincy; and 3203, providing for the construction of a shore protection project and highway across Rock Island Cove in the city of Quincy by the department of public works. Said department shall report to the general court the result of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday in December in the current year.

*Approved September 9, 1960.*

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**Chap. 108.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CARE, CONTROL AND MAINTENANCE OF CERTAIN PUBLIC HIGHWAY BRIDGES IN THE TOWN OF WINTHROP AND THE CITY OF BOSTON.

*Resolved,* That the department of public works is hereby authorized to make an investigation and study of the subject matter of current senate document numbered 222, relative to the care, control and maintenance of certain public highway bridges in the town of Winthrop and the East Boston district of the city of Boston. Said department shall report to the general court the result of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday in December in the current year.

*Approved September 9, 1960.*

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**Chap. 109.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE TRANSFER BY THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN LAND IN THE BLUE HILLS RESERVATION TO THE CITY OF QUINCY FOR CEMETERY PURPOSES.

*Resolved,* That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and the chairman of the metropolitan district commission, is hereby established for the purpose of making an investigation and study relative to the subject matter of current house document numbered 3151, authorizing and directing the Metropolitan District Commission to transfer certain land in the Blue Hills Reservation to the city of Quincy for cemetery purposes. Said commission shall be provided with quarters in the state house or elsewhere, may travel within the commonwealth, and may expend for clerical and other assistance, and for expenses, such sums as may be appropriated therefor. Said commission shall report the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

*Approved September 20, 1960.*

44 RESOLVES, 1960. — CHAPS. 110, 111, 112, 113.

**Chap. 110.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO RECONSTRUCTING OR REPLACING THE FORE RIVER BRIDGE IN THE CITY OF QUINCY.

*Resolved,* That the department of public works is hereby authorized and directed to make an investigation and study relative to the advisability of reconstructing the Fore River bridge in the city of Quincy or constructing a new bridge at the same site, to enable larger, newer types of vessels which may be built in the Fore River shipyards, located in said city of Quincy, to pass through said bridge.

Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved September 20, 1960.*

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**Chap. 111.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED FOR THE PURPOSE OF MAKING A STUDY AND INVESTIGATION OF COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS IN THE COMMONWEALTH SHALL FILE ITS FINAL REPORT.

*Resolved,* That the time within which the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and fifty-three and most recently revived and continued by chapter fifty-four of the resolves of nineteen hundred and sixty shall make its final report to the general court of its study and investigation of the extent, character and objects of communism and subversive activities and related matters within the commonwealth, is hereby extended to the first Wednesday of June, nineteen hundred and sixty-one.

*Approved September 26, 1960.*

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**Chap. 112.** RESOLVE EXTENDING THE TIME WITHIN WHICH THE STATE BOARD OF EDUCATION SHALL FILE ITS REPORT OF ITS STUDY AND INVESTIGATION OF EDUCATIONAL PROGRAMS TO MEET THE NEEDS OF TALENTED PUPILS IN PUBLIC SCHOOLS.

*Resolved,* That the time within which the state board of education shall make its report to the general court of its study and investigation of educational programs to meet the needs of talented pupils in public schools, as authorized by chapter sixty-one of the resolves of the current year is hereby extended to the last Friday of June, nineteen hundred and sixty-one.

*Approved October 3, 1960.*

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**Chap. 113.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO FURTHER REGULATING THE HOURS DURING WHICH FEMALES MAY BE EMPLOYED IN MANUFACTURING AND MERCANTILE INSTITUTIONS, AND RELATIVE TO EXTENDING THE COVERAGE UNDER EMPLOYMENT SECURITY LAW TO PUBLIC EMPLOYEES AND TO EMPLOYEES OF NON-PROFIT INSTITUTIONS AND CERTAIN RELATED MATTERS.

*Resolved,* That an unpaid special commission, to consist of two

members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current senate documents numbered 68, relative to further regulating the hours during which females may be employed in manufacturing or mechanical establishments; 257, relative to correcting an inequity in the employment security law; and of current house documents numbered 929, relative to providing unemployment compensation benefits to employees of the commonwealth and its political subdivisions; 933, relative to permitting voluntary coverage for non-profit institutions' employees under the employment security act; 1343, relative to clarifying the base period in the employment security law; 1361, relative to maximum weekly benefits of the Massachusetts employment security act; 1872, relative to clarifying the eligibility for benefits under the employment security law; 1878, relative to adjusting an inequity in the employment security law; and 2403, relative to requiring all employing units to keep records of and to report to the division of employment security all job vacancies existing in their units.

Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within and without the commonwealth, and may expend for expert and clerical services and for such other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved October 3, 1960.*

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**Chap. 114.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO DESIGNATING MARKET AREAS IN THE CITY OF BOSTON FOR THE SALE OF PRODUCE FROM STREET STANDS OR PUSHCARTS.

*Resolved,* That an unpaid special commission, consisting of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, one person to be appointed by the governor, two persons to be appointed by the mayor of the city of Boston, and the commissioner of the state department of public works or a person designated by him, is hereby established to make an investigation and study of the problem of designating market areas in the downtown section of the city of Boston for the sale of fresh provisions or perishable produce or other merchandise from street stands or trucks, pushcarts or other vehicles, with a view to protecting the livelihood of the vendors and pedlars. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings and may expend for clerical and other services such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any,

together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December in the current year.

*Approved October 10, 1960.*

**Chap. 115.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CONSTRUCTING A BRIDGE IN THE TOWNS OF AGAWAM AND WEST SPRINGFIELD.

*Resolved,* That the department of public works is hereby authorized and directed to make an investigation and study of current house document numbered 2829, relative to authorizing the department of public works to construct a bridge in the towns of Agawam and West Springfield. Said department shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved October 18, 1960.*

**Chap. 116.** RESOLVE VALIDATING THE ACTS OF JANE S. WAKE AS A NOTARY PUBLIC.

*Resolved,* That the acts of Jane S. Wake of Middleton as a notary public between August fifteenth, nineteen hundred and fifty-eight and September third, nineteen hundred and sixty, both dates inclusive, are hereby confirmed and made valid, in so far as the same were invalid by reason of the fact that, notwithstanding the change of her name from Jane S. Quimby, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws.

*Approved October 18, 1960.*

**Chap. 117.** RESOLVE IN FAVOR OF THE ESTATE OF THE LATE JAMES J. CORBETT.

*Resolved,* That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the estate of the late James J. Corbett, who died while a member of the present senate, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved October 24, 1960.*

**Chap. 118.** RESOLVE PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH OF A SUM OF MONEY TO TONDA C. HAYNES OF SOUTH YARMOUTH.

*Resolved,* That, for the purpose of discharging a moral obligation, there shall be allowed and paid from the state treasury such sum, not exceeding eleven thousand dollars, as may be appropriated therefor

to Tonda C. Haynes of South Yarmouth for the destruction of her crops and severe damage to her land in Truro owing to the fault of the commonwealth which, in its construction of Route 6, failed to provide adequate facilities for the control of the tidewaters of the Pamet river, with the result that said land was inundated by said waters thereby causing the aforesaid damage. *Approved October 26, 1960.*

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**Chap. 119.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO ESTABLISHING A UNIFORM BASIS FOR PUBLIC SUPPORT OF THE COST OF TRANSPORTATION OF SCHOOL PUPILS IN THE COMMONWEALTH.

*Resolved,* That an unpaid special commission, to consist of two members of the senate, one of whom shall be chairman, to be designated by the president thereof, four members of the house of representatives, one of whom shall be vice-chairman, to be designated by the speaker thereof, the commissioner of education or a person designated by him, and six members to be appointed by the governor representing, respectively, the trustees of the Metropolitan Transit Authority, a street railway company or other common carrier engaged in the business of transporting school children, an independent contract carrier of school pupils, the Massachusetts Association of School Committee-men, the Massachusetts Mayors' Association and the Massachusetts Selectmen's Association, is hereby established for the purpose of making an investigation and study of current house document numbered 1017, relative to certain fares charged by the Metropolitan Transit Authority, and of current house documents numbered 1672 and 2806 (Appendix A), relative to providing for the reimbursement of the Metropolitan Transit Authority for certain expenses incurred for the transportation of pupils. Said commission shall in the course of its investigation and study consider any other pertinent legislation and survey reports of the current or of any prior year, and any other available information relative to uniform standards and an equitable apportionment of the costs of transporting school children in the commonwealth.

Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony under oath of witnesses and the production of books and papers, may call upon officials of the commonwealth or any of its cities or towns, may travel within or without the commonwealth, and may expend for legal, technical, clerical and other assistance, and for other expenses such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate from time to time, but shall file its final report on or before the last Wednesday in December, nineteen hundred and sixty.

*Approved October 27, 1960.*

**Chap. 120.** RESOLVE PROVIDING FOR A STUDY BY A SPECIAL UNPAID COMMISSION RELATIVE TO HAVING THE COMMONWEALTH TAKE OVER THE HOSPITALS AND SANATORIA OWNED BY COUNTIES AND THE SANATORIUM OWNED BY THE CITY OF BOSTON.

*Resolved,* That a special unpaid commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the commissioner of public health, the director of the division of personnel and standardization, the director of the division of hospital costs and finances, and three persons to be appointed by the governor, of whom one shall be a representative of the Massachusetts Mayors' Association, one a representative of the County Commissioners' Association, and one a representative of tuberculosis associations, is hereby established to make a study of the advisability of having the commonwealth take over all county hospitals and sanatoria, including the sanatorium owned by the city of Boston and located at Mattapan in the Dorchester district of said city, and establishing uniform rates for hospital patients in said hospitals and sanatoria. Said commission shall in the course of its study consider the subject matter of current house documents numbered 270, 1574 and 3156. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may expend for clerical and other services such sums as may be appropriated therefor.

Said commission shall report to the general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday of December, nineteen hundred and sixty.

*Approved October 27, 1960.*

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**Chap. 121.** RESOLVE VALIDATING CERTAIN ACTS OF IRVING WOOL OF NEWTON AS A NOTARY PUBLIC.

*Resolved,* That the acts of Irving Wool of Newton as a notary public between April thirtieth, nineteen hundred and fifty-four and September fourteenth, nineteen hundred and sixty, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office.

*Approved November 3, 1960.*

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**Chap. 122.** RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED FOR AN INVESTIGATION AND STUDY RELATIVE TO THE USE OF PESTICIDES AND THE EFFECTS OF AERIAL AND GROUND SPRAYING OF INSECTS AND CROPS WITHIN THE COMMONWEALTH.

*Resolved,* That the unpaid special commission established by chapter fifty-five of the resolves of nineteen hundred and fifty-nine is

hereby revived and continued for the purpose of continuing its investigation and study relative to the use of pesticides and the effects of aerial and ground spraying of insects and crops within the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere and may expend for clerical, travel and other services and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of June, nineteen hundred and sixty-one.

*Approved November 3, 1960.*

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**Chap. 123.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE CONVEYANCE BY THE COMMONWEALTH OF A CERTAIN PORTION OF THE PROVINCE LANDS IN THE TOWN OF PROVINCETOWN TO SAID TOWN.

*Resolved,* That an unpaid special commission, to consist of the director of the division of waterways in the department of public works, the chairman of the board of selectmen of the town of Provincetown and the chairman of the planning board of said town, is hereby established for the purpose of making an investigation and study of current house document numbered 3290, providing for the conveyance to the town of Provincetown of certain lands by the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for clerical and other assistance and expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December in the current year.

*Approved November 3, 1960.*

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**Chap. 124.** RESOLVE IN FAVOR OF THE ESTATE OF THE LATE HENRY W. HALLINAN.

*Resolved,* That, for the purpose of promoting the public good, and after an appropriation has been made therefor, there be paid out of the state treasury to the estate of the late Henry W. Hallinan, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the term for which he was elected.

*Approved November 23, 1960.*

**Chap. 125.** RESOLVE FURTHER EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE A STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER MATTERS IS REQUIRED TO FILE ITS FINAL REPORT.

*Resolved,* That the time within which the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight and revived and continued by chapter six of the resolves of nineteen hundred and fifty-nine is required to file its final report is hereby further extended to the last Wednesday of June, nineteen hundred and sixty-one. Said commission may expend for expert, legal, clerical and other services and expenses the unexpended balance in item 0259-01 of section two of chapter one hundred and seventy-one of the acts of nineteen hundred and fifty-nine.

*Approved November 28, 1960.*

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**Chap. 126.** RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE LOCATION OF A NEW SITE FOR THE MASSACHUSETTS COLLEGE OF ART AND THE ERECTION THEREON OF CERTAIN BUILDINGS OF SAID COLLEGE.

*Resolved,* That an unpaid special commission consisting of two members of the senate, to be designated by the president thereof, three members of the house of representatives, to be designated by the speaker thereof, the commissioner of education, the director of the division of building construction, and two persons to be appointed by the governor, is hereby established to make a survey of state owned land with a view to locating and erecting thereon the Massachusetts College of Art. Said commission shall in the course of its investigation and study consider the subject matter of current house document numbered 3381, authorizing the board of education to sell the land and buildings presently occupied by the Massachusetts College of Art and providing for the acquisition of land for the construction of new buildings for said college and the preparation of plans for said construction. Said commission shall consider the advisability of erecting at such appropriate site the construction of new buildings for said College, and furnish estimates of the cost of constructing said buildings. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, may travel within the commonwealth and may expend for clerical and other assistance and for expenses such sums as may be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the last Friday of January, nineteen hundred and sixty-one.

*Approved November 28, 1960.*



NUMBER OF ACTS AND RESOLVES APPROVED, ACTS  
VETOED BY THE GOVERNOR, AND ACTS DECLARED  
EMERGENCY LAWS BY THE GOVERNOR UNDER  
AUTHORITY OF THE CONSTITUTION.

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The general court, during its second annual session held in 1960, passed 786 Acts and 126 Resolves, which received executive approval, and 10 Acts, which received executive approval on November 25, 1960, 12 Acts which received executive approval on November 28, 1960, 4 Acts which received executive approval on November 29, 1960, and 3 Acts which received executive approval on November 30, 1960, after prorogation of the general court.

The governor returned 3 Acts with his objections thereto in writing. Upon said 3 Acts his objections were sustained.

Three (3) Acts entitled, respectively, "An Act to increase the salary of Albert E. Goslin"; "An Act clarifying the presumption of compensability under the workmen's compensation law where an employee has been killed or is physically or mentally unable to testify"; and "An Act increasing the amount of real and personal estate which may be held by the University of Massachusetts Building Association" were passed and laid before the Governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

Fifteen (15) Acts, entitled, respectively, "An Act relative to the effective date of establishment, cancellation or change of enrollment in cases affecting the membership of bi-partisan boards, so called" (Chapter 295); "An Act providing for the reduction of sentences of prisoners in correctional institutions of the commonwealth by the number of days such prisoners were confined while awaiting trial" (Chapter 350); "An Act relative to annual allowances to organizations and units of the armed forces of the commonwealth" (Chapter 370); "An Act changing the time for the filing of returns and the payment of the excise on fuel and special fuels by certain motor carriers" (Chapter 375); "An Act extending group general or blanket insurance to the surviving spouse and dependents of insured persons retired from the service of the commonwealth, or any political subdivision thereof without premium contributions by the commonwealth or any such political subdivision" (Chapter 386); "An Act increasing the number of assistant adjutants general and establishing the office of assistant adjutant general for air" (Chapter 402); "An Act regulating the duties of election officers in towns and making uniform the

procedures for the appointment of said officers" (Chapter 431); "An Act increasing the commonwealth's guarantee and annual contributions for the housing of elderly persons" (Chapter 542); "An Act relative to the payment of overtime to certain employees of the commonwealth" (Chapter 614); "An Act concerning the development or redevelopment of blighted open areas, decadent areas and substandard areas by urban redevelopment corporations with special provisions for projects in the city of Boston" (Chapter 652); "An Act providing benefits for the widows of certain judges" (Chapter 724); "An Act increasing the salaries of judges of probate and establishing the salaries of certain registers of probate and of assistant registers of probate as a proportion of the salaries of the judges or registers" (Chapter 736); "An Act providing for the promulgation of uniform rules and regulations to govern gas fitting in buildings throughout the commonwealth" (Chapter 737); "An Act relative to the composition of the parole board and the powers and duties of the chairman, increasing the salaries of its members, and extending its jurisdiction to prisoners sentenced to jails or houses of correction" (Chapter 765) and "An Act relative to survivor benefits of widows of members of a retirement system" (Chapter 805) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 295 thereby took effect at 11.15 A.M. on April 12, 1960; said Chapter 350 at 4.45 P.M. on May 10, 1960; said Chapter 370 at 4.45 P.M. on May 10, 1960; said Chapter 375 at 4.45 P.M. on May 10, 1960; said Chapter 386 at 1.00 P.M. on May 17, 1960; said Chapter 402 at 3.10 P.M. on May 19, 1960; said Chapter 431 at 2.00 P.M. on May 27, 1960; said Chapter 542 at 2.10 P.M. on July 20, 1960; said Chapter 614 at 10.00 A.M. on August 29, 1960; said Chapter 652 at 12.15 P.M. on September 7, 1960; said Chapter 724 at 3.00 P.M. on October 27, 1960; said Chapter 736 at 12.30 P.M. on October 28, 1960; said Chapter 737 at 12.30 P.M. on October 28, 1960; said Chapter 765 at 3.00 P.M. on November 16, 1960 and said Chapter 805 at 4.30 P.M. on November 30, 1960.

The general court was prorogued on Thursday, November 24, 1960, at eight minutes after eight o'clock, A.M., the session having occupied 324 days.

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# ACTS

PASSED BY THE

**General Court of Massachusetts**

AT AN

EXTRA SESSION

1960

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CONVENED ON TUESDAY, THE SIXTH DAY OF DECEMBER,  
AND PROROGUED ON FRIDAY, THE NINTH  
DAY OF DECEMBER, 1960

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# ACTS, EXTRA SESSION, 1960.

**Chap. 816.** AN ACT INCREASING THE SALARIES OF THE CLERK OF THE DISTRICT COURT OF NEWTON AND OF THE SECOND DISTRICT COURT OF PLYMOUTH.

*Be it enacted, etc., as follows:*

Paragraph (1) of section 79 of chapter 218 of the General Laws, as appearing in section 1 of chapter 609 of the acts of 1959, is hereby amended in *Class III*, by striking out the line reading "district court of Newton," and the line reading "second district court of Plymouth,"—in *Class IV*, by striking out the line reading "district court of northern Norfolk, and" and inserting in place thereof the following two lines:—

district court of northern Norfolk,  
second district court of Plymouth, and,—

and in *Class V*, by inserting after line 2, the following line:—

district court of Newton.

*Approved December 7, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, DECEMBER 13, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 816 of the Acts of 1960, entitled "An Act Increasing the Salaries of the Clerk of the District Court of Newton and of the Second District Court of Plymouth" and the enactment of which received my approval on December 7, 1960.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to establish forthwith the salaries of the Clerk of the District Court of Newton and the Second District Court of Plymouth.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, DECEMBER 13, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven thirty o'clock, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and sixteen of the acts of nineteen hundred and sixty.

JOSEPH D. WARD  
*Secretary of the Commonwealth.*

**Chap. 817.** AN ACT PROVIDING FOR AN ADDITIONAL JUDGE OF PROBATE  
IN NORFOLK COUNTY.

*Be it enacted, etc., as follows:*

SECTION 1. Section 2 of chapter 217 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 738 of the acts of 1949, and inserting in place thereof the following sentence:—There shall be three judges of probate in the counties of Suffolk, Middlesex and Norfolk, and two judges of probate in each of the counties of Essex, Worcester, Hampden and Bristol.

SECTION 2. This act shall take effect upon its passage.

*Approved December 8, 1960.*

THE COMMONWEALTH OF MASSACHUSETTS,  
EXECUTIVE DEPARTMENT, STATE HOUSE,  
BOSTON, DECEMBER 13, 1960.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House,  
Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 817 of the Acts of 1960, entitled "An Act Providing for an Additional Judge of Probate in Norfolk County" and the enactment of which received my approval on December 8, 1960, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

Postponement of the operation of this act for ninety days would defeat its purpose which is to provide for an additional judge of probate in Norfolk County.

Very truly yours,

FOSTER FURCOLO,  
*Governor of the Commonwealth.*

OFFICE OF THE SECRETARY, BOSTON, DECEMBER 13, 1960.

I, Joseph D. Ward, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven thirty o'clock, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and seventeen of the acts of nineteen hundred and sixty.

JOSEPH D. WARD,  
*Secretary of the Commonwealth.*

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY,

Boston, February 23, 1961.

Pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, "The Referendum. III. Referendum Petitions. Section 4", a petition was filed in this office February 21, 1961, by the required number of qualified voters, asking for a referendum on Chapter 783, Acts of 1960, entitled, "An Act increasing the salary of the members of the General Court", approved November 23, 1960, and requesting that said law be repealed.

Said petition was completed by the filing in this office February 21, 1961, of more than a sufficient number (82,505) of subsequent signatures of qualified voters of the Commonwealth. Said law will be submitted to the people at the state election November 6, 1962, for their approval or disapproval.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

## NOTE.

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The general court of 1960 during its extra session passed two Acts, which received executive approval.

Two (2) Acts, entitled, respectively, "An Act increasing the salaries of the clerk of the district court of Newton and of the second district court of Plymouth" (Chapter 816) and "An Act providing for an additional judge of probate in Norfolk county" (Chapter 817) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 816 thereby took effect at 11.30 A.M. on December 13, 1960, and said Chapter 817 at 11.30 A.M. on December 13, 1960.

The general court was prorogued on Friday, December 9, 1960, at quarter before one o'clock A.M., the session having occupied four days.



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# APPENDIX

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The following table and index have been prepared by CHARLES J. INNES, Esq., and FREDERICK B. WILLIS, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

# TABLE OF CHANGES

## SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION PASSED BY THE GENERAL COURT FROM JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO THROUGH THE YEAR NINETEEN HUNDRED AND SIXTY, INCLUDING THE EXTRA SESSION OF NINETEEN HUNDRED AND SIXTY.\*†

### Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

SECT. 3 revised, 1933, 278 § 1.

### Chapter 2. — Arms, Great Seal and Other Emblems of the Commonwealth.

SECT. 6A added, 1960, 304 (relative to flying the flag of the commonwealth at half-staff on state-owned or state-controlled buildings and on state installations).

SECT. 7, sentence added at end, 1953, 245.

SECT. 8 added, 1941, 121 (designating the American elm as the state tree).

SECT. 9 added, 1941, 121 (designating the Chickadee as the state bird).

### Chapter 3. — The General Court.

SECT. 1 revised, 1946, 130 § 1.

SECT. 5 amended, 1937, 364 § 1; 1939, 508 § 1; 1956, 31.

SECT. 6 revised, 1937, 364 § 2; amended, 1939, 424 § 1; repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 6A added, 1939, 424 § 2 (imposing restrictions on the granting of authority to use the designation of junior college); repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 7 revised, 1937, 364 § 3; first sentence amended, 1943, 549 § 2A.

SECT. 9 revised, 1937, 236 § 1; 1941, 307 § 1; amended, 1941, 600 § 1; revised, 1945, 38 § 1. (See 1941, 307 § 2; 1941, 600 § 2.)

SECT. 9 stricken out and sections 9 and 9A (relative to payment of allowances for travel and other expenses to members of the general court) inserted, 1945, 248 § 1. (See 1945, 248 §§ 4, 5.)

SECT. 9, first two sentences amended, 1948, 655 § 1; revised, 1949, 784 § 1; two sentences inserted after second sentence, 1949, 801 § 1; third sentence amended, 1950, 247 § 1; first four sentences revised, 1951, 803 § 1; last sentence revised, 1953, 171; section revised, 1956, 742 § 1; first four sentences revised, 1960, 783 § 1. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3; 1960, 783 § 3.)

SECT. 9A repealed, 1952, 635 § 1.

SECT. 9B added, 1953, 263 § 1 (relative to travel and expense allowances for members of the general court).

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\* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485-597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 10 amended, 1945, 38 § 2; revised, 1945, 248 § 2; 1948, 655 § 2; 1949, 784 § 2; amended, 1951, 803 § 1A; 1952, 635 § 3; revised, 1957, 733 § 1; amended 1960, 783 § 2. (See 1945, 248 §§ 4, 5; 1948; 655 §§ 3, 4; 1949, 784 § 3; 1951, 803 § 2; 1957, 733 § 2; 1960, 783 § 3.)

SECT. 11 repealed, 1937, 236 § 2.

SECT. 12 revised, 1937, 360 § 1; 1943, 260 § 1. (See 1937, 360 §§ 3-5; 1943, 260 § 3.)

SECT. 12A added, 1952, 3 (authorizing the use of facsimiles of the signatures of the clerks of the senate and house of representatives in certain cases).

SECT. 13 revised, 1937, 360 § 2; amended, 1941, 230; revised, 1943, 260 § 2. (See 1937, 260 §§ 3-5; 1943, 260 § 3.)

SECT. 14 revised, 1948, 139.

SECT. 15 revised, 1945, 421 § 1; paragraph added at end, 1949, 806 § 1. (See 1945, 421 § 5.)

SECT. 16 revised, 1949, 806 § 2.

SECT. 18 amended, 1941, 433 § 1; 1943, 104; revised, 1945, 421 § 2. (See 1941, 433 § 4; 1945, 421 § 5.)

SECT. 19 amended, 1935, 210; 1949, 806 § 3; 1955, 782; 1956, 81, 732; 1960, 809.

SECT. 20 revised, 1939, 508 § 2; amended, 1941, 433 § 2; 1945, 38 § 3; 421 § 4; revised, 1945, 488 § 1; 1952, 572 § 1; repealed, 1952, 635 § 2. (See 1941, 433 § 4; 1945, 421 § 5; 488 §§ 2, 3; 1952, 572 § 2.)

SECT. 20A added, 1937, 189 (relative to the purchase of uniforms for the sergeant-at-arms, doorkeepers, assistant doorkeepers, general court officers and pages of the general court).

SECT. 21 revised, 1945, 421 § 3. (See 1945, 421 § 5.)

SECT. 22 amended, 1939, 508 § 3.

SECT. 23 revised, 1941, 347.

SECT. 28A added, 1954, 454 (providing a penalty for refusal to appear and testify before the General Court or a committee or commission thereof in certain cases).

SECT. 32A added, 1950, 808 § 1 (relative to travel expenses of certain special commissions and committees). (See 1950, 808 § 2.)

SECT. 46 amended, 1939, 508 § 4.

SECT. 47 amended, 1939, 508 § 5.

SECT. 49 amended, 1939, 508 § 6.

SECT. 51 amended, 1939, 508 § 7.

SECT. 53 revised, 1939, 376 § 1; sentence inserted after first sentence, 1958, 672 § 2. (See 1939, 376 § 2.)

SECT. 55A added, 1958, 672 § 1 (providing for the appointment of recodification counsel). (See 1958, 672 § 3.)

SECTS. 56-61 added, 1954, 607 § 2 (establishing a legislative research council and legislative research bureau).

SECT. 58 amended, 1955, 137.

SECT. 60, two sentences added at end, 1955, 579.

#### Chapter 4. — Statutes.

SECT. 4A added, 1952, 223 (permitting certain towns to revoke their acceptance of certain special acts).

SECT. 5 revised, 1935, 69.

SECT. 7, clause Third revised, 1951, 215 § 1; clause Ninth revised, 1941, 509 § 1; 1945, 242 § 1; 637 § 1; clause Eighteenth amended, 1934, 283; 1935, 26; 1936, 180; 1937, 38; 1938, 245; 1941, 91 § 1; 1946, 190; 1948, 241; clause revised, 1958, 140; 1960, 812 § 1; clause Twenty-sixth revised, 1958, 626 § 1; clause Forty-second stricken out, 1953, 319 § 2; clause Forty-third added, 1954, 627 § 1; first paragraph amended, 1960, 299; revised, 1960, 544 § 1; fifth paragraph amended, 1957, 164 § 1; sixth and seventh paragraphs revised, 1955, 403 § 1; clause Forty-fourth added, 1955, 683; clause Forty-fifth added, 1957, 765 § 3. (See 1941, 509 § 9; 1945, 279; 1953, 319 §§ 39, 40; 1954, 128 § 2, 627 §§ 65, 67; 1955, 403 §§ 7-14; 1956, 281 § 3; 1957, 164 § 2, 765 § 21; 1960, 544 § 2.)

SECT. 10, first sentence amended, 1954, 180.

SECT. 12 added, 1960, 295 § 1 (relative to the date of establishment, cancellation or change of enrollment in cases affecting the membership of bi-partisan boards). (See 1960, 295 § 2.)

#### **Chapter 5. — Printing and Distribution of Laws and Public Documents.**

As to the distribution of the Tercentenary Edition of the General Laws, see 1941, Resolve 19.

SECT. 1, last paragraph revised, 1932, 254; two paragraphs added at end, 1937, 373; section revised, 1938, 419; amended, 1941, 428; first paragraph amended, 1945, 580 § 1; last five paragraphs stricken out and six paragraphs inserted, 1955, 614. (See 1945, 580 § 9.)

SECT. 2, paragraphs (4) and (6) revised, 1939, 508 § 8; 1945, 252; paragraph (7) revised, 1957, 681 § 1.

SECT. 3, paragraph in lines 10-11 revised, 1947, 320 § 1; paragraphs in lines 12-42 amended, 1938, 196; second of said paragraphs amended, 1947, 320 § 2; 1941, 351 § 1; 1958, 613 § 1A; paragraph in lines 52-62 amended, 1953, 319 § 3; paragraphs in lines 63-68 revised, 1947, 320 § 1.

SECT. 4, second paragraph amended, 1953, 319 § 4; 1957, 681 § 2.

SECT. 4A added, 1947, 569 (providing for the printing and distribution of a cumulative table of changes in the general statutes from time to time during the session of the general court).

SECT. 6 amended, 1939, 508 § 9; revised, 1943, 344 § 1; amended, 1945, 580 § 2. (See 1945, 580 § 9.)

SECT. 8 amended, 1945, 580 § 3. (See 1945, 580 § 9.)

SECT. 9 amended, 1933, 245 § 1; 1946, 209 § 1; 1951, 68, 474; 1953, 22; revised, 1960, 404; amended, 1960, 626 § 1.

SECT. 10 revised, 1939, 508 § 10; first paragraph amended, 1945, 38 § 4.

SECT. 11, paragraph in thirteenth line revised, 1941, 329; paragraph in lines 14-31 stricken out, and two paragraphs inserted, 1945, 538; section amended, 1947, 295.

SECT. 12 amended, 1948, 1; 1952, 179.

SECT. 18 amended, 1935, 226 § 1; revised, 1943, 313; amended, 1946, 466; sentence added at end, 1950, 811.

#### **Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.**

For temporary legislation establishing an emergency finance board and defining its powers and duties, see 1933, 49.

SECT. 1 amended, 1946, 591 § 1.

SECT. 2 amended, 1946, 591 § 2; 1949, 722; 1955, 730 § 1. (See 1955, 730 § 43.)

SECT. 3 amended, 1943, 314 § 1; 1949, 781 § 1. (See 1943, 314 § 2; 1949, 781 § 2.)

SECT. 6 revised, 1954, 156.

SECT. 6A added, 1952, 457 (establishing the offices of administrative secretary and executive stenographer in the executive department).

SECT. 8 amended, 1941, 722 § 1; revised, 1943, 348 § 1.

SECT. 12A revised, 1954, 661 § 1. (See 1954, 661 § 2.)

SECT. 12B added, 1932, 14 (relative to the observance of the anniversary of the death of Brigadier General Casimir Pulaski).

SECT. 12C added, 1932, 153 (relative to the observance of the anniversary of the battle of Bunker Hill). (See 1941, 91.)

SECT. 12D added, 1932, 242 (relative to the observance of the anniversary of the Boston Massacre, etc.).

SECT. 12E added, 1934, 191 (relative to the observance of the anniversary of the death of Commodore John Barry).

SECT. 12F added, 1935, 23 (relative to the observance of the anniversary of the battle of New Orleans); amended, 1938, 49.

SECT. 12G added, 1935, 96 (providing for an annual proclamation by the governor relative to American Education Week).

SECT. 12H added, 1935, 148 (relative to the observance of the anniversary of the death of General Marquis de Lafayette).

SECT. 12I added, 1935, 184 (relative to the annual observance of Indian Day); revised, 1939, 56.

SECT. 12J added, 1938, 22 (relative to the annual observance of April nineteenth as Patriots' Day).

SECT. 12K added, 1938, 80 (relative to the annual observance of Evacuation Day, so called).

SECT. 12L added, 1941, 387 (relative to the annual observance of Veteran Firemen's Muster Day).

SECT. 12M added, 1947, 561 (relative to the annual observance of Good Government Day); revised, 1951, 650; amended, 1959, 368.

SECT. 12N added, 1949, 75 (relative to the annual observance of United Nations Day); sentence added at end, 1955, 265 § 1.

SECT. 12O added, 1949, 263 (relative to the annual observance of Loyalty Day).

SECT. 12P added, 1952, 104 (relative to the annual observance of civil rights week).

SECT. 12Q added, 1953, 84 (relative to the annual observance of Memorial Day).

SECT. 12R added, 1953, 172 (relative to the annual observance of Polish Constitution Day).

SECT. 12S added, 1954, 124 (relative to the annual observance of March fifteenth as Peter Francisco Day).

SECT. 12T added, 1955, 265 § 2 (relative to the annual observance of Washington Day, Mothers' Day, Fathers' Day, Purple Heart Day, Disabled American Veterans' Hospital Day and Army and Navy Union Day).

SECT. 12U added, 1956, 618 (relative to the annual observance of Children's Day); revised, 1958, 81.

SECT. 12V added, 1958, 110 (relative to the annual observance of Columbus Day).

SECT. 12W added, 1959, 358 (relative to the annual observance of September as sight-saving month).

SECT. 12X added, 1960, 46 (relative to the observance of Teachers' Day).

SECT. 15 amended, 1946, 201.

SECT. 15A added, 1953, 170 (relative to the annual observance of Constitution Day).

SECT. 15B added, 1956, 106 (relative to the annual observance of Senior Citizens Day); amended, 1957, 39.

SECT. 15C added, 1957, 44 (providing for an annual proclamation by the governor designating February as American History Month).

SECT. 15D added, 1958, 125 (relative to the annual observance of Massachusetts Art Week).

SECT. 15E added, 1958, 265 (relative to the annual observance of Susan B. Anthony Day).

SECT. 15F added, 1958, 662 § 1 (relative to the annual observance of Employ the Handicapped Week).

SECT. 15G added, 1960, 536 (relative to the annual observance of Youth Honor Day).

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1; revised, 1939, 393 § 1; amended, 1945, 393 § 1; revised, 1945, 619 § 1; amended, 1946, 368 § 2; revised, 1946, 612 § 1; amended, 1947, 466 § 1; 513 § 1; 1948, 260 § 2; revised, 1948, 310 § 1; 476 § 1, 637 § 1; amended, 1950, 479 § 1; 1951, 511 § 1; 1952, 605 § 16; 1953, 409 § 4; revised, 1953, 608 § 1; amended, 1953, 612 § 1; 1954, 581 § 1; 537 § 1; 1955, 584 § 1; revised, 1956, 602 § 1; amended, 1956, 645 § 1; revised, 1956, 708 § 1; amended, 1956, 715 § 1; revised, 1957, 623 § 1; amended, 1957, 691 § 1; 1958, 577 § 1; revised, 1958, 623 § 1; amended, 1959, 418 § 1; 1958, 662 § 2. (See 1933, 336 § 3; 1948, 260 §§ 5, 6; 310 §§ 30, 31; 476 §§ 3, 4; 637 §§ 4-9, 13; 663 § 4; 1950, 479 §§ 6, 7; 1952, 605 §§ 15, 19-21; 1955, 584 §§ 9, 10; 1956, 602 §§ 17-20; 1959, 418 §§ 5-8.)

SECT. 18 and heading stricken out and new section inserted, under heading "ARMORY COMMISSION", 1937, 300 § 1; sentence added at end, 1941, 19. (See 1937, 300 § 2.)

SECT. 22 amended, 1936, 341 § 1; heading and section amended, 1943, 455 § 1; 1945, 393 § 2; paragraph added at end, 1946, 584 § 18; section amended, 1946, 591 § 3; 1950, 705; 1956, 196 § 1; 1958, 236 § 1; paragraph added at end, 1951, 753 § 2. (See 1936, 341 § 2; 1946, 584 § 22; 1958, 236 § 2.)

SECT. 24 amended, 1941, 596 § 1; 1943, 455 § 2; 1945, 393 § 3.

SECT. 25 revised, 1945, 730 § 2.

SECT. 28 amended, 1938, 18; 1947, 315; 1953, 456; last sentence revised, 1960, 521 § 1.

SECT. 28A amended, 1934, 208 § 1; 1945, 393 § 4.

SECT. 28E added, 1934, 208 § 2 (relative to the dissemination of information concerning the public bequest fund).

SECT. 31 revised, 1943, 479; amended, 1948, 569.

SECT. 32, paragraph added at end, 1937, 227; revised, 1938, 473 § 1; 1943, 43; amended, 1947, 30 § 1; 1957, 193 § 2.

SECT. 42 added, under caption "MILK REGULATION BOARD", 1932, 305 § 2; revised, 1946, 496; first two sentences revised, 1953, 604 § 7.

SECTS. 43-45 added, 1933, 120 § 2 (relative to the alcoholic beverages control commission).

SECT. 43 amended, 1933, 375 § 1; next to last sentence revised, 1950, 785.

SECT. 44, first paragraph revised, 1933, 376 § 1.

SECT. 45 revised, 1941, 596 § 2.

SECTS. 46 and 47 added, 1933, 336 § 2 (relative to the Greylock reservation commission). (See 1933, 336 § 3.)

SECT. 48 added, under caption "STATE RACING COMMISSION", 1934, 374 § 2; third paragraph amended, 1955, 730 § 2; last paragraph revised, 1941, 596 § 3. (See 1955, 730 § 43.)

SECTS. 49-52 added, under caption "STATE PLANNING BOARD", 1935, 475 § 2.

SECT. 49 amended, 1936, 307; 1939, 451 § 1; revised, 1941, 466 § 5; sentence inserted after fourth sentence, 1951, 596. (See 1941, 466 §§ 1-4, 7A, 8.)

SECT. 50A added, 1941, 466 § 7 (relative to the powers and duties of the state planning board formerly exercised by the metropolitan planning division). (See 1941, 466 §§ 1-4, 7A, 8.)

SECTS. 49-52 repealed, 1953, 409 § 2.

SECTS. 53-55 added, 1945, 619 § 2 (establishing a Port of Boston Authority). (See 1945, 619 §§ 4-11.)

SECT. 53, caption and section revised, 1953, 608 § 2 (establishing the Port of Boston Commission). (See 1953, 608 §§ 13-16.)

SECT. 53A added, 1953, 608 § 2 (establishing an advisory council to the Port of Boston Commission).

SECT. 54 amended, 1953, 608 § 3.

SECT. 55 amended, 1953, 608 § 4.

SECT. 56 added, 1946, 368 § 3 (establishing the Massachusetts Fair Employment Practice Commission); first sentence of third paragraph revised, 1951, 588; caption revised and section amended, 1950, 479 § 2; last paragraph amended, 1948, 411. (See 1950, 479 §§ 6, 7.)

SECTS. 57-59 added, 1946, 583 § 1 (relative to the Massachusetts Aeronautics Commission). (See G. L. 90 §§ 36-38, repealed by 1946, 583 § 2. See also 1946, 583 § 4.)

SECTS. 59A-59C added, 1948, 637 § 2 (establishing the State Airport Management Board). (See 1948, 637 §§ 4-9, 13, 663 § 4.)

SECT. 59B, sentence added at end, 1948, 663 § 1. (See 1948, 663 §§ 4, 5.)

SECT. 60 added, 1946, 612 § 2 (establishing the Outdoor Advertising Authority); last paragraph revised, 1952, 468; section and caption preceding it stricken out, 1955, 584 § 2. (See 1946, 612 §§ 5, 6; 1955, 584, §§ 9, 10.)

SECTS. 61 and 62 added, 1947, 466 § 2 (establishing the Massachusetts Public Building Commission); caption preceding section 61 stricken out, 1953, 612 § 2; both sections stricken out, 1953, 612 § 3. (See 1947, 46 §§ 4-6; 1953, 612 §§ 10-13.)

SECT. 63 added, 1947, 513 § 2 (establishing a commission on alco-



holism); repealed and heading preceding section stricken out, 1954, 581 § 2. (See 1954, 581 §§ 4, 5.)

SECT. 64 added, 1948, 260 § 3 (establishing the State Housing Board); first two sentences revised, 1960, 776 § 11; sixth sentence stricken out and two sentences inserted, 1949, 577; second paragraph amended, 1954, 396. (See 1948, 260 §§ 5, 6.)

SECTS. 65-69 added, 1948, 310 § 2 (establishing the Youth Service Board). (See 1948, 310 §§ 30, 31; 542.)

SECT. 65 revised, 1952, 605 § 1; first paragraph revised, 1955, 766 § 1. (See 1952, 605 §§ 19-21.)

SECT. 66 revised, 1952, 605 § 2; second sentence revised, 1955, 730 § 2A. (See 1952, 605 §§ 15, 19-21; 1955, 730 § 43.)

SECT. 67, paragraph (2) stricken out, 1952, 605 § 17; section revised, 1955, 766 § 2. (See 1952, 605 §§ 15, 19-21.)

SECT. 68 repealed, 1952, 605 § 18. (See 1952, 605 §§ 15, 19-21.)

SECT. 69 revised, 1955, 766 § 3. (See 1955, 766 § 6.)

SECT. 69A added, 1955, 766 § 4 (relative to the division of the commonwealth into juvenile districts).

SECT. 69B added, 1956, 470 (relative to the expenditure of funds by the division of youth service for delinquency prevention, and the acceptance of federal funds therefor).

SECTS. 70 and 71 added, 1948, 476 § 2 (establishing the Board of Trustees of the Soldiers' Home in Holyoke). (See 1948, 476 §§ 3, 4.)

SECT. 72 added, 1951, 511 § 2 (establishing the weather amendment board); fourth sentence revised, 1958, 425 § 2.

SECT. 73 added, 1954, 537 § 2 (establishing a council for the aging); revised, 1955, 591. (See 1954, 537 § 3.)

SECTS. 74-84 added, 1956, 602 § 2 (establishing the Massachusetts rehabilitation commission). (See 1956, 602 §§ 17-20.)

SECT. 77, definition of "Vocational rehabilitation services" amended, 1959, 328 § 1.

SECT. 78 amended, 1959, 328 § 2.

SECTS. 85-93 added, 1956, 645 § 2 (establishing the Massachusetts commission on atomic energy).

SECTS. 94-96 added, under caption, 1956, 715 § 2 (establishing a program for the control of alcoholism and establishing an office of commissioner on alcoholism). (See 1956, 715 §§ 27, 28.)

SECT. 94 repealed and caption preceding said section stricken out, 1959, 418 § 2.

SECT. 95 amended, 1958, 502; repealed, 1959, 418 § 2.

SECT. 96, paragraph added at end, 1958, 476; section repealed, 1959, 418 § 2.

SECTS. 97 and 98 added, under caption, 1956, 708 § 2 (establishing a finance advisory board).

SECT. 99 added, under caption, 1957, 623 § 2 (creating the boxers fund board for the benefit of boxers and former boxers in need of financial assistance). (See 1957, 623 § 4.)

SECT. 100 added, under caption, 1957, 691 § 2 (establishing a medical, dental and nursing scholarship board).

SECT. 101 added, 1958, 577 § 2 (creating an obscene literature control commission). (See 1958, 577 § 3.)

SECTS. 102-104 added, under caption, 1958, 623 § 2 (establishing a retirement law commission). (See 1958, 623 § 3.)

SECTS. 105-107 added, under caption, 1958, 662 § 3 (establishing a commission on employment of the handicapped).

#### Chapter 7. — Commission on Administration and Finance.

SECT. 2 revised, 1948, 610 § 1. (See 1948, 610 §§ 6, 7.)

SECT. 3 amended, 1946, 591 § 4; revised, 1948, 610 § 2; 1951, 717 § 1; fourth sentence revised, 1955, 730 § 3; fifth and sixth sentences stricken out and sentence inserted, 1954, 332. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECT. 3A added, 1958, 661 (establishing the office of federal-state coordinator).

SECT. 4 revised, 1948, 610 § 4; 1951, 717 § 2; third sentence revised, 1955, 730 § 4. (See 1948, 610 §§ 6, 7; 1955, 730 § 43.)

SECTS. 5A and 5B added, 1953, 612 § 4 (establishing a division of building construction). (See 1953, 612 §§ 10-13.)

SECT. 6 revised, 1948, 610 § 3; 1950, 824; amended, 1951, 558. (See 1948, 610 §§ 6, 7.)

SECT. 6A added, 1941, 433 § 3 (providing for the appointment of the postmaster and assistant postmaster of the central mailing room by the Commission on Administration and Finance); revised, 1950, 547 § 1. (See 1941, 433 § 4; 1950, 547 § 2.)

SECT. 6B added, 1951, 440 § 1 (establishing first aid facilities in the state house). (See 1951, 440 §§ 2, 3.)

SECTS. 6C and 6D added, 1953, 636 § 1 (relative to hospital expenses for public welfare and other public assistance patients). (See 1953, 636 §§ 6-9.)

SECT. 6D, third paragraph amended, 1956, 198.

SECT. 7 amended, 1945, 457; revised, 1948, 610 § 5; paragraph added at end, 1949, 448; same paragraph amended, 1950, 512; 1951, 455; revised, 1953, 526; stricken out, 1954, 680 § 1; paragraph added at end, 1960, 808. (See 1948, 610 §§ 6, 7.)

SECT. 7A added, 1950, 698 (authorizing the commissioner of administration to enter into agreements with certain towns for fire protection of certain state institutions).

SECT. 13 revised, 1950, 272.

SECT. 14 revised, 1950, 273.

SECT. 15 amended, 1948, 254.

SECT. 16 revised, 1950, 274; first sentence amended, 1953, 40.

SECT. 22, clause (17) revised, 1933, 353 § 1; 1958, 638; clause (18) added, 1955, 727; amended, 1959, 96.

SECT. 23A added, 1933, 353 § 2 (providing a preference in the purchase of supplies and materials by contractors for certain state work in favor of domestic supplies and materials).

SECT. 25A added, 1943, 344 § 2 (authorizing the state purchasing agent to regulate purchases of supplies and transfers thereof from one state agency to another); revised, 1953, 201.

SECT. 26 amended, 1939, 451 § 2.

SECT. 28 revised, 1954, 680 § 2; third paragraph amended, 1955, 643 § 7. (See 1955, 643 § 12.)

SECT. 28A added, 1954, 680 § 3 (relative to the development of training programs for certain state employees by the division of personnel and standardization).

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 30 amended, 1952, 144.

SECTS. 30A-30J added, 1953, 612 § 5 (relative to public building construction). (See 1953, 612 §§ 10-13.)

SECT. 30A, second sentence stricken out and three sentences inserted, 1956, 399.

SECT. 30H, sentence inserted after first sentence, 1955, 548.

SECT. 30K added, 1953, 636 § 2 (relative to the annual determination by the director of hospital costs of the all-inclusive per diem cost for care of patients in each hospital, sanatorium and infirmary licensed by the department). (See 1953, 636 §§ 7 and 9.)

SECT. 30L added, 1956, 696 § 1 (establishing minimum weekly rates for persons in nursing and convalescent homes who are recipients of public aid); first paragraph amended, 1958, 480; section revised, 1958, 600. (See 1956, 696 § 2.)

SECT. 31 revised, 1950, 275.

SECT. 31A added, 1953, 504 (providing for recognition of state employees' suggestions which increase the efficiency of state government); revised, 1954, 546.

SECT. 33 revised, 1939, 499 § 1; 1945, 292 § 1.

SECT. 34 revised, 1950, 276.

#### Chapter 8. — State Superintendent of Buildings, and State House.

SECTS. 1-12 affected, 1935, 327; 1941, 627 § 3.

SECT. 1 revised, 1938, 249 § 1. (See 1938, 249 § 6.)

SECT. 4 amended, 1935, 251; revised, 1937, 84 § 1; 1938, 249 § 2. (See 1937, 84 § 2; 1938, 249 § 6.)

SECTS. 4A and 4B added, 1955, 581 (authorizing payment of certain expenses of capitol police officers injured in the performance of duty and indemnifying them for certain other expenses and damages).

SECT. 5 revised, 1935, 460 § 1; amended, 1938, 387 § 1; 1946, 591 § 5. (See 1935, 460 § 2; 1938, 387 § 2.)

SECT. 6 revised, 1953, 612 § 6. (See 1953, 612 §§ 10-13.)

SECT. 9 amended, 1938, 249 § 3. (See 1938, 249 § 6.)

SECT. 10 amended, 1938, 249 § 4; 1943, 440 § 1. (See 1938, 249 § 6.)

SECT. 10A revised, 1933, 170; 1941, 267; amended, 1943, 440 § 2; revised, 1945, 706; paragraph inserted before last sentence, 1952, 391; amended, 1955, 317 § 1; sentence added at end, 1946, 585; last sentence stricken out and paragraph inserted, 1953, 638; three paragraphs added at end, 1960, 620 § 1. (See 1955, 317 § 2; 1960, 620 § 2.)

SECT. 12 revised, 1938, 249 § 5; sentence inserted after "officers" in line 12, 1947, 66. (See 1938, 249 § 6.)

SECT. 16A added, 1948, 190 § 1 (providing for the preservation of room numbered twenty-seven in the state house as a memorial and shrine to the Grand Army of the Republic).

SECT. 17 amended, 1932, 188 § 1; 1933, 199 § 1; 1947, 350 § 1; revised, 1948, 190 § 2; amended, 1951, 807; revised, 1952, 300, 390; 1953, 664; 1960, 400, 458; amended, 1960, 626 § 2; revised, 1960, 725.

SECT. 17A added, 1956, 107 § 1 (relative to the care, custody and preservation of certain flags carried in time of war).

SECT. 18 amended, 1932, 188 § 2; 1933, 199 § 2; 1947, 350 § 2.

SECT. 19 revised, 1956, 435.

#### **Chapter 9. — Department of the State Secretary.**

SECT. 1 amended, 1946, 591 § 6; revised, 1949, 789 § 1; third sentence revised, 1955, 730 § 5. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 2 revised, 1935, 416; 1939, 283; 1941, 587; 1958, 586.

SECT. 6 amended, 1934, 25 § 1.

SECT. 7 amended, 1934, 25 § 2; 1939, 342 § 1.

SECT. 9 amended, 1934, 127.

SECT. 15 amended, 1934, 19.

SECT. 17 amended, 1934, 37; revised, 1936, 31 § 1.

SECT. 20 added, 1935, 402 (regulating the publication and sale of the Massachusetts Reports and of the advance sheets of the opinions and decisions of the Supreme Judicial Court); revised, 1943, 426.

SECTS. 21-25 added, under caption, 1937, 404 § 1 (establishing a commission on interstate co-operation as successor to the commission on interstate compacts affecting labor and industries and defining its powers and duties, and providing for a commission required to be established under an interstate compact on the minimum wage). (See 1937, 404 § 2, 3.)

SECT. 21 amended, 1941, 394 § 1; 1953, 409 § 5.

SECT. 23 amended, 1941, 394 § 2.

SECT. 25 repealed, 1943, 255 § 2. (See 1943, 255 § 3.)

#### **Chapter 10. — Department of the State Treasurer.**

For temporary legislation establishing an emergency finance board, and defining its powers and duties, see 1933, 49.

SECT. 1 amended, 1946, 591 § 7; revised, 1949, 789 § 2; second sentence revised, 1955, 730 § 6. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 5, first sentence revised, 1941, 596 § 4; 1945, 489.

SECT. 7 revised, 1948, 533.

SECT. 8 amended, 1932, 180 § 1; revised, 1943, 427 § 1.

SECT. 8A, last sentence stricken out, 1950, 314.

SECT. 11 revised, 1939, 499 § 2; amended, 1945, 292 § 2; revised, 1959, 612 § 1. (See 1959, 612 § 10.)

SECT. 16 amended, 1954, 419 § 5A.

SECT. 17 amended, 1941, 194 § 1.

SECT. 17A added, 1943, 362 § 2 (providing for the receipt and disposal, by the state treasurer, of certain gifts made to the commonwealth for military purposes).

SECT. 18 revised, 1945, 658 § 2. (See 1945, 658 § 11.)

SECT. 19 revised, 1945, 658 § 3. (See 1945, 658 § 11.)

#### **Chapter 11. — Department of the State Auditor.**

SECT. 1 amended, 1946, 591 § 8; revised, 1949, 789 § 3; second sentence revised, 1955, 730 § 7. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 2, first sentence revised, 1941, 596 § 5.

SECT. 5 revised, 1946, 591 § 9.

**Chapter 12. — Department of the Attorney General, and the District Attorneys.**

SECT. 1 amended, 1946, 591 § 10; revised, 1949, 789 § 4; second sentence revised, 1955, 730 § 8. (See 1949, 789 § 5; 1955, 730 § 43.)

SECT. 2 amended, 1934, 133 § 1; revised, 1941, 647 § 2; 1959, 297 § 1. (See 1934, 133 § 2.)

SECT. 2A added, 1959, 297 § 2 (providing for the first assistant attorney general to serve during certain vacancies in the office of the attorney general).

SECT. 3, last sentence amended, 1932, 180 § 2; section amended, 1943, 83 § 1.

SECT. 3B amended, 1933, 318 § 1; 1934, 291 § 1; first paragraph amended, 1953, 544; 1957, 633 § 1; paragraph inserted after first paragraph, 1943, 409 § 3. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 3C added, 1947, 337 (authorizing the attorney general to settle certain claims against state officers and employees without suit being brought); second paragraph revised, 1949, 567.

SECT. 3D added, 1954, 326 (relative to indemnification or protection of certain state officers and employees in connection with actions for personal injuries); revised, 1956, 449; amended, 1957, 580; revised, 1957, 633 § 2.

SECT. 6A added, 1947, 238 (authorizing the attorney general to call conferences of district attorneys, sheriffs and police officials of cities and towns); paragraph added at end, 1954, 654.

SECTS. 8A–8I added, 1954, 529 § 1 (establishing a division of public charities).

SECT. 8E amended, 1955, 203; 1959, 59 § 1.

SECT. 10 revised, 1960, 788.

SECT. 11 amended, 1939, 499 § 3; 1945, 292 § 3.

SECT. 13 revised, 1948, 423 § 1. (See 1948, 423 § 7.)

SECT. 14, paragraph in lines 5 and 6 revised, 1935, 209; paragraph in lines 7 and 8 revised, 1935, 433 § 1; section revised, 1935, 458 § 1; next to last paragraph revised, 1941, 470 § 1; paragraph added at end, 1948, 239 § 1; section revised, 1948, 423 § 2; second paragraph amended, 1954, 488 § 1; revised, 1955, 582 § 1; 1957, 185 § 1; third paragraph revised, 1955, 678 § 1; fourth paragraph revised, 1960, 779 § 1; fifth paragraph revised, 1951, 432 § 1; 1960, 741 § 1; seventh paragraph revised, 1956, 271 § 1; ninth paragraph revised, 1955, 678 § 1; 1960, 742 § 1. (See 1948, 423 § 7.)

SECT. 15 revised, 1935, 458 § 2; paragraph in line 8 revised, 1937, 279 § 1; section revised, 1947, 675 § 1; sixth paragraph stricken out and two paragraphs inserted, 1948, 423 § 3; section revised, 1951, 804 § 1; amended, 1954, 441; revised, 1956, 684 § 1; second paragraph amended, 1960, 712; fourth paragraph revised, 1960, 779 § 2; fifth paragraph revised, 1960, 741 § 2; ninth paragraph revised, 1960, 742 § 2. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 684 § 2.)

SECT. 16, paragraph in lines 9–11 revised, 1935, 433 § 2; section revised, 1935, 458 § 3; paragraph in lines 23 and 24 revised, 1937, 279 § 2; next to last paragraph revised, 1941, 470 § 2; section revised, 1947, 675 § 2; paragraph added at end, 1948, 239 § 2; section revised, 1948, 423 § 4; fifth paragraph revised, 1951, 432 § 2; ninth paragraph revised,

1949, 680; section revised, 1951, 804 § 2; amended, 1954, 488 § 2; second paragraph revised, 1955, 582 § 2; 1956, 271 § 2; ninth paragraph revised, 1955, 678 § 2; section revised, 1956, 686 § 1; second paragraph revised, 1957, 185 § 2; fourth paragraph revised, 1960, 799 § 3; fifth paragraph revised, 1960, 741 § 3; eighth paragraph revised, 1959, 500; ninth paragraph revised, 1960, 742 § 3. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 686 § 3.)

SECT. 18 amended, 1948, 423 § 5. (See 1948, 423 § 7.)

SECT. 20 revised, 1957, 694 § 1.

SECT. 20A revised, 1947, 675 § 3; last sentence revised, 1951, 804 § 3; section revised, 1956, 686 § 2; 1957, 694 § 2. (See 1947, 675 § 4; 1951, 804 § 4; 1956, 686 § 3.)

SECT. 22 revised, 1948, 423 § 6. (See 1948, 423 § 7.)

SECT. 24 amended, 1948, 111.

SECT. 25 amended, 1937, 64 § 1.

### Chapter 13. — Department of Civil Service and Registration.

SECT. 1 revised, 1939, 238 § 1. (See 1939, 238 §§ 52-55.)

SECT. 2 revised, 1939, 238 § 2; first paragraph amended, 1945, 681 § 1; second paragraph amended, 1946, 591 § 11; 1948, 580; 1950, 821 § 2; 1951, 716; 1955, 730 § 9; 1957, 699; paragraph inserted after second paragraph, 1941, 403. (See 1939, 238 §§ 52-55; 1945, 681 § 2; 1955, 730 § 43.)

SECT. 2A added, 1939, 238 § 3 (relative to the appointment and compensation of civil service commissioners); fourth sentence revised, 1941, 457; same sentence amended, 1945, 725 § 6; section revised, 1946, 591 § 12; fourth sentence revised, 1948, 575; 1950, 821 § 1; 1951, 589; 1952, 473; 1955, 730 § 10; 1960, 735. (See 1939, 238 §§ 52-55; 1955, 730 § 43.)

SECT. 3 amended, 1932, 180 § 3; revised, 1939, 238 § 4. (See 1939, 238 §§ 52-55.)

SECT. 4 revised, 1939, 238 § 5.

SECT. 5 revised, 1939, 238 § 6.

SECT. 6 revised, 1939, 238 § 7.

SECT. 8 amended, 1934, 329; 1946, 591 § 13; 1948, 601 § 1; 1949, 787; 1952, 627 § 1; 1955, 730 § 11. (See 1948, 601 § 2; 1952, 627 § 2; 1955, 730 § 43.)

SECT. 9A added, 1945, 376 (authorizing the director of registration to make certain rules and regulations governing the conduct of examinations by the several boards of registration and examination).

SECT. 10 amended, 1932, 8; 1939, 36; 1960, 188.

SECT. 11 amended, 1937, 379; last sentence revised, 1953, 529; 1955, 730 § 12. (See 1955, 730 § 43.)

SECT. 12 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 12A-12C added, under the heading "BOARD OF REGISTRATION IN CHIROPODY (PODIATRY)", 1937, 425 § 1. (See 1937, 425 §§ 14, 15.)

SECT. 12A, third sentence stricken out, 1952, 73.

SECT. 12B revised, 1950, 315.

SECT. 12C revised, 1955, 730 § 13. (See 1955, 730 § 43.)

SECTS. 13-15 and the heading before section 13 stricken out and new sections 13-15D added under heading "BOARD OF REGISTRATION IN NURSING", 1941, 620 § 2. (See 1941, 620 §§ 1, 4-12.)

SECT. 13 amended, 1953, 350 § 1; revised, 1960, 693 § 1. (See 1960, 693 §§ 14-19.)

SECT. 14, last sentence stricken out and two sentences inserted, 1960, 693 § 2.

SECT. 14A amended, 1953, 350 § 2.

SECT. 15 revised, 1955, 730 § 14; amended, 1960, 693 § 3. (See 1955, 730 § 43.)

SECT. 15A amended, 1952, 585 § 19; revised, 1953, 350 § 3; repealed, 1960, 693 § 4.

SECT. 15B repealed, 1960, 693 § 5.

SECT. 15C revised, 1955, 730 § 15; repealed, 1960, 693 § 6. (See 1955, 730 § 43.)

SECT. 15D amended, 1960, 693 § 7.

SECT. 17 revised, 1934, 339 § 1.

SECT. 18 revised, 1955, 730 § 16; amended, 1958, 494 § 1. (See 1955, 730 § 43; 1958, 494 § 2.)

SECT. 20 revised, 1946, 550 § 1; 1947, 417.

SECT. 21, first sentence revised, 1955, 730 § 17. (See 1955, 730 § 43.)

SECT. 23 revised, 1952, 625 § 1; 1953, 280 § 1. (See 1952, 625 § 3; 1953, 280 § 3.)

SECT. 24 revised, 1952, 625 § 2; 1953, 280 § 2. (See 1952, 625 § 3; 1953, 280 § 3.)

SECT. 25 revised, 1941, 596 § 6; 1951, 577.

SECT. 26 amended, 1950, 192; revised, 1958, 533 § 1.

SECT. 27 revised, 1958, 533 § 2.

SECT. 28 amended, 1948, 647.

SECT. 29 and its caption stricken out and new section inserted, under the caption "BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING", 1936, 407 § 1; revised, 1954, 653 § 1; second paragraph amended, 1959, 276. (See 1936, 407 §§ 5-8; 1954, 653 §§ 4, 7.)

SECT. 30 revised, 1954, 653 § 1. (See 1954, 653 §§ 6, 7.)

SECT. 31 revised, 1936, 407 § 2; 1946, 591 § 14; 1954, 653 § 1. (See 1936, 407 §§ 5-8; 1954, 653 §§ 6, 7.)

SECT. 32 revised, 1935, 420 § 1; amended, 1939, 238 § 8; 1952, 585 § 20; first sentence revised, 1954, 238; fifth sentence revised, 1955, 730 § 18; sentence inserted before said sentence, 1958, 628 § 1. (See 1935, 420 § 2; 1955, 730 § 43; 1958, 628 § 2.)

SECT. 35, first sentence revised, 1953, 510 § 1.

SECT. 36, first sentence revised, 1945, 517 § 1; second paragraph revised, 1941, 596 § 7; third paragraph revised, 1951, 691 § 2. (See 1945, 517 § 2; 1951, 691 § 1.)

SECT. 38, first sentence revised, 1955, 730 § 19. (See 1955, 730 § 43.)

SECT. 39 amended, 1941, 385 § 1; 1947, 509 § 1. (See 1941, 385 § 2; 1947, 509 § 2.)

SECT. 40 amended, 1933, 149 § 1; two sentences added at end, 1934, 299 § 1; section revised, 1957, 676 § 1. (See 1934, 299 § 2.)

SECT. 41 amended, 1938, 337 § 1; 1946, 591 § 15; revised, 1953, 556; sentence added at end, 1957, 676 § 2. (See 1938, 337 § 2.)

SECTS. 42-44 added, under caption "BOARD OF REGISTRATION OF HAIRDRESSERS", 1935, 428 § 1. (See 1935, 428 §§ 5, 7.)

SECT. 42, two sentences inserted after first sentence, 1949, 580 § 1; section revised, 1960, 265.

SECT. 43 amended, 1937, 385 § 1; second sentence revised, 1949, 580 § 2; sentence added at end, 1955, 154; affected, 1956, 551.

SECT. 44 amended, 1946, 591 § 16; revised, 1951, 561; 1955, 730 § 20; 1960, 777. (See 1955, 730 § 43.)

SECTS. 44A-44D added, under caption "BOARD OF REGISTRATION OF ARCHITECTS", 1941, 696 § 1. (See 1941, 696 §§ 3, 4.)

SECT. 44D, first sentence revised, 1955, 730 § 21. (See 1955, 730 § 43.)

SECTS. 45-47 added, under caption "BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 1. (See 1941, 643 §§ 3-5.)

SECT. 45, first two sentences stricken out and four sentences inserted, 1955, 646; same four sentences revised, 1958, 584 § 1. (See 1958, 584 §§ 11-13.)

SECT. 47 amended, 1941, 722 § 1A.

SECTS. 48-50 added, under caption "BOARD OF REGISTRATION OF DISPENSING OPTICIANS", 1955, 688 § 1. (See 1955, 688 §§ 3, 4.)

SECTS. 51-53 added, 1957, 673 § 1 (establishing a board of registration of sanitarians). (See 1957, 673 §§ 4, 5.)

SECTS. 54-57 added, 1957, 726 § 1 (establishing a board of registration of real estate brokers and salesmen). (See 1957, 726 §§ 4-7.)

SECT. 54 revised, 1959, 351 § 1.

SECTS. 58-60 added, under caption, 1958, 625 § 1 (establishing a board of registration of electrologists). (See 1958, 625 §§ 4, 5.)

SECT. 60 amended, 1960, 288.

#### **Chapter 14. — Department of Corporations and Taxation.**

**Chapter stricken out and new chapter 14 inserted, 1953, 654 § 1. (See 1953, 654 §§ 103-109.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 14, as so inserted:**

SECT. 1, sentence added at end, 1954, 429.

SECT. 4, subdivision 1 of second paragraph amended, 1954, 681 § 3. (See 1954, 681 §§ 20, 22.)

SECT. 5 added, 1956, 380 § 1 (authorizing the state tax commission to provide for certain tax returns and tax calculations without fractional parts of a dollar). (See 1956, 380 § 2.)

#### **Chapter 15. — Department of Education.**

SECT. 1 revised, 1947, 652 § 1.

SECTS. 1A-1C added, 1947, 652 § 2 (establishing a board of education which shall have supervision and control of the department of education). (See 1947, 652 §§ 14, 15.)

SECT. 1B revised, 1952, 585 § 1; second sentence revised, 1955, 730 § 22; 1960, 585. (See 1952, 585 §§ 25, 26; 1955, 730 § 43.)

SECT. 1C revised, 1952, 585 § 1. (See 1952, 585 §§ 25, 26.)

SECT. 2 amended, 1946, 591 § 18; repealed, 1947, 652 § 13.

SECT. 2A added, 1946, 531 (providing for a deputy commissioner of education, and establishing his powers and duties); repealed, 1947, 652 § 13.

SECT. 3 amended, 1941, 138; repealed, 1947, 652 § 13.



SECT. 3A added, 1943, 549 § 1 (establishing a board of collegiate authority in the department of education); revised, 1947, 652 § 3.

SECT. 4 revised, 1939, 409 § 2; last sentence revised, 1947, 344 § 2; section revised, 1947, 652 § 4; 1952, 585 § 2; third sentence revised, 1954, 514 § 1; 1955, 514; 1957, 534; amended, 1960, 403 § 18; section amended, 1953, 407 § 4. (See 1939, 409 §§ 1, 5; 1952, 585 §§ 25, 26; 1953, 407 §§ 7, 8.)

SECT. 5 revised, 1941, 596 § 9; 1947, 652 § 5; 1952, 585 § 3. (See 1952, 585 §§ 25, 26.)

SECT. 6 revised, 1947, 652 § 6.

SECT. 6A amended, 1938, 446 § 13; revised, 1941, 531; 1946, 552 § 1; 1947, 652 § 7; 1952, 630 § 1; 1956, 602 § 3. (See 1938, 446 § 14; 1956, 602 §§ 17-20.)

SECT. 6B added, 1941, 676 § 1 (relative to the supervisor of guidance and placement); revised, 1947, 652 § 8. (See 1941, 646; 1947, 652 § 13.)

SECT. 8, caption preceding section revised, 1952, 585 § 4; section amended, 1952, 585 § 5; repealed, 1960, 429 § 1. (See 1952, 585 §§ 25, 26.)

SECT. 9 amended, 1952, 585 § 6; revised, 1960, 429 § 2. (See 1952, 585 §§ 25, 26.)

SECT. 10 revised, 1960, 429 § 3.

SECT. 11 revised, 1952, 585 § 7; 1960, 429 § 4. (See 1952, 585 §§ 25, 26.)

SECT. 12 revised, 1935, 367; 1939, 409 § 3. (See 1939, 409 §§ 1, 5.)

SECT. 13A added, 1951, 676 § 1 (establishing certain bureaus in the division of the blind).

SECT. 15 revised, 1951, 676 § 2.

SECT. 15A added, 1954, 514 § 2 (establishing a division of special education for mentally retarded children); sentence added at end, 1956, 593.

SECT. 16 revised, 1945, 658 § 4. (See 1945, 658 § 11.)

SECT. 17 revised, 1945, 658 § 5. (See 1945, 658 § 11.)

SECT. 18 revised, 1945, 658 § 6. (See 1945, 658 § 11.)

SECT. 19 amended, 1942, 1 § 2; revised, 1946, 257 § 7; 1947, 344 § 3; amended, 1953, 407 § 5; 1953, 488 § 2; revised, 1957, 347 § 3; 1960, 543 § 1. (See 1942, 1 § 9; 1953, 488 § 4.)

SECT. 20, caption preceding section changed, 1947, 344 § 4; section amended, 1947, 344 § 5.

SECT. 21, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 8; amended, 1953, 488 § 3; caption preceding section changed and section revised, 1957, 347 § 4. (See 1953, 488 § 4.)

SECT. 21A added, under caption, 1960, 543 § 2 (creating the southeastern Massachusetts technological institute).

SECT. 22, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 4; revised, 1954, 594 § 1. (See 1942, 1 § 9; 1954, 594 § 2.)

SECT. 24 and caption preceding said section revised, 1953, 407 § 6. (See 1953, 407 §§ 7, 8.)

SECTS. 25 and 26 added, 1957, 690 § 1 (providing for enlargement of the commonwealth scholarship program). (See 1957, 690 § 2.)

SECT. 25 amended, 1960, 403 § 19.

SECT. 27 added, 1958, 605 § 1 (establishing a Massachusetts board of regional community colleges and providing for the establishment of such colleges); first sentence amended, 1960, 403 § 20.

**Chapter 16. — Department of Public Works.**

SECT. 2 amended, 1946, 591 § 19; revised, 1949, 788 § 1; amended, 1950, 776 § 1; 1956, 717. (See 1949, 788 § 2; 1950, 776 § 2.)

SECT. 4 amended, 1947, 472 § 1; revised, 1955, 677. (See 1947, 472 § 2.)

SECT. 4A added, 1955, 555 (creating certain supervisory positions in the department of public works).

SECTS. 4B and 4C added, 1955, 619 (authorizing payment of certain expenses of public works building police officers injured in the performance of duty and indemnifying them for certain other expenses and damages).

SECTS. 4D and 4E added, 1956, 654 (authorizing payment of certain expenses of certain employees in the registry of motor vehicles injured in the performance of duty, and indemnifying them for certain other expenses and damages).

SECT. 5 revised, 1941, 596 § 10; two sentences added at end, 1945, 308; section revised, 1946, 234 § 1; amended, 1947, 586; third sentence revised, 1950, 708; 1955, 730 § 23; last sentence stricken out, 1958, 6 § 1. (See 1946, 234 § 2; 1955, 730 § 43.)

SECT. 5A added, 1938, 407 § 1 (establishing a division of waterways in the department of public works); amended, 1946, 591 § 20. (See 1941, 695 § 14; 1946, 528 § 5.)

SECT. 5B added, 1953, 666 § 1 (establishing a division of public beaches in the department of public works); repealed, 1958, 640 § 6. (See 1953, 666 §§ 3-5; 1958, 640 §§ 1-5.)

SECTS. 5C and 5D added, 1955, 584 § 3 (establishing an outdoor advertising division and an outdoor advertising board in the department of public works). (See 1955, 548 §§ 8-10.)

SECT. 6 amended, 1935, 418 § 1; 1939, 393 § 2; 1945, 241 § 2; revised, 1948, 201 § 1; amended, 1955, 584 § 3A. (See 1939, 393 § 5; 1945, 241 § 3; 1948, 201 § 4; 1955, 584 §§ 9, 10.)

SECT. 8 added, under caption, 1947, 472 § 3 (relative to the powers and duties of the public works building police).

SECTS. 9-11 added, under caption, 1959, 416 (establishing a mass transportation commission).

SECT. 10 revised, 1960, 644.

SECT. 12 added, under caption, 1960, 275 § 1 (establishing a division of motorboats).

**Chapter 17. — Department of Public Health.**

SECT. 2 amended, 1946, 591 § 21; 1947, 658 § 1; 1950, 794; third sentence revised, 1955, 730 § 24; 1959, 570 § 1. (See 1955, 730 § 43.)

SECT. 3 revised, 1939, 233 § 1; amended, 1946, 591 § 22. (See 1939, 233 §§ 2, 3.)

SECT. 4 revised, 1941, 596 § 11; 725 § 1; sentence added at end, 1957, 482 § 1; section revised, 1958, 612 § 1; second paragraph revised, 1959, 611 § 3. (See 1941, 725 §§ 4-6; 1958, 612 § 2.)

SECT. 5 revised, 1948, 323.

SECT. 5A added, 1947, 658 § 2 (increasing the salary of the director of sanitary engineering and chief sanitary engineer in the department of public health); repealed, 1954, 564 § 1. (See 1954, 564 §§ 2, 3.)

SECT. 6 revised, 1941, 725 § 2; sentence added at end, 1957, 482 § 2. (See 1941, 725 §§ 4-6.)

SECT. 7 revised, 1941, 725 § 3. (See 1941, 725 §§ 4-6.)

SECT. 11 added, under caption, 1956, 728 (establishing a commission on hypertension).

#### **Chapter 18. — Department of Public Welfare.**

SECT. 2 amended, 1946, 591 § 23; 1950, 770; revised, 1952, 602 § 1; 1954, 646 § 2; third sentence revised, 1955, 730 § 25. (See 1952, 602 §§ 15-18; 1955, 730 § 43.)

SECT. 3 revised, 1952, 602 § 2; 1954, 646 § 3. (See 1952, 602 §§ 15-18.)

SECT. 4 revised, 1952, 602 § 3. (See 1952, 602 §§ 15-18.)

SECT. 5 revised, 1948, 310 § 23; 1952, 602 § 4. (See 1948, 310 § 31; 1952, 602 §§ 15-18.)

SECT. 7 amended, 1935, 311 § 1; revised, 1941, 596 § 12; 1952, 602 § 5; 1957, 344; amended, 1960, 781 § 1. (See 1952, 602 §§ 15-18.)

SECT. 8 revised, 1941, 351 § 2; 1952, 602 § 6; repealed, 1958, 613 § 2. (See 1952, 602 §§ 15-18.)

SECT. 9 revised, 1941, 596 § 13; 1952, 602 § 7. (See 1952, 602 §§ 15-18.)

SECT. 10 repealed, 1956, 436 § 2. (See 1956, 436 § 4.)

SECTS. 10A-10C added, 1952, 602 § 8 (relative to the powers and duties of the director of the administrative division of the department). (See 1952, 602 §§ 15-18.)

SECT. 11 repealed, 1945, 336 § 1.

SECT. 15 amended, 1945, 336 § 2.

SECTS. 11-16 repealed and heading preceding section 11 stricken out, 1948, 310 § 24. (See 1948, 310 § 31.)

SECTS. 17 and 18 added, under caption, 1933, 364 § 1 (establishing within the department a state board of housing).

SECT. 17 amended, 1935, 449 § 1; 1938, 485 § 1; repealed, 1948, 260 § 1. (See 1938, 485 § 2; 1948, 260 §§ 5, 6.)

SECT. 18 amended, 1935, 449 § 1A; first sentence revised, 1941, 596 § 14; repealed, 1948, 260 § 1. (See 1948, 260 §§ 5, 6.)

#### **Chapter 19. — Department of Mental Health (former title, Department of Mental Diseases).**

**Title changed, 1941, 194 § 2.**

SECT. 1 revised, 1938, 486 § 2; 1939, 511 § 1. (See 1938, 486 §§ 1, 21, 22; 1939, 511 § 3.)

SECT. 2 revised, 1938, 486 § 3; 1939, 511 § 2; 1946, 591 § 24; 1951, 722; first sentence revised, 1960, 489. (See 1938, 486 §§ 21, 22; 1939, 511 § 3.)

SECT. 3 repealed, 1938, 486 § 4.

SECT. 4 revised, 1938, 486 § 5. (See 1938, 486 §§ 21, 22.)

SECT. 4A amended, 1938, 486 § 6. (See 1938, 486 §§ 21, 22.)

SECT. 5 amended, 1935, 314 § 2, 421 § 3; 1950, 684 § 2; 1954, 469 § 3; 1956, 63 § 1; 1959, 215 § 2. (See 1935, 421 §§ 5, 6; 1950, 684 §§ 11, 12; 1954, 469 § 6; 1956, 63 § 3; 1959, 215 §§ 11, 12.)

SECT. 7 added, 1950, 764 (establishing a board of appeal in the department of public health); repealed, 1953, 477.

**Chapter 20. — Department of Agriculture.**

**Sects. 1-6 stricken out and new sections 1-6 inserted, 1954, 674 § 1. (See 1954, 674 §§ 3-5.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1953.**

**The following references are to sections 1 to 6, as so inserted:**

**SECT. 2, second sentence revised, 1955, 730 § 26. (See 1955, 730 § 43.)**

**SECTS. 7-9 added, under caption "DIVISION OF MILK CONTROL", 1941, 691 § 1. (See 1941, 691 §§ 3-6.)**

**SECT. 7 revised, 1945, 497 § 1; second sentence amended, 1951, 690; section revised, 1953, 604 § 1; amended, 1954, 674 § 2; third paragraph amended, 1954, 484. (See 1945, 497 § 2; 1953, 604 §§ 6, 8.)**

**SECT. 8 revised, 1953, 604 § 1.**

**SECT. 9 revised, 1953, 604 § 1.**

**(For prior temporary legislation see 1934, 376; 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1; 631 § 1.)**

**Chapter 21. — Department of Natural Resources (former title, Department of Conservation).**

**Chapter stricken out and new chapter 21 inserted, 1948, 651 § 1. (See 1948, 651 §§ 2-7.)**

**Chapter stricken out and new chapter (with new title) inserted, 1953, 631 § 1. (See 1953, 631 §§ 2-12.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 21, as so inserted:**

**SECT. 1, fourth paragraph amended, 1956, 620 § 1.**

**SECT. 2, first sentence revised, 1956, 620 § 2.**

**SECT. 4B amended, 1956, 657 § 1.**

**SECTS. 8-15 added, under caption, 1956, 620 § 3 (establishing in the department of natural resources a water resources division). (See 1956, 620 § 4.)**

**Chapter 22. — Department of Public Safety.**

**SECT. 2 amended, 1946, 591 § 32; 1948, 517 § 1; 1949, 690; 1951, 570; second sentence revised, 1955, 730 § 27. (See 1948, 517 § 2; 1955, 730 § 43.)**

**SECT. 3, paragraph added at end, 1954, 650; amended, 1956, 584.**

**SECT. 3A added, 1955, 771 § 1 (establishing a criminal information bureau within the division of state police in the department of public safety).**

**SECT. 4 revised, 1946, 591 § 33; 1948, 634 § 1. (See 1948, 634 § 3.)**

**SECT. 4A added, 1948, 634 § 2 (providing for the appointment of a chief of inspections in the department of public safety); amended, 1951, 721. (See 1948, 634 § 3.)**

**SECT. 5 revised, 1953, 644; 1956, 713.**

**SECT. 6, third and fourth sentences revised, 1958, 486 § 2.**

**SECT. 7A amended, 1948, 318.**

**SECT. 7B added, 1945, 631 (relative to payment of compensation for injuries or death of officers or inspectors of the department of public safety performing police services).**

SECT. 7C added, 1952, 595 (providing that no deductions shall be made from the salaries of state police officers for their subsistence).

SECT. 9A, sentence added at end, 1939, 503 § 4; same sentence revised, 1943, 175; last sentence of first paragraph revised, 1954, 313 § 1; 1955, 88; paragraph added at end, 1947, 407; amended, 1957, 343; paragraph added at end, 1949, 502. (See 1939, 503 § 5.)

SECT. 9B amended, 1939, 508 § 11.

SECT. 9C added, 1933, 239 (relative to the uniform of members of the state police).

SECT. 9D added, 1945, 694 (relative to time off for certain members of the division of state police); amended, 1949, 487; revised, 1954, 489 § 1. (See 1954, 489 § 2.)

SECT. 9E added, 1951, 335 (relative to training schools for local police officers).

SECT. 9F added, 1953, 474 § 1 (establishing a board of teletype-writer regulations in the department of public safety). (See 1953, 474 § 2.)

SECTS. 9G and 9H added, 1955, 552 § 1 (authorizing the department of public safety to provide police service for the Massachusetts Turnpike Authority). (See 1955, 552 § 2.)

SECT. 9I added, 1956, 548 (relative to time off for members of the detective branch of the division of state police).

SECTS. 9J and 9K added, 1959, 274 § 1 (providing for the policing of the General Edward Lawrence Logan International Airport by the state police). (See 1959, 274 § 2.)

SECT. 10, third sentence revised, 1955, 730 § 28. (See 1955, 730 § 43.)

SECT. 11 revised, 1945, 643 § 1; fourth paragraph revised, 1955, 730 § 29. (See 1945, 643 § 3; 1955, 730 § 43.)

SECT. 11A added, 1959, 439 § 1 (establishing the board of elevator appeals). (See 1959, 439 § 3.)

SECT. 12 revised, 1957, 639.

SECT. 13 added, 1943, 544 § 1 (establishing within the department of public safety, a board of standards and appeals); revised, 1945, 645 § 1; first two sentences revised, 1945, 722 § 3; 1946, 522; fourth paragraph revised, 1955, 730 § 30. (See 1943, 544 § 7; 1945, 645 §§ 5, 6; 722 § 4; 1955, 730 § 43.)

SECT. 14 added, 1945, 710 § 1 (establishing within the department of public safety a board of fire prevention regulations); first paragraph revised, 1960, 674; fourth paragraph revised, 1955, 730 § 31. (See 1945, 710 § 18; 1955, 730 § 43.)

#### Chapter 23. — Department of Labor and Industries.

SECT. 2 revised, 1943, 321; 1946, 591 § 34; amended, 1950, 707; 1951, 560; second sentence revised, 1955, 730 § 32. (See 1955, 730 § 43.)

SECT. 3 amended, 1934, 331 § 1; second and third sentences revised, 1935, 479 § 1; third sentence revised, 1941, 490 § 4; 1954, 578 § 1. (See 1935, 479 § 7.)

SECT. 4 amended, 1934, 331 § 2; 1935, 479 § 2; first two sentences amended, 1939, 261 § 1; section amended, 1941, 490 § 5; first two sentences revised, 1941, 596 § 16; same two sentences revised, 1941, 707 § 1. (See 1939, 261 § 25.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 8 amended, 1939, 261 § 2. (See 1939, 261 § 25.)

SECT. 9 revised, 1935, 60 § 1.

SECT. 9A revised, 1932, 99; repealed, 1933, 73.

SECT. 9B repealed, 1933, 73.

SECT. 9C revised, 1932, 187; repealed, 1933, 73.

SECT. 9D repealed, 1939, 261 § 3.

SECT. 9E amended, 1941, 490 § 6.

SECT. 9G amended, 1939, 459 § 2. (See 1939, 459 § 3.)

SECT. 9H revised, 1933, 362; 1939, 261 § 4.

SECTS. 9I-9N added, 1935, 479 § 4 (establishing the Unemployment Compensation Commission, and defining its powers and duties); same sections revised and the powers and duties of the commission conferred and imposed upon the director of the division of unemployment compensation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6-9.)

SECT. 9I paragraph (a) revised, 1941, 685 § 4; 709 § 4; paragraph (b) revised, 1941, 596 § 17; 1946, 591 § 35; section revised, 1950, 792; paragraph (b) revised, 1955, 730 § 33; 1960, 730. (See 1941, 685 § 6; 709 §§ 1-3; 1955, 730 § 43.)

SECT. 9K, first sentence revised, 1941, 709 § 5; fourth sentence (as appearing in 1939, 20 § 1) revised, 1947, 610 § 1. (See 1941, 709 §§ 1-3.)

SECT. 9L amended, 1941, 709 § 6; revised, 1956, 602 § 4. (See 1956, 602 §§ 17-20.)

SECT. 9N, paragraph (b) revised, 1941, 611 § 1; section revised, 1941, 685 § 5; paragraph (a) amended, 1947, 610 § 2; paragraph (b) amended, 1946, 591 § 36; 1949, 720; 1951, 763 § 21A. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22.)

SECTS. 9O-9R added, under caption, 1938, 345 § 1 (incorporating the provisions of 1937, 436 relative to the labor relations commission as an addition to the general laws). (See 1938, 345 §§ 3, 4.)

SECT. 9P, first sentence revised, 1950, 709; 1955, 730 § 34; second sentence amended, 1950, 691 § 2. (See 1955, 730 § 43.)

SECTS. 10A-10C added, under caption, 1957, 778 § 1 (establishing a health, welfare and retirement trust funds board); said sections repealed, 1958, 655 § 1. (See 1957, 778 § 3; 1958, 655 § 5.)

SECTS. 10D-10F added, under caption preceding section 10A, 1958, 655 § 3. (See 1958, 655 § 5.)

SECT. 11A added, under caption, 1934, 331 § 3 (division of occupational hygiene).

SECTS. 11B-11D added, under caption, 1937, 427 (establishing the Massachusetts development and industrial commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth).

SECT. 11C revised, 1941, 596 § 17A.

SECT. 11D, paragraph added at end, 1950, 652.

SECTS. 11B-11D repealed, 1953, 409 § 3.

SECTS. 11E-11L added, under the caption "DIVISION OF APPRENTICE TRAINING", 1941, 707 § 2. (For prior temporary legislation see 1938, 448; 1939, 471.)

SECT. 11E, sixth sentence revised, 1955, 730 § 35. (See 1955, 730 § 43.)

SECT. 11K, first paragraph amended, 1954, 681 § 4. (See 1954, 681 §§ 20, 22.)

SECTS. 11M-11O added, 1954, 578 § 2 (establishing a council on the employment of the aging).

SECT. 11M, first sentence amended, 1955, 136.

SECTS. 14-23 added, under caption, 1953, 314 § 1 (establishing a division of industrial accidents within the department of labor and industries). (See 1953, 314 §§ 7-13.)

SECT. 15, first sentence revised, 1955, 730 § 36; section revised, 1956, 683; first sentence revised, 1957, 719. (See 1955, 730 § 43.)

SECT. 16, sentence added at end, 1955, 703.

SECT. 24 added, 1956, 602 § 5 (establishing an industrial accident rehabilitation board). (See 1956, 602 § 6, 17-20.)

#### **Chapter 23A. — Department of Commerce.**

**New chapter inserted, 1953, 409 § 1. (See 1953, 409 §§ 9-13.)**

SECT. 2, second sentence revised, 1955, 730 § 37. (See 1955, 730 § 43.)

SECT. 4 amended, 1957, 462 § 1.

SECT. 6, clause (*i*) added, 1954, 643 § 3.

SECT. 7A added, 1957, 462 § 2 (relative to the women's division in the department of commerce).

#### **Chapter 24. — Department of Industrial Accidents.**

**Chapter repealed, 1953, 314 § 14.**

#### **Chapter 25. — Department of Public Utilities.**

SECT. 2 amended, 1946, 591 § 38; 1950, 807; sentence inserted after third sentence, 1953, 296 § 1; fifth sentence revised, 1955, 730 § 38; 1956, 727; section revised, 1958, 557 § 1; amended, 1959, 606 § 1. (See 1953, 296 § 2; 1955, 730 § 43; 1959, 606 § 3.)

SECT. 3 revised, 1949, 257.

SECT. 4 revised, 1938, 221; amended, 1959, 606 § 2; paragraph added at end, 1951, 101; same paragraph stricken out, 1955, 285 § 1. (See 1955, 285 § 2.)

SECT. 4A added, 1950, 526 (relative to the place of holding certain hearings on rates or reductions in service); revised, 1953, 327.

SECT. 5 revised, 1953, 575 § 1; third paragraph revised, 1956, 190. (See 1953, 575 § 2.)

SECT. 5A revised, 1952, 453.

SECT. 8A added, 1939, 442 § 2 (authorizing the appointment of employees for the administration and enforcement of the sale of securities law).

SECT. 9A added, 1933, 76 § 2 (providing for certain employees serving directly under the commission of the department to perform its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 2.

SECT. 10 amended, 1933, 76 § 3; 1934, 352 § 3; 1939, 442 § 3.

SECT. 10A added, 1933, 76 § 4 (providing for the apportionment of expenses incurred by the department in the performance of its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 4.

SECTS. 11 and 12 repealed, 1935, 411 § 1. (See 1935, 411 § 2.)

SECT. 12A revised, 1938, 445 § 1; repealed, 1939, 442 § 1.

SECT. 12B revised, 1932, 290 § 2; repealed, 1939, 442 § 1.

SECTS. 12C-12F repealed, 1933, 76 § 1; new sections 12C-12E added, under caption "DIVISION OF SMOKE INSPECTION", 1934, 352 § 1; repealed, 1954, 672 § 1. (See 1954, 672 §§ 2, 5, 6.)

SECT. 12C revised, 1941, 596 § 18; repealed, 1954, 672 § 1. (See 1954, 672 §§ 2, 5, 6.)

SECT. 12F added, 1935, 405 § 1 (establishing in the department a commercial motor vehicle division, under the charge of a director thereof); phrase added at end, 1935, 477 § 2; section amended, 1939, 335 § 1; revised, 1941, 596 § 19; new sentence added at end, 1941, 653 § 1; same sentence stricken out, 1951, 664 § 8. (See 1939, 335 § 2.)

SECT. 12G added, 1936, 117 (authorizing the director of the commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

SECT. 12H added, 1960, 737 § 1 (providing for the promulgation of uniform rules and regulations to govern gas fitting in buildings throughout the commonwealth). (See 1960, 737 § 6.)

#### Chapter 26. — Department of Banking and Insurance.

For temporary legislation providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 2 amended, 1943, 315; 1946, 591 § 39; 1949, 786; second sentence revised, 1955, 730 § 39. (See 1955, 730 § 43.)

SECT. 3 revised, 1941, 596 § 20.

SECT. 4 revised, 1941, 596 § 21.

SECT. 5A added, 1956, 689 § 3 (establishing the small loans regulatory board). (See 1956, 689 §§ 8A, 9.)

SECT. 6 amended, 1943, 317; 1946, 591 § 40; 1951, 776; second sentence revised, 1955, 730 § 40. (See 1955, 730 § 43.)

SECT. 8A revised, 1934, 2; amended, 1935, 419; second sentence revised, 1947, 94.

SECT. 9 amended, 1947, 260 § 1.

SECT. 10, sentence added at end, 1943, 346; section amended, 1947, 260 § 2.

#### Chapter 27. — Department of Correction.

Sections 1-6 stricken out and new sections 1-6 inserted, 1955, 770 § 1. (See 1955, 770 §§ 114-123.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

The following references are to sections 1 to 6 as so inserted:

SECT. 2, third sentence amended, 1956, 16 § 1; second paragraph revised, 1957, 482 § 3.

SECT. 3 revised, 1956, 731 § 1; amended, 1957, 704; revised, 1960, 474. (See 1956, 731 §§ 29-33.)

SECT. 4 revised, 1960, 765 § 1. (See 1960, 765 §§ 8, 9.)

SECT. 5 revised, 1960, 765 § 2.

SECT. 6 stricken out, 1960, 765 § 2A.



**Chapter 28. — Metropolitan District Commission.**

For legislation abolishing the metropolitan district water supply commission and transferring its functions to the metropolitan district commission, see 1947, 583.

SECT. 2 amended, 1946, 591 § 42; revised, 1949, 795.

SECT. 3 revised, 1936, 244 § 1; 1941, 596 § 23. (See 1936, 244 § 4.)

SECT. 4 amended, 1936, 244 § 2. (See 1936, 244 § 4.)

SECT. 4A added, 1960, 547 (providing for the furnishing of work clothes to certain employees of the sewerage division of the metropolitan district commission).

SECTS. 5 and 6 repealed, 1941, 466 § 6.

**Chapter 29. — State Finance.**

For temporary legislation as to emergency state financing, see 1933, 49, 104, 307, 341, 365, 367, 368; 1934, 41, 66, 313, 335; 1935, 221, 300, 380, 392, 456; 1936, 309; 1937, 338; 1938, 20, 57, 481, 501 § 3; 1939, 288, 417, 418, 496; 1941, 129; 1943, 413; 1945, 324; 1947, 206.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, paragraph added at end, 1939, 502 § 1; same paragraph revised, 1941, 509 § 2; same paragraph stricken out, 1945, 242 § 2. (See 1941, 509 § 9.)

SECT. 2 revised, 1950, 40.

SECT. 3 revised, 1939, 502 § 2; amended, 1945, 242 § 3.

SECT. 4 amended, 1939, 502 § 3; 1945, 242 § 4.

SECT. 5 revised, 1939, 502 § 4; 1941, 656 § 2; 1945, 242 § 5; 637 § 2 (See 1941, 656 § 17; 1945, 279.)

SECT. 5A amended, 1939, 502 § 5; 1945, 242 § 6.

SECT. 6 amended, 1937, 426 § 1; revised, 1939, 502 § 6; amended, 1941, 490 § 7; 656 § 3; revised, 1945, 242 § 7; fifth sentence revised, 1945, 548 § 2. (See 1937, 426 § 2; 1941, 656 § 17; 1945, 548 § 3.)

SECT. 8 revised, 1947, 312; stricken out, 1953, 612 § 7.

SECT. 8A added, 1939, 427 (relative to competitive bidding on state contracts); revised, 1941, 547 § 1; first sentence amended, 1951, 401.

SECT. 9A revised, 1939, 502 § 7; amended, 1941, 656 § 4; 1945, 242 § 8. (See 1941, 656 § 17.)

SECT. 9B added, 1941, 564 § 1 (providing for the allotment of certain appropriations by the governor). (See 1941, 564 § 2.)

SECT. 10 amended, 1936, 256; revised, 1939, 502 § 8; 1941, 656 § 5; amended, 1945, 242 § 9; repealed, 1945, 637 § 3. (See 1941, 656 § 17; 1945, 279.)

SECT. 11 amended, 1939, 502 § 9; 1941, 656 § 6; repealed, 1945, 242 § 10. (See 1941, 656 § 17.)

SECT. 12 amended, 1939, 502 § 10; revised, 1945, 242 § 11; 637 § 4; 1950, 41. (See 1945, 279.)

SECT. 13 revised, 1950, 42.

SECT. 14 revised, 1939, 502 § 11; 1945, 242 § 12; 1950, 43.

SECT. 18, last sentence revised, 1945, 248 § 3; amended, 1953, 263 § 2. (See 1945, 248 §§ 4, 5; 1953, 263 § 3.)

SECT. 20 revised, 1950, 44.

SECT. 20A added, 1937, 407 (relative to public inspection of certain orders and claims, in advance of approval or rejection thereof, in connection with state contracts).

SECT. 25 amended, 1941, 656 § 7. (See 1941, 656 § 17.)

SECT. 26 revised, 1939, 502 § 12; amended, 1941, 656 § 8; 1945, 242 § 13; revised, 1947, 636 § 1. (See 1941, 656 § 17.)

SECT. 27 amended, 1937, 359; revised, 1939, 502 § 13; amended, 1941, 656 § 9; revised, 1947, 636 § 2; 1950, 45. (See 1941, 656 § 17.)

SECT. 29 amended, 1939, 502 § 14; 1943, 345; revised, 1947, 636 § 3; 1950, 46.

SECT. 31, last sentence amended, 1932, 127 § 2; section amended, 1941, 508; last sentence amended, 1945, 545; section revised, 1945, 635 § 1; 1946, 580 § 1; 1949, 386; first sentence stricken out and two sentences inserted, 1959, 473 § 1; last sentence revised, 1960, 618 § 1. (See 1946, 580 § 3; 1947, 527; 1948, 501; 1959, 473 §§ 4, 5; 1960, 618 § 2.)

SECT. 31A added, 1946, 520 (providing for payment of accumulated vacation allowances of state employees upon death or separation from service); amended, 1954, 680 § 4; paragraph (c) added, 1953, 521; amended, 1954, 680 § 4.

SECT. 31B added, 1946, 580 § 2 (providing that teachers in certain state institutions may be paid weekly).

SECT. 31C added, 1954, 352 § 1 (relative to the vacation time of persons holding non-teaching positions in any school or college of the commonwealth). (See 1954, 352 § 2.)

SECT. 31D added, 1959, 389 (relative to the payment of salaries, wages or other money owing by the commonwealth upon the death of officers or employees).

SECT. 32 revised, 1951, 759 § 1; amended, 1957, 531 § 2. (See 1951, 759 § 3.)

SECT. 32A added, 1951, 759 § 2 (relative to payment of unclaimed wages or salaries due from the commonwealth). (See 1951, 759 § 3.)

SECT. 34 amended, 1936, 333; 1948, 396; revised, 1953, 223; 1954, 135; sentence inserted after first sentence, 1955, 167; affected, 1946, 608 § 3.

SECT. 34A added, 1960, 230 (relative to deposits of public moneys and funds in co-operative banks).

SECT. 38, subdivision (h) added, 1934, 356; first paragraph amended, 1945, 658 § 7. (See 1945, 658 § 11.)

SECT. 47 stricken out and sections 47, 47A inserted, 1945, 637 § 5. (See 1945, 279.)

SECT. 48A added, 1937, 252 (authorizing the use of facsimile signatures of the governor on certain bonds and notes of the commonwealth); amended, 1946, 128.

SECT. 50 revised, 1939, 502 § 15; 1941, 656 § 10; 1945, 242 § 14. (See 1941, 656 § 17.)

SECT. 52 revised, 1954, 389 § 1. (See 1954, 389 § 2.)

SECT. 56 revised, 1953, 272. (See 1956, 625 § 6.)

SECT. 62 repealed, 1943, 83 § 2.

SECT. 63 added, 1937, 157 (providing for taxpayers' petitions for enforcement of certain provisions of law relative to state finance).

#### **Chapter 30. — General Provisions Relative to State Departments, Commissions, Officers and Employees.**

Provisions relative to expenses incurred for certain meals by state employees, 1933, 174 § 8; 1934, 162 § 6; 1935, 249 § 7; 1936, 304 § 7; 1937, 234 § 6; 1938, 356 § 5; 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to the purchase of passenger automobiles, 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to expenses incurred by state employees in the operation of motor vehicles, 1939, 309 § 5; 1941, 419 § 5; 1943, 68 § 5; 370 § 5; 1945, 404 § 5; 682 § 4; 1946, 309 § 5; 617 § 5; 1947, 219 § 5; 685 § 5.

For legislation relative to commencement of terms of certain state officers, see 1939, 304.

SECT. 7 revised, 1937, 414 § 1; amended, 1941, 512; 1947, 376.

SECT. 9A added, 1946, 269 (regulating the separation from the service of the commonwealth of certain war veterans holding unclassified offices or positions); revised, 1947, 242.

SECT. 9B added, 1946, 524 (protecting certain officers and employees of the commonwealth against arbitrary removal); revised, 1950, 717; 1955, 643 § 5; 1960, 611. (See 1955, 643 § 12.)

SECT. 9C added, 1956, 537 § 1 (providing indemnity to certain employees of the department of mental health or public health for clothing or other property damaged or destroyed by patients in certain institutions). (See 1956, 537 § 2.)

SECT. 9D added, 1958, 538 § 1 (providing tenure for certain teachers in the employ of the commonwealth after three years' service).

SECT. 13 revised, 1951, 409.

SECT. 23A added, 1952, 142 (relative to the appointment of trustees of state institutions to certain offices or positions therein).

SECT. 24 revised, 1937, 430; 1945, 508; 1946, 408; amended, 1954, 680 § 5; revised, 1955, 643 § 8. (See 1955, 643 § 12.)

SECT. 24A added, 1945, 565 (relative to compensation for state employees who are required to work on state-wide legal holidays); amended, 1946, 411; revised, 1948, 498; amended, 1953, 400.

SECT. 24B added, 1957, 753 § 1 (relative to the method of filling certain vacancies in the state service).

SECT. 25A added, 1956, 612 (providing for the return of the body of a deceased state officer or member of a department who dies while away from home on state business).

SECT. 26 repealed, 1948, 255.

SECT. 28 revised, 1941, 656 § 11. (See 1941, 656 § 17.)

SECT. 30A amended, 1945, 580 § 5.

SECT. 32 revised, 1939, 499 § 4; 1945, 292 § 4; first sentence revised, 1950, 488.

SECT. 32A added, 1939, 499 § 4A (relative to the force and effect of rules and regulations included in annual reports); repealed, 1945, 292 § 5.

SECT. 33 revised, 1939, 499 § 5; 1945, 292 § 6; amended, 1948, 67.

SECT. 33A amended, 1939, 499 § 6; 1945, 292 § 7.

SECT. 35 amended, 1945, 580 § 6. (See 1945, 580 § 9.)

SECT. 36 revised, 1948, 584 § 1.

SECT. 37 revised, 1951, 556 § 1. (See 1951, 556 § 2.)

SECT. 37A added, 1951, 576 (providing for public hearings prior to issuance of rules and regulations containing penalties); repealed, 1954, 681 § 2. (See 1954, 681 §§ 20, 22.)

SECT. 38, paragraph added at end, 1954, 680 § 6.

SECT. 39 revised, 1934, 351; amended, 1935, 217 § 1; revised, 1935, 472

§ 1; amended, 1955, 702 § 1; stricken out, 1957, 682 § 2. (See 1955, 702 § 3; 1957, 682 § 3.)

SECT. 39A-39E added, 1951, 694 (requiring security for certain motor truck carriers performing work under contract with the commonwealth or any political subdivision thereof).

SECT. 39F added, 1954, 609 (providing a method of payment to certain subcontractors on contracts for the construction, reconstruction, altering, remodeling and repair of certain public works by the commonwealth or any political subdivision thereof); revised, 1955, 701; 1956, 677 § 1; two paragraphs added at end, 1960, 771 § 1. (See 1956, 677 § 2.)

SECT. 39G added, 1955, 597 (to expedite the payments of sums due to contractors after completion of certain public works contracts); fourth sentence amended, 1955, 702 § 1A; first two paragraphs revised, 1956, 499; third paragraph amended, 1957, 360.

SECT. 39H added, 1958, 681 (providing that the commonwealth shall agree to indemnify contractors for certain damages sustained by them in connection with the construction of public ways).

SECT. 39I added, 1960, 771 § 1A (regulating the performance of contracts for the construction, alteration, maintenance, repair and demolition of any public building or public works).

SECT. 42 revised, 1936, 359; amended, 1941, 450 § 1; 1948, 21; revised, 1951, 397; first sentence amended, 1957, 477.

SECT. 44B added, 1941, 678 § 1 (relative to pipe lines for conveying petroleum and its products and by-products).

SECT. 45, first sentence amended, 1947, 678 § 1; section revised, 1948, 311 § 1; 1954, 680 § 9; paragraph (1) amended, 1957, 648 § 1; paragraph (3) amended, 1956, 729 § 1; paragraph (4) revised, 1956, 729 § 2; paragraph (5) revised, 1956, 729 § 3; paragraph (6) amended, 1955, 643 § 2; paragraph 7(A) added, 1959, 474; paragraph (9) added, 1956, 729 § 4; amended, 1957, 648 § 2. (See 1948, 311 §§ 4, 5; 1955, 643 § 12; 1956, 729 §§ 15-21; 1957, 753 § 2, 648 § 3.)

SECT. 46 revised, 1947, 613 § 1; 1948, 311 § 2; salary schedules revised, 1949, 785 § 1; 1951, 715 §§ 1, 2; 1954, 407 § 1; 1959, 620 § 1; 1960, 782 § 2; paragraph (1) revised, 1954, 680 § 10; paragraph (1) and salary schedule revised, 1956, 729 § 5; paragraph (1A) inserted, 1950, 726; paragraph (1B) inserted, 1951, 621; paragraph (2) revised, 1952, 421 § 1; 1954, 407 § 2; 1956, 729 § 6; 1959, 473 § 2; paragraph (3) revised, 1956, 729 § 7; 1959, 473 § 3; paragraph (4) revised, 1955, 643 § 1; amended, 1956, 729 § 8; paragraph (5) revised, 1954, 680 § 11; 1956, 729 § 9; paragraph (5A) added, 1956, 729 § 9; paragraph (6) amended, 1949, 406 § 1; revised, 1954, 680 § 12; amended, 1956, 729 § 10; paragraph (7) amended, 1955, 643 § 3; revised, 1956, 729 § 11; paragraph (8) revised, 1949, 406 § 2; amended, 1956, 729 § 12; 1954, 680 § 13; paragraph (11) inserted, 1956, 729 § 13. (See 1947, 613 §§ 2, 3; 1948, 311 §§ 4, 5; 1949, 406 §§ 3-6; 1951, 715 §§ 3-5; 1952, 421 § 2; 1954, 407 §§ 3, 4; 1955, 643 § 12; 1956, 729 §§ 15-21; 1957, 753 § 2; 1959, 473 §§ 4, 5, 620 §§ 2-5.)

SECT. 46A added, 1954, 680 § 14 (relative to the allocation or reallocation of certain offices or positions in the state classified system); repealed, 1956, 729 § 14. (See 1956, 729 §§ 15-21.)

SECT. 47, last sentence revised, 1941, 656 § 12; same sentence stricken out, 1945, 637 § 6; section revised, 1948, 311 § 3; 1955, 643 § 4. (See 1941, 656, § 17; 1945, 279; 1948, 311 §§ 4, 5; 1949, 406 § 3; 1955, 643 § 12.)

SECT. 48 amended, 1954, 680 § 15.

SECT. 49 amended, 1954, 680 § 16.

SECTS. 53-57 added, under caption, 1945, 485 (providing for the prompt disposition of certain grievances of state employees relating to their employment); sections 53-57 revised, 1958, 615 § 1. (See 1958, 615 § 2.)

SECT. 53 amended, 1960, 457.

SECT. 58 added, 1955, 602 (regulating the payment of compensation to state employees injured in the service of the commonwealth).

#### **Chapter 30A. — State Administrative Procedure.**

**New chapter inserted, 1954, 681 § 1. (See 1954, 681 §§ 20-22.)**

SECT. 1, paragraph (2) revised, 1959, 511.

SECT. 11A added, 1958, 626 § 2 (providing that meetings of state boards and commissions be open to the public); second paragraph revised, 1960, 437 § 1.

SECT. 13, third paragraph amended, 1960, 245.

SECT. 14, clause (1) amended, 1957, 193 § 1.

#### **Chapter 31. — Civil Service.**

For temporary legislation protecting the civil service rights of certain persons in the military or naval service of the United States, see 1941 708; 1943, 172, 338, 548; 1945, 610; 1946, 61, 62, 238, 271 §§ 1-4; 1947, 4, 11, 14, 71, 203, 367; 1948, 447; 1949, 169; 1954, 627, 688; 1955, 205, 507, 708 §§ 1, 2.

For temporary legislation relative to transfers of civil service employees during the present emergency, see 1943, 492.

For temporary legislation making certain veterans eligible to take civil service examinations notwithstanding any age requirements, see 1945, 440 § 1; 1950, 179.

For legislation protecting the civil service rights of certain employees who are veterans attending school or "on-the-job" training under the G. I. Bill of Rights, see 1948, 228.

For legislation relative to promotional examinations for principal interviewer in the division of employment security, see 1948, 263.

For legislation subjecting certain employees of the division of employment security to the civil service laws, see 1949, 773; 1950, 461, 704.

For legislation reclassifying members of fire departments by changing the title of fireman to fire fighter, see 1952, 45.

SECT. 1, definitions contained in fourth to eighth lines revised, 1939, 238 § 9; revised, 1945, 703 § 1; definitions of "appointing authority" or "appointing officer" revised, 1953, 153. (See 1939, 238 §§ 52-55.)

SECT. 2 revised, 1939, 238 § 10; 1945, 725 § 1.

SECT. 2A added, 1939, 238 § 11 (relative to the duties of the director of civil service); clause (b) revised, 1939, 506 § 1; clause (e) revised, 1941, 402 § 2; clause (c) amended, 1941, 721; section revised, 1945, 725 § 2; paragraph (b) revised, 1951, 302; two sentences added at end, 1953,

286 § 1; sentence added at end, 1954, 295 § 1; paragraph (d) amended, 1954, 680 § 17. (See 1939, 238 §§ 52-55; 1953, 286 § 2.)

SECT. 3, clause (g) added, 1937, 223 (giving preference to blind persons in the employment of typists in certain cases by state departments, boards and commissions); section amended, 1939, 238 § 12; revised, 1939, 498 § 1; clause (a) revised, 1941, 190; section revised, 1945, 702; clause (a) revised, 1955, 643 § 10. (See 1939, 238 §§ 51-55; 1955, 643 § 12.)

SECT. 4, fourth paragraph amended, 1938, 72; paragraph in line 19 stricken out and new paragraph inserted, 1941, 49; sixth paragraph revised, 1932, 282 § 1; section amended, 1939, 238 § 13; paragraph added at end, 1939, 256 § 1; paragraphs added at end by 1941, 625 § 1, 1941, 627 § 1 and 1941, 686 § 2, respectively; paragraphs added at end by 1943, 246 § 1 and 1943, 402 § 1, respectively; section revised, 1945, 701 § 4; paragraph in line 12 revised, 1959, 320 § 1; paragraph in line 15 revised, 1957, 142; paragraph in line 19 revised, 1959, 320 § 2; paragraph in line 22 revised, 1949, 397; 1956, 294; 1958, 583 § 1; paragraph added at end, 1949, 765 § 1; same paragraph stricken out, 1958, 583 § 2; paragraph added at end, 1949, 779 § 1; 1956, 438 § 1; 652 § 1. (See 1932, 282 § 4; 1943, 246 § 2; 402 § 2; 1949, 765 § 2; 779 § 2; 1956, 438 § 2; 652 § 2.)

SECT. 5 amended, 1935, 405 § 2; 1936, 244 § 3; 1939, 238 § 14; revised, 1941, 402 § 3; amended, 1945, 355; 701 § 4A; 1948, 387 § 2; 1950, 397; 1951, 26; amended, 1954, 298. (See 1948, 387 § 1.)

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 6, first sentence revised, 1949, 430; sentence added at end, 1932, 260; same sentence amended, 1939, 238 § 15.

SECT. 6A added, 1935, 228 (dispensing with educational requirements as a condition of taking certain civil service examinations).

SECT. 7 revised, 1939, 397.

SECT. 8 amended, 1939, 238 § 16; revised, 1939, 396; 1945, 703 § 3; second paragraph revised, 1959, 318.

SECT. 10 revised, 1939, 238 § 17; 1939, 498 § 2; last sentence stricken out and five sentences inserted, 1945, 703 § 4.

SECT. 11 amended, 1959, 27.

SECT. 12 amended, 1939, 238 § 18; revised, 1945, 704 § 1; first paragraph amended, 1954, 627 § 2; amended, 1946, 271 § 5; paragraph added at end, 1948, 121 § 1; same paragraph amended, 1951, 27; section revised, 1955, 571. (See 1948, 121 § 2; 1954, 627 §§ 65, 67.)

SECT. 12A added, 1945, 704 § 2 (providing procedure for reviewing markings on civil service examination papers); revised, 1948, 297.

SECT. 12B added, 1957, 401 (providing that applicants for the position of wire inspector must hold a master or journeyman electrician's license before being certified for such position).

SECT. 13 amended, 1938, 174 § 2; revised, 1945, 703 § 5; sentence added at end, 1952, 214.

SECT. 13A amended, 1939, 238 § 19; revised, 1945, 725 § 3.

SECT. 14 amended, 1939, 238 § 20; repealed, 1945, 725 § 5.

SECT. 15 revised, 1939, 238 § 21; 1939, 506 § 2; 1941, 491; second paragraph revised, 1945, 704 § 3; last paragraph stricken out and three paragraphs inserted, 1945, 704 § 4; section revised, 1946, 103; first paragraph revised, 1951, 41 § 1; 1960, 598; second paragraph revised, 1957, 46; fourth paragraph revised, 1951, 41 § 2; fifth paragraph revised, 1954,

376; paragraph A amended, 1948, 489; revised, 1952, 317 § 1; 1954, 267; paragraph B revised, 1952, 317 § 2; paragraph C amended, 1955, 643 § 9; paragraph added at end, 1947, 13. (See 1955, 643 § 12.)

SECT. 15A added, 1933, 267 (restricting the appointment of persons for temporary employment under the civil service laws); amended, 1934, 105; repealed, 1943, 523.

SECT. 15B added, 1943, 520 (authorizing certain promotions from the labor service to the official service of a department, board or commission under the civil service laws); amended, 1946, 52; revised, 1952, 313; 1953, 459; amended, 1958, 51.

SECTS. 15C and 15D added, 1945, 704 § 5 (requiring lists of civil service officers and employees to be filed annually with the director of civil service and establishing the method of determining seniority).

SECT. 15C amended, 1946, 53; paragraph inserted after first paragraph, 1950, 385; section revised, 1953, 195.

SECT. 15D, paragraph 1 amended, 1952, 447 § 1; 1955, 40; paragraph 2 revised, 1947, 426; definition of "Absence" revised, 1949, 167. (See 1952, 447 § 2.)

SECT. 15E added, 1946, 540 (providing that injuries received by persons employed in a provisional capacity shall not disqualify them for permanent employment under the civil service laws).

SECT. 15F added, 1951, 157 (relative to provisional promotions under civil service laws and probationary periods served therein); revised, 1958, 529.

SECT. 16A added, 1939, 506 § 3 (relative to transfers under the civil service laws); revised, 1945, 703 § 6; 1958, 55.

SECT. 17 amended, 1934, 94; revised, 1939, 76; amended, 1939, 238 § 22.

SECT. 18 amended, 1939, 238 § 23; revised, 1945, 703 § 9; amended, 1947, 22.

SECT. 18A added, 1941, 627 § 4 (positions in the labor service of the department of public works to be classified by districts); sentence added at end, 1945, 389.

SECT. 19A added, 1932, 146 (relative to appointments to the regular fire forces in certain cities having reserve fire forces); amended, 1939, 238 § 24; revised, 1941, 38; amended, 1943, 530; revised, 1949, 55.

SECT. 19B added, 1949, 288 (relative to appointments of intermittent firemen to the regular force in cities and towns).

SECT. 20 amended, 1939, 238 § 25; revised, 1939, 419 § 3; 1945, 704 § 6; 1947, 354 § 1; first paragraph amended, 1959, 115; paragraph added at end, 1951, 279. (See 1947, 354 § 2.)

SECT. 20A amended, 1939, 238 § 26; revised, 1941, 39; 1952, 167 § 1; 1953, 255 § 1; amended, 1954, 136 § 1. (See 1952, 167 § 3; 1953, 255 § 2.)

SECT. 20B added, 1937, 416 § 3 (providing for appointments to the regular police force of the metropolitan district commission from the list of members of the reserve police force); amended, 1939, 238 § 27; repealed, 1939, 441 § 2. (See 1937, 416 § 5; repealed, 1939, 441 § 3.)

SECT. 20C added, 1941, 621 (relative to appointments to the regular police force in certain cities and towns); revised, 1952, 167 § 2; amended, 1954, 136 § 2. (See 1952, 167 § 3.)

SECT. 20D added, 1945, 703 § 2 (relative to the serving of probationary periods in offices and positions subject to civil service).

SECT. 21 amended, 1932, 89; revised, 1933, 137; amended, 1939, 238 § 28; 1943, 194, 469; 1946, 216; 1950, 289 § 1; revised, 1951, 663; 1954, 627 § 3; amended, 1956, 249; next to last paragraph revised, 1956, 248. (See 1950, 289 § 2; 1954, 627 §§ 65, 67.)

SECT. 21A added, 1954, 688 § 1 (further defining the word "veteran" as used in certain laws); amended, 1956, 702.

SECT. 22 amended, 1939, 238 § 29; first sentence revised, 1954, 627 § 4; paragraph added at end, 1946, 345. (See 1954, 627 §§ 65, 67.)

SECT. 22A added, 1946, 221 (making certain veterans eligible for examinations and appointment to police and fire departments notwithstanding certain age requirements); revised, 1947, 287.

SECT. 23 amended, 1939, 238 § 30; sentence added at end, 1949, 642 § 1; section revised, 1954, 627 § 5. (See 1954, 627 §§ 65, 67.)

SECT. 23A added, 1954, 627 § 6 (defining "Disabled Veteran"); revised, 1956, 430 § 1; first paragraph amended, 1958, 69 § 1. (See 1954, 627 §§ 65, 67; 1956, 430 § 2; 1958, 69 § 2.)

SECT. 23B added, 1954, 627 § 6 (providing for preference in civil service appointments for widows and widowed mothers of certain veterans); revised, 1956, 430 § 1. (See 1954, 627 §§ 65, 67; 1956, 430 § 2; 1958, 69 § 2.)

SECT. 24 amended, 1939, 238 § 31; sentence added at end, 1949, 642 § 2; same sentence revised, 1956, 247.

SECT. 25 amended, 1939, 238 § 32; 1946, 145; revised, 1948, 407.

SECT. 29 amended, 1939, 238 § 33; revised, 1945, 725 § 4; amended, 1948, 138.

SECT. 30 amended, 1939, 238 § 34; repealed, 1945, 725 § 5.

SECT. 31 amended, 1939, 238 § 35; revised, 1939, 422 § 1; first paragraph amended, 1959, 319.

SECT. 31A added, 1939, 422 § 2 (relative to the making of reports by department heads pertaining to civil service employees).

SECT. 31B added, 1941, 165 § 1 (relative to the preparation and keeping of rosters of positions in the classified civil service and incumbents thereof in connection with the payment of salaries or compensation). (See 1941, 165 § 2.)

SECT. 32 amended, 1939, 238 § 36; revised, 1939, 420 § 1.

SECT. 32A added, 1939, 420 § 2 (providing that records and files relating to civil service employees be public records); repealed, 1945, 703 § 10.

SECT. 33 amended, 1939, 238 § 37; revised, 1939, 420 § 3.

SECT. 34 amended, 1939, 238 § 38; revised, 1939, 420 § 4.

SECT. 35 repealed, 1941, 559.

SECT. 36 amended, 1939, 238 § 39; revised, 1945, 701 § 1.

SECT. 37 amended, 1939, 238 § 40.

SECT. 38 amended, 1939, 238 § 41; revised, 1939, 422 § 3.

SECT. 39 amended, 1939, 238 § 42.

SECT. 40 amended, 1939, 238 § 43; repealed, 1945, 703 § 10.

SECT. 42 amended, 1939, 238 § 44; revised, 1960, 722.

SECT. 42A repealed, 1945, 667 § 4.

SECT. 42B repealed, 1945, 667 § 4.

SECT. 43 revised, 1945, 667 § 1; paragraph (f) revised, 1946, 379; section revised, 1947, 373 § 1; paragraph (a) amended, 1949, 170 § 1; second sentence revised, 1949, 429 § 1; paragraph (a) revised, 1957, 432;



1959, 569 § 1; paragraphs (b) and (c) revised, 1948, 240; paragraph (d) amended, 1955, 407 § 1; paragraph (e), first sentence revised, 1949, 429 § 2; paragraph (e) revised, 1956, 629 § 1; 1959, 569 § 2; paragraph (g) added, 1956, 629 § 2; revised, 1959, 569 § 3; paragraph (h) added, 1957, 569; revised, 1959, 569 § 4. (See 1955, 407 § 3; 1956, 629 § 3.)

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2; amended, 1955, 407 § 2. (See 1955, 407 § 3.)

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service); amended, 1941, 166.

SECT. 45B added, 1941, 135 (requiring clerks of district courts to furnish certain information to the director of civil service); amended, 1945, 667 § 3.

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1; amended, 1941, 257; repealed, 1945, 667 § 4.

SECT. 46A revised, 1959, 569 § 5.

SECT. 46B amended, 1939, 238 § 45; repealed, 1945, 667 § 4.

SECTS. 46C and 46D added, 1933, 320 (providing for the reinstatement of certain municipal officers and employees).

SECT. 46C amended, 1934, 84; 1936, 66; revised, 1938, 297 § 1; amended, 1939, 238 § 46; revised, 1945, 704 § 8; amended, 1947, 373 § 2.

SECT. 46D repealed, 1945, 704 § 7.

SECT. 46E added, 1934, 207 (providing that a leave of absence of less than six months shall not be deemed a separation from the classified civil service in certain cases); first paragraph revised, 1945, 703 § 7; amended, 1951, 37; paragraph added at end, 1936, 297; same paragraph amended, 1939, 238 § 47; 1941, 136.

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the metropolitan district commission in certain cases); amended, 1939, 238 § 48; repealed, 1945, 704 § 7.

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases); revised, 1938, 297 § 2; 1945, 704 § 9; amended, 1949, 170 § 2.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; first two sentences revised, 1960, 231 § 1; paragraph added at end, 1951, 420. (See 1960, 231 § 2.)

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 46K added, 1952, 138 (authorizing civil service employees to petition their municipal government and to appear before committees thereof).

SECT. 47 revised, 1945, 701 § 2; caption preceding section changed, 1957, 29.

SECT. 47A added, 1941, 195 (providing that certain employees in the classified public service shall not be subject to a probationary period);

revised, 1945, 701 § 3; second paragraph amended, 1946, 59; first two paragraphs revised, 1948, 278; paragraph added at end, 1950, 376 § 1. (See 1950, 376 § 2.)

SECT. 47B added, 1941, 290 (relative to the classification and establishment of seniority of certain civil service employees); revised, 1945, 701 § 5; paragraph inserted after first paragraph, 1956, 49; fourth paragraph amended, 1960, 73.

SECTS. 47C and 47D added, 1941, 402 § 1 (establishing a merit system, substantially similar to the civil service system, for certain officers and employees of local boards of public welfare). (See 1941, 402 §§ 4-9.)

SECT. 47C, paragraph (1) revised, 1941, 588 § 1; 1950, 793 § 1; 1951, 741 § 3. (See 1941, 588 § 3; 1950, 793 § 2.)

SECT. 47E added, 1951, 537 (providing annual step-rate increases for municipal public welfare employees).

SECT. 48 revised, 1945, 701 § 6; first paragraph amended, 1953, 306; 1954, 90; paragraph added at end, 1947, 239.

SECT. 49 repealed, 1945, 701 § 7.

SECT. 49A added, 1939, 183 (authorizing cities and towns to place certain offices under the civil service laws by vote of the voters thereof); revised, 1941, 414; 1945, 701 § 8.

### **Chapter 32. — Retirement Systems and Pensions.**

For temporary legislation providing for the return of certain moneys paid into the state retirement fund by certain former members of the general court, see 1954, 615.

For temporary legislation relative to make-up payments in the annuity savings fund by surviving beneficiaries of certain former constitutional officers or members of the general court, see 1956, 335.

For temporary legislation protecting the retirement rights of certain persons in the military or naval service of the United States, see 1941, 708; 1943, 172, 419, 548; 1945, 455, 610, 699; 1947, 4, 11, 14, 203, 367; 1954, 627, 688; 1955, 708 §§ 1, 2.

For legislation relative to the temporary re-employment of former officers and employees of the commonwealth or of any political sub-division thereof during the continuance of the existing state of war between the United States and any foreign country, see 1942, 16; 1943, 502; 1946, 55, 306.

For temporary legislation authorizing the employment of certain nurses who have been retired, see 1955, 553.

For legislation relative to the retirement of assistant attorneys general, see 1948, 659.

For legislation relative to the retirement of county commissioners, see 1948, 662.

For legislation relative to increasing the amounts of pensions and retirement allowances payable to certain former public employees, see 1950, 820; 1951, 781; 1952, 624; 1953, 471, 472; 1955, 670; 1956, 415, 605.

For legislation to restore the pension rights to members of the general court and the constitutional officers, see 1955, 554; 1956, 386.

**Sects. 1-38A, as amended, stricken out and twenty-eight new sections, 1-28, inserted, 1945, 658 § 1. (See 1945, 658 §§ 9-11.)**

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 1 to 28 as so inserted:

SECT. 1, definition of "Beneficiary" revised, 1949, 618 § 1; definition of "District" amended, 1953, 583 § 1; 1956, 306 § 1; definition of "Employee" revised, 1947, 660 § 1; 1950, 537; sentence added at end, 1950, 600 § 1; definition of "Employee" revised, 1951, 543 § 1; amended, 1952, 185; 1956, 306 § 2; definition of "Governmental Unit" revised, 1947, 667 § 1; definition of "Maximum age" revised, 1958, 321 § 1; definition of "Political subdivision" revised, 1948, 507 § 1; definition of "Regular compensation" revised, 1948, 606; sentence added at end, 1952, 423 § 1; revised, 1957, 516 § 2; next to last sentence revised, 1952, 515 § 2; definition of "Teacher" amended, 1951, 543 § 2; revised, 1952, 434 § 1; 1957, 516 § 1; definition of "Veteran" amended, 1950, 710; sentence added at end, 1951, 526 § 1; revised, 1954, 627 § 7; amended, 1954, 688 § 2. (See 1950, 600 § 3; 1951, 543 § 3; 1952, 423 § 2; 1954, 627 §§ 65, 67; 1957, 516 § 4.)

SECT. 2 amended, 1956, 306 § 3.

SECT. 3, subdivision (2), paragraph (a), clause (iv) revised, 1951, 644 § 1; 1956, 609 § 1; amended, 1958, 321 § 2; revised, 1959, 381; clause (v) revised, 1951, 644 § 1; clause (vi) revised, 1947, 660 § 2; 1951, 644 § 1; clause (x) added, 1950, 600 § 2; clause (xi) added, 1952, 515 § 1; paragraph (b) revised, 1947, 660 § 2; paragraph (d) revised, 1947, 660 § 2; amended, 1947, 667 § 2; 1958, 578 § 1; (see 1958, 578 § 2); paragraph (f) revised, 1951, 644 § 2; 1956, 609 § 2; (see 1957, 664); definition of *Group B* in paragraph (g), amended, 1946, 503 § 1; revised, 1947, 423; amended, 1947, 667 § 3; 1949, 746 § 1; revised, 1950, 728; amended, 1952, 157; revised, 1954, 445 § 1; amended, 1957, 255; revised, 1957, 630 § 1; paragraph (g) revised, 1958, 321 § 3; definition of *Group 2* revised, 1958, 550; amended, 1958, 589 § 1; revised, 1960, 602; subdivision (3), first sentence stricken out and two sentences inserted, 1947, 388 § 1; first sentence revised, 1949, 578 § 1 (see 1949, 578 § 1); subdivision revised, 1952, 428 § 1; 1954, 684 § 1; 1955, 695 § 1; first sentence revised, 1960, 535; subdivision (3A) added, 1946, 538 § 1; subdivision (4) revised, 1946, 403 § 2, 492; first sentence amended, 1947, 416; subdivision revised, 1951, 505 § 1; amended, 1954, 684 § 2; 1955, 695 § 3; subdivision (5) amended, 1946, 481; revised, 1946, 603 § 1; paragraph (a) added, 1947, 660 § 4; subdivision revised, 1947, 667 § 4; first sentence revised, 1952, 524 § 1; amended, 1954, 684 § 3; subdivision revised, 1955, 695 § 2; subdivision (6), paragraph (d) revised, 1946, 403 § 3; amended, 1952, 524 § 2; 1954, 684 § 4; revised, 1955, 695 § 4; amended, 1956, 418 § 1; paragraph (e) amended, 1947, 388 § 2; 1958, 359 § 1 (see 1958, 359 § 2); paragraph (f) amended, 1948, 393; revised, 1955, 560; affected, 1956, 414; subdivision (8), paragraph (b) amended, 1952, 524 § 3; 1954, 684 § 5; revised, 1955, 695 § 5; amended, 1956, 418 § 2; paragraph (c) amended, 1960, 571; 1947, 388 § 3. (See 1950, 600 § 3; 1950, 715; 1951, 644 § 3, 790, 505 § 2; 1952, 423 § 2, 428 § 2; 1954, 445 § 2; 1954, 684 § 8; 1955, 695 § 7.)

SECT. 4, subdivision (1), paragraph (a) amended, 1947, 660 § 3; paragraph (h) revised, 1954, 627 § 8; amended, 1959, 576 § 1A; 1960, 619 § 2; paragraph (i) added, 1946, 493 § 1; paragraph (j) added, 1946, 538 § 2;

paragraph (*k*) added, 1959, 548 § 1; subdivision (2), paragraph (*b*) revised, 1946, 403 § 4; paragraph (*c*) revised, 1946, 403 § 5; amended, 1952, 524 § 4; 1954, 684 § 6; revised, 1955, 695 § 6. (See 1946, 493 § 2; 1954, 627 §§ 65, 67; 1954, 684 § 8; 1955, 695 § 7; 1959, 548 §§ 2, 3, 576 § 2.)

SECT. 5, subdivision (1), first sentence of paragraph (*a*) amended, 1947, 388 § 4; 1958, 321 § 4; paragraph (*c*) revised, 1958, 321 § 5; paragraph (*d*), first two sentences stricken out, 1947, 660 § 5; same paragraph amended, 1948, 15 § 1; revised, 1953, 486; 1959, 574 § 1; paragraph (*f*) added, 1954, 348; subdivision (2), paragraph (*a*), first paragraph amended, 1947, 388 § 5; 1949, 656; revised, 1950, 809 § 1; 1951, 783 § 1; clause (*i*) revised, 1949, 679; clause (*ii*) revised, 1946, 403 § 6; amended, 1947, 388 § 6; clause (*iv*) added, 1946, 538 § 3; paragraph (*b*) amended, 1950, 809 § 1A; paragraph (*f*) amended, 1950, 809 § 2; paragraph (*g*) added, 1954, 492; stricken out, 1955, 590 § 2; subdivision (2) revised, 1957, 661 § 1; paragraph (*a*) amended, 1958, 321 § 6; 1960, 215; table in paragraph (*a*) revised, 1958, 321 § 7; paragraph (*c*) amended, 1958, 321 § 8; paragraph (*d*) amended, 1958, 321 § 9. (See 1950, 809 § 3; 1951, 783 §§ 2, 3; 1957, 661 § 4; 1959, 574 § 2.)

SECT. 6, subdivision (1) amended, 1947, 667 § 5; 1949, 618 § 2, 657; 1958, 321 § 10; subdivision (2) amended, 1958, 321 § 11; subdivision (3), first sentence of paragraph (*a*), amended, 1946, 603 § 2; 1947, 388 § 7; second sentence of same paragraph amended, 1949, 618 § 3; paragraph (*c*) revised, 1952, 181; paragraph (*d*) added, 1956, 289.

SECT. 7, subdivision (1), first sentence amended, 1958, 321 § 12; three sentences added at end, 1949, 618 § 4; subdivision (2), paragraph (*a*) amended, 1958, 321 § 13; clause (*ii*) amended, 1948, 446 § 1; clause (*iii*) amended, 1950, 713; 1951, 545 § 1; paragraph (*b*) amended, 1958, 321 § 14; subdivision (3), paragraph (*a*) amended, 1958, 321 § 15; paragraph (*b*) amended, 1958, 321 § 16; subdivision (5) added, 1949, 618 § 5. (See 1948, 446 § 5.)

SECT. 8, subdivision (1), paragraph (*b*) amended, 1947, 667 § 6.

SECT. 9, subdivision (2), first paragraph amended, 1948, 446 § 2; paragraph (*d*) revised, 1951, 545 § 2. (See 1948, 446 § 5.)

SECT. 10, see 1949, 491 § 1; subdivisions (1) and (2) revised, 1950, 813 § 1; 1951, 784 § 1; subdivision (1) revised, 1957, 661 § 2; amended, 1958, 321 § 17; subdivision (2), paragraph (*a*) revised, 1957, 661 § 3; paragraph (*b*) amended, 1951, 809; 1958, 321 § 18. (See 1949, 491 § 2; 1951, 784 § 3; 1957, 661 § 4.)

SECT. 11, subdivision (2), paragraph (*a*) amended, 1950, 670 § 1; paragraph (*c*), first sentence revised, 1947, 667 § 7; sentence added at end, 1949, 618 § 6; subdivision (3) added, 1957, 531 § 1. (See 1950, 670 § 3.)

SECT. 12, subdivision (2), option (*c*), two sentences inserted after first sentence, 1946, 403 § 7; option (*c*), paragraph added at end, 1948, 284; option (*c*) stricken out and options (*c*) and (*d*) inserted, 1949, 618 § 7; option (*c*), last paragraph revised, 1958, 291; paragraph added at end, 1960, 713 § 1; option (*d*) amended and sentence added at end, 1949, 808; sentence added at end, 1950, 670 § 2; 1952, 610 § 1; option (*d*) revised, 1955, 494; paragraph added at end, 1958, 614 § 1; amended, 1959, 515 § 1; revised, 1959, 617 § 1; 1960, 805 § 1. (See 1952, 610 § 2; 1959, 515 § 3, 617 § 4; 1960, 713 § 3, 805 § 5.)

SECT. 12A added, 1956, 505 (providing for the payment of allowances to certain beneficiaries pending determination of claims for accidental death benefits).

SECT. 12B added, 1958, 614 § 2 (providing survivor benefits to certain eligible widows and children under the contributory retirement law); revised, 1959, 515 § 2; first paragraph amended, 1959, 617 § 2; 1960, 805 § 2; paragraph inserted after second paragraph, 1960, 702; last paragraph stricken out, 1960, 583; paragraph added at end, 1960, 492. (See 1959, 515 § 3, 617 § 4; 1960, 805 § 5.)

SECT. 12C added, 1959, 617 § 3 (providing survivor benefits to certain widows and children of certain employees who were not members of a contributory retirement system); revised, 1960, 805 § 3. (See 1959, 617 § 4; 1960, 805 § 5.)

SECT. 13, subdivision (1), paragraph (a) revised, 1951, 379 § 1; subdivision (2), paragraphs (a) and (b) revised, 1957, 536. (See 1951, 379 § 2.)

SECT. 14, subdivision (1), paragraph (a), last sentence revised, 1958, 404 § 1; paragraph inserted after paragraph (a), 1951, 99; same paragraph revised, 1952, 484 § 1; last sentence revised, 1958, 404 § 2; subdivision (2), paragraph (a) revised, 1951, 542; 1958, 360; paragraph (b) revised, 1951, 542; 1958, 360; paragraph (c) revised, 1951, 542. (See 1952, 152, 484 § 2.)

SECT. 16, subdivision (1), paragraph (b) amended, 1958, 321 § 19; subdivision (2) revised, 1949, 746 § 2; 1951, 784 § 2; amended, 1958, 321 § 20; subdivision (3), paragraph (a) amended, 1958, 321 § 21; subdivision (4), sentence added at end, 1949, 618 § 8; paragraph added at end, 1956, 422 § 1; subdivision (5) amended, 1958, 321 § 22. (See 1951, 784 § 3.)

SECT. 18, subdivision (1) revised, 1947, 467; 667 § 8.

SECT. 19 revised, 1952, 599; last sentence revised, 1955, 628 § 2; section revised, 1956, 691.

SECT. 19A added, 1953, 509 § 1 (authorizing withholding of retirement allowances for payment of subscriber premiums for certain policies or contracts with non-profit hospital and medical service corporations).

SECT. 20, subdivision (2), first sentence of paragraph (c) revised, 1948, 508 § 1 (see 1949, 491 § 2); subdivision (3), paragraph (d) revised, 1946, 267; subdivision (4), paragraph (c) amended, 1950, 163; paragraph (f) added, 1960, 240; subdivision (5), paragraph (b) amended, 1956, 422 § 2; paragraph (e) revised, 1956, 609 § 3; paragraph (i) amended, 1954, 642 § 1; 1958, 408; paragraph (j) added at end, 1948, 488 § 1. (See 1948, 488 § 2; 508 § 2; 1954, 642 § 2.)

SECT. 21, subdivision (2) amended, 1946, 432 § 3.

SECT. 22, subdivision (1), paragraph (b) amended, 1947, 617; paragraph (c), sentence added at end, 1952, 434 § 2; same sentence stricken out, 1957, 516 § 3; paragraph (g), first sentence revised, 1947, 388 § 8; fourth sentence amended, 1952, 433; last sentence stricken out and two sentences inserted, 1954, 656 § 1; subdivision (4), paragraph (a), sentence added at end, 1949, 560 § 1; paragraph (c) amended, 1949, 560 § 2; revised, 1951, 407; 1952, 392; subdivision (7), paragraph (c), clause (ii) revised, 1951, 530 § 1. (See 1949, 560 § 3; 1954, 656 § 2; 1956, 409; 1957, 516 § 4.)

SECT. 23, subdivision (1), paragraph (b) amended, 1957, 533; subdivision (2), paragraph (b), clause (i) revised, 1956, 417; 1958, 407; clause (iii) revised, 1954, 126 § 1; clause (iv) inserted, 1950, 162 § 1; paragraph (c) amended, 1960, 744 § 1; paragraph (f) added, 1960, 744 § 2.

SECT. 25, subdivision (1), paragraph (a) revised, 1950, 783 § 1; subdivision (3) amended, 1958, 669 § 3; subdivision (5) revised, 1956, 525. (See 1950, 783 § 2.)

SECT. 26, subdivision (1), definition of "Officer" revised, 1958, 589 § 2; subdivision (2), paragraph (a) amended, 1958, 321 § 23; paragraph (b), clause (ii) amended, 1948, 446 § 3; clause (iii) added, 1947, 412; paragraph (c) added, 1948, 446 § 4; subdivision (3), paragraph (a) amended, 1958, 321 § 24; paragraph (b) amended, 1958, 321 § 25; paragraph (c) amended, 1949, 492; 1951, 670 § 1; subdivision (4) amended, 1958, 321 § 26. (See 1948, 446 § 5.)

SECT. 28, subdivision (2), paragraph (a) revised, 1946, 166 § 1; paragraph (f) added, 1946, 166 § 2; paragraph (g) added, 1946, 403 § 8; paragraph (h) added, 1946, 603 § 3; subdivision (3), paragraph (a) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; subdivision (4), paragraph (a) amended, 1953, 583 § 2; 1956, 306 § 4; subdivision (5) added, 1948, 507 § 2; amended, 1957, 150 § 2, 415. (See 1953, 583 § 3.)

SECT. 28A added, 1945, 720 § 1 (relative to the retirement of certain officers in the division of state police); paragraph added at end, 1946, 373 § 1. (See 1945, 720 § 2; 1946, 373 § 2.)

SECT. 28B added, 1946, 605 (relative to the retirement of state detectives and inspectors in the division of state police); revised, 1951, 670 § 2.

SECT. 28C added, 1947, 660 § 6 (relative to the retirement of certain members of the general court and constitutional officers); repealed, 1948, 589 § 1. (See 1947, 660 § 7; 1948, 589 §§ 3, 4.)

SECT. 28C added, 1947, 667 § 9 (providing benefits to certain employees of governmental units who are prohibited from joining the contributory retirement systems thereof, in case of accidental disability or accidental death); designation changed from 28C to 28F, 1948, 589 § 4.

SECTS. 28D and 28E added, 1948, 589 § 2 (relative to retirement of certain members of the general court and constitutional officers). (See 1948, 589 § 3; 1949, 546, 807 §§ 3, 4.)

SECT. 28D revised, 1949, 807 § 1; last sentence revised, 1952, 581; section repealed, 1952, 634 § 1. (See 1949, 807 §§ 3, 4.)

SECT. 28E revised, 1949, 809 § 1; repealed, 1952, 634 § 2.

SECT. 28F. (See 1948, 589 § 4.)

SECT. 28G added, 1949, 809 § 2 (relative to the use of the words "fails of re-election"); repealed, 1950, 813 § 2.

SECT. 28H added, 1949, 807 § 2 (relative to the retirement of certain employees of governmental units who are former members of the general court); repealed, 1952, 634 § 3. (See 1949, 807 §§ 3, 4.)

SECT. 28I added, 1950, 700 § 1 (extending benefits of state retirement systems to certain employees of an interstate commission). (See 1950, 700 § 2.)

SECT. 28J added, 1952, 574 § 1 (relative to retirement of certain former members of the general court); repealed, 1952, 634 § 4. (See 1952, 574 § 2.)

SECT. 39, sentence added at end, 1948, 207.

SECT. 42, second sentence revised, 1957, 59.

SECT. 43 amended, 1945, 707; 1949, 748 § 1; 1960, 728 § 1. (See 1949, 748 § 2; 1960, 728 § 18.)

SECT. 44 revised, 1934, 135; paragraph added at end, 1934, 285 § 1; section amended, 1936, 223; first paragraph amended, 1960, 728 § 2; last paragraph amended, 1937, 102 § 1. (See 1937, 202; 1960, 728 § 18.)

SECT. 45 revised, 1945, 483 § 1.

SECT. 45A added, 1945, 708 § 1 (relative to retirement allowances of school janitors in certain cities and towns). (See 1945, 708 § 2.)

SECT. 45B added, 1949, 407 § 1 (relative to the retirement of certain school janitors and custodians). (See 1949, 407 § 2.)

SECT. 45C added, 1960, 239 § 1 (increasing the non-contributory pensions of certain school janitors).

SECT. 46 revised, 1941, 344 § 1; 1955, 770 § 2; 1960, 728 § 3. (See 1955, 770 §§ 117, 118, 123; 1960, 728 § 18.)

SECT. 47 amended, 1941, 344 § 2.

SECT. 48 revised, 1938, 379; amended, 1955, 770 § 3. (See 1955, 770 §§ 117, 123.)

SECTS. 49-51 and caption preceding section 49 stricken out, 1954, 627 § 9. (See 1954, 627 §§ 65, 67.)

SECT. 52 amended, 1932, 114 § 1; 1954, 627 § 10. (See 1954, 627 §§ 65, 67.)

SECT. 53 amended, 1932, 114 § 2; 1954, 627 § 11. (See 1954, 627 §§ 65, 67.)

SECT. 56 revised, 1943, 514 § 1; first paragraph amended, 1947, 453 § 1; revised, 1948, 665 § 1; 1949, 602; 1950, 668 § 1; paragraph added at end, 1945, 677. (See 1943, 514 § 4; 1948, 665 §§ 4, 5.)

SECT. 57 revised, 1943, 514 § 2; amended, 1947, 453 § 2; revised, 1948, 665 § 2; amended, 1950, 668 § 2; 1954, 627 § 12. (See 1943, 514 § 4; 1948, 665 §§ 4, 5; 1954, 627 §§ 65, 67.)

SECT. 57A added, 1945, 658 § 8 (making certain provisions of the contributory pension laws applicable to the retirement of veterans under veterans' non-contributory pension laws).

SECT. 58 revised, 1943, 514 § 3; 1948, 665 § 3; amended, 1950, 668 § 3. (See 1943, 514 § 4; 1948, 665 §§ 4, 5.)

SECT. 58A added, 1945, 671 (further regulating the creditable service of certain veterans in the public service upon their retirement therefrom); revised, 1954, 627 § 13; amended, 1959, 576 § 1B; revised, 1960, 619 § 3. (See 1954, 627 §§ 65, 67; 1959, 576 § 2; 1960, 619 § 4.)

SECT. 58B added, 1956, 541 (providing that certain veterans eligible for retirement may exercise an option for the benefit of the surviving spouse); first sentence revised, 1957, 113 § 1; paragraph added at end, 1957, 413; amended, 1958, 669 § 1; paragraph added at end, 1957, 708 § 1; amended, 1958, 669 § 2. (See 1957, 113 § 2, 708 § 2; 1958, 669 § 4.)

SECT. 59 revised, 1960, 728 § 4. (See 1960, 728 § 18.)

SECT. 60, paragraph added at end, 1934, 285 § 2; same paragraph amended, 1937, 102 § 2; 1938, 452 § 1; section revised, 1945, 483 § 2, 678; 1954, 627 § 14; 1954, 688 § 3. (See 1938, 452 § 2; 1954, 627 §§ 65, 67.)

SECT. 60A, paragraph added at end, 1934, 285 § 3; amended, 1937, 102 § 3; revised, 1945, 483 § 3; repealed, 1954, 627 § 15. (See 1954, 627 §§ 65, 67.)

SECTS. 61-64 repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65, last sentence stricken out, 1937, 336 § 22; section repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65A added, 1937, 409 § 1 (relative to the retirement or resignation of members of the judiciary); amended, 1939, 451 § 5; first sentence stricken out and three sentences inserted, 1956, 670; sentence added at end, 1946, 525; same sentence revised, 1950, 747 § 1; 1951, 775; section revised, 1958, 341 § 1. (See 1937, 409 §§ 5-7; 1950, 747 § 2; 1957, 668; 1958, 341 § 2.)

SECT. 65B added, 1941, 689 § 1 (providing pensions for special justices of district courts); revised, 1943, 398; amended, 1956, 738 § 9. (See 1941, 689 § 2; 1956, 738 §§ 13, 14.)

SECT. 65C added, 1960, 724 § 1 (providing benefits for the widows of certain judges). (See 1960, 724 § 2.)

SECT. 66, paragraph added at end, 1934, 285 § 4; amended, 1937, 102 § 4.

SECT. 68 revised, 1943, 545 § 1; 1945, 322.

SECTS. 68A-68C added, 1939, 503 § 3 (relative to the retirement of members of the state police). (See 1939, 503 § 5.)

SECT. 68C revised, 1943, 545 § 2.

SECTS. 68A-68C stricken out, 1945, 658 § 1. (See 1945, 658 § 11.)

SECT. 69 revised, 1946, 576 § 1; 1960, 728 § 5. (See 1960, 728 § 18.)

SECT. 70, paragraph added at end, 1934, 285 § 5; amended, 1937, 102 § 5; section revised, 1937, 416 § 4; repealed, 1939, 441 § 4. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 75, paragraph added at end, 1934, 285 § 6; amended, 1937, 102 § 6; section revised, 1938, 323 § 1; amended, 1957, 643 § 1; revised, 1960, 728 § 6. (See 1960, 728 § 18.)

SECT. 76 revised, 1938, 323 § 2; 1956, 649; 1957, 643 § 2.

SECT. 76A added, 1957, 643 § 2 (relative to the apportionment of the payment of pensions of probation officers in the superior court); revised, 1960, 757.

SECT. 77, paragraph (a) revised, 1936, 290 § 1; 1939, 243; first sentence revised, 1960, 728 § 7; paragraph (b) amended, 1945, 483 § 3A; paragraph (c) added at end, 1936, 290 § 2; amended, 1945, 483 § 3B. (Affected, 1937, 102 § 7, 283.) (See 1948, 515; 1960, 728 § 18.)

SECT. 77A added, 1957, 750 § 1 (providing pensions for widows of laborers under the non-contributory pension system). (See 1957, 750 § 2.)

SECT. 77B added, 1960, 239 § 1 (increasing the non-contributory pensions of certain laborers).

SECT. 78 revised, 1939, 361 § 1; amended, 1945, 483 § 4. (Affected, 1937, 102 § 7, 283; 1939, 361 § 2.)

SECT. 78A added, 1934, 285 § 7 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for laborers); amended, 1937, 102 § 7; revised, 1937, 283 § 1. (See 1937, 283 § 2.)

SECTS. 80-85. See 1949, 636.

SECT. 80, paragraph added at end, 1934, 285 § 8; section amended, 1936, 439 § 1; last paragraph amended, 1937, 102 § 8; section amended, 1945, 483 § 5; first sentence revised, 1960, 728 § 8. (See 1960, 728 § 18.)



SECT. 81 amended, 1933, 103; 1938, 277 § 1. (See 1938, 277 § 3.)

SECTS. 81A and 81B added, 1946, 576 § 2 (additional provisions for the retirement of members of fire departments in certain cities). (See 1946, 576 § 8.)

SECT. 81A revised, 1960, 728 § 9. (See 1960, 728 § 18.)

SECT. 83 amended, 1936, 439 § 2; 1938, 277 § 2; last sentence of first paragraph revised, 1939, 264 § 1; section amended, 1945, 483 § 6; first sentence revised, 1960, 728 § 10. (See 1938, 277 § 3; 1939, 264 § 2; 1960, 728 § 18.)

SECT. 83A added, 1946, 576 § 3 (additional provisions for the retirement of members of police departments in certain cities); second paragraph amended, 1960, 222; section revised, 1960, 728 § 11. (See 1946, 576 § 8; 1960, 728 § 18.)

SECT. 84 amended, 1945, 483 § 7.

SECT. 85, first sentence amended, 1945, 483 § 8; 1960, 283; revised, 1960, 728 § 12; second sentence revised, 1936, 439 § 3. (See 1960, 728 § 18.)

SECT. 85A revised, 1935, 31 § 1; amended, 1945, 483 § 9; revised, 1946, 576 § 4. (See 1935, 31 § 2.)

SECT. 85B added, 1932, 253 (regulating the retirement and pensioning of certain members of the police forces of park boards of cities and towns); amended, 1945, 483 § 10; first sentence revised, 1960, 728 § 13. (See 1960, 728 § 18.)

SECT. 85C added, 1934, 285 § 9 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for policemen and firemen); amended, 1937, 102 § 9.

SECT. 85D added, 1937, 220 (relative to the retirement of certain call members of fire departments in certain towns); amended, 1945, 483 § 11; revised, 1946, 576 § 5.

SECT. 85E added, 1946, 576 § 6 (additional provisions for the retirement of members of police and fire departments in certain towns); third paragraph amended, 1960, 221; section revised, 1960, 728 § 14. (See 1946, 576 § 8; 1960, 728 § 18.)

SECT. 85F added, 1946, 576 § 6 (relative to the retirement for accidental or ordinary disability of members of police and fire departments in certain cities and towns); first sentence revised, 1952, 431 § 1.

SECT. 85G added, 1948, 483 (relative to the retirement of certain police officers and firemen of certain cities and towns).

SECT. 85H added, 1952, 431 § 2 (providing for retirement of certain disabled call firemen and policemen injured in line of duty); revised, 1954, 633.

SECT. 85I added, 1954, 268 (relative to creditable service in the retirement of certain police officers and fire fighters in certain cities and towns).

SECT. 85J added, 1956, 374 (relative to providing pensions for widows of policemen and fire fighters under the non-contributory retirement law); first paragraph amended, 1957, 583; second paragraph amended, 1957, 583; 1958, 128.

SECT. 86 revised, 1946, 576 § 7; 1949, 562; repealed, 1950, 395.

SECT. 89 revised, 1932, 276; amended, 1933, 340 § 1; 1934, 343; revised, 1935, 466; amended, 1936, 326; paragraph inserted after second paragraph, 1957, 286; first paragraph amended, 1943, 366; first sentence

amended, 1945, 641; first paragraph revised, 1945, 696; 1952, 431 § 3; amended, 1956, 666 § 1; third paragraph amended, 1947, 96; revised, 1960, 728 § 15; paragraph added at end, 1949, 503. (See 1933, 340 § 2; 1960, 728 § 18.)

SECT. 89A added, 1948, 552 (increasing annuities to dependents of certain public employees killed or who died from injuries received or hazards undergone in the performance of duty); first sentence amended, 1950, 757; 1956, 666 § 2; sentence inserted after first sentence, 1960, 622; third sentence amended, 1951, 147 § 1; fourth sentence revised, 1952, 431 § 4; paragraph inserted after second paragraph, 1956, 424; third paragraph (as appearing in 1948, 552) revised, 1960, 728 § 16; last sentence revised, 1949, 423 § 1; last paragraph revised, 1949, 522. (See 1949, 423 § 2; 1951, 147 § 2; 1960, 728 § 18.)

SECT. 89B added, 1956, 733 (providing annuities to dependents of certain police officers and fire fighters killed in the performance of duty); paragraph inserted after fifth paragraph, 1957, 357; same paragraph revised, 1960, 728 § 17. (See 1960, 728 § 18.)

SECT. 90 revised, 1936, 439 § 4.

SECT. 90A added, 1943, 452 § 1 (authorizing certain cities and towns to increase the retirement allowances of certain former employees retired on account of accidental disability). (See 1943, 452 § 2.)

SECT. 90B added, 1955, 590 § 1 (authorizing certain retired persons and those claiming under them to waive their rights to any portion of their retirement allowances).

SECT. 91 revised, 1938, 439 § 5; amended, 1941, 670 § 24; first sentence amended, 1947, 462; revised, 1948, 15 § 2; amended, 1949, 511; 1950, 656; revised, 1951, 417; sentence added at end, 1947, 394; same sentence revised, 1950, 264; 1954, 343, 549; two sentences added at end, 1957, 291. (See 1938, 439 § 7; 1941, 670 § 26.)

SECT. 91A added, 1957, 766 § 1 (providing for the annual adjustment of pensions and retirement allowances payable to persons engaged in gainful occupation after retirement for disability).

SECT. 91A added, 1958, 684 § 1 (approved by the people at state election on November 4, 1958. This act impliedly supersedes section 91A, as inserted by 1957, 766 § 1, according to opinion of Attorney General, December 23, 1958); first sentence amended, 1959, 504 § 1. (See 1959, 504 § 2.)

SECT. 92 amended, 1953, 509 § 2.

SECT. 92A added, 1955, 686 (securing to the wives and children of pensioners residing outside the United States the benefits of such pensions in certain cases).

SECT. 94 added, 1950, 551 (presumption that hypertension or heart disease was suffered in line of duty in certain cases relative to retirement for accidental disability); revised, 1951, 594; amended, 1956, 411; revised, 1956, 511, 580.

SECTS. 95-97 added, 1953, 387 (authorizing cities and towns to grant or increase retirement allowances, pensions or annuities to certain employees or their survivors).

SECT. 95A added, 1958, 559 § 1 (authorizing cities and towns to grant annuities to the surviving spouse, or children, of certain officials or employees); revised, 1960, 670 § 1. (See 1955, 559 § 3.)

SECT. 96 revised, 1959, 513 § 1.

SECT. 97 amended, 1958, 559 § 2; revised, 1959, 513 § 2; amended, 1960, 670 § 2.

SECT. 98 added, 1958, 403 (authorizing advance payments to certain employees of the commonwealth who are eligible for retirement).

SECT. 99 added, 1959, 121 (authorizing advance payments to certain municipal employees who are eligible for retirement).

**Chapter 32A. — Contributory Group General or Blanket Insurance for Persons in the Service of the Commonwealth.**

**New chapter inserted, 1955, 628 § 1. (See 1955, 628 §§ 2-4.)**

SECT. 2, paragraph (b) revised, 1956, 582 § 1; 1958, 301; 1958, 558 § 1; 1960, 534; paragraph (d) revised, 1959, 426 § 1; amended, 1959, 516; paragraph (e) inserted, 1956, 582 § 2.

SECT. 3 revised, 1958, 355 § 1.

SECT. 4, second sentence amended, 1960, 389 § 1.

SECT. 5 revised, 1956, 582 § 3; 1960, 389 § 2. (See 1960, 389 § 6.)

SECT. 6 amended, 1960, 389 § 3.

SECT. 8, paragraph (a) amended, 1959, 426 § 2; paragraph (b) revised, 1956, 582 § 4; paragraph (c) revised, 1956, 582 § 4; amended, 1958, 558 § 2; 1958, 355 § 2.

SECT. 9 revised, 1958, 424 § 1. (See 1958, 424 § 2.)

SECT. 10, first sentence amended, 1960, 389 § 4; first sentence stricken out and three sentences inserted, 1960, 505 § 1. (See 1960, 389 § 6, 505 §§ 2, 3.)

SECT. 10A added, 1960, 389 § 5 (providing for increased amounts of group life insurance for state employees on an optional basis without premium contribution by the commonwealth). (See 1960, 389 § 6.)

SECT. 11 added, 1960, 386 § 1 (extending group general or blanket insurance to the surviving spouse and dependents of insured persons retired from the service of the commonwealth).

**Chapter 32B. — Contributory Group General or Blanket Insurance for Persons in the Service of Counties, Cities, Towns and Districts, and their Dependents.**

**New chapter inserted, 1955, 760 § 1.**

**Chapter stricken out and new chapter 32B inserted, 1956, 730 § 1. (See 1956, 730 §§ 2, 3.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1956.**

**The following references are to chapter 32B, as so inserted:**

SECT. 2, paragraph (g) revised, 1958, 136 § 2; section revised, 1958, 536; paragraph (b) revised, 1960, 214 § 1; paragraph (d) revised, 1958, 580; paragraph (g) revised, 1958, 558 § 3; paragraph (h) added, 1960, 337 § 1. (See 1958, 558 §§ 5, 6.)

SECT. 3, first paragraph amended, 1957, 242; 1959, 170; first sentence stricken out and five sentences inserted, 1960, 337 § 2.

SECT. 5 revised, 1960, 337 § 3.

SECT. 7, paragraph (a) amended, 1960, 214 § 2.

SECT. 9A added, 1959, 595 (authorizing certain political subdivisions of the commonwealth to contribute one half of the cost of certain premiums of insurance of retired employees).

SECT. 9B added, 1960, 386 § 2 (extending group general or blanket insurance to the surviving spouse and dependents of insured persons retired from the service of any political subdivision of the commonwealth).

SECT. 11, first two paragraphs revised, 1960, 337 § 4.

SECT. 13 revised, 1958, 136 § 1; repealed, 1958, 558 § 4.

SECT. 14 revised, 1960, 337 § 5.

#### Chapter 33. — Militia.

Act establishing a special military reservation commission, and authorizing the acquisition by the commonwealth for military purposes of certain properties in Sandwich, Bourne, Falmouth and Mashpee, 1935, 196; powers and duties of the commission defined, 1936, 344 §§ 1, 2; reservation enlarged, 1941, 5. (See 1938, 331.)

**Chapter stricken out and new chapter 33 inserted, 1939, 425 § 1. (See 1939, 425 § 2.)**

**Chapter stricken out and new chapter 33 inserted, 1954, 590 § 1. (See 1954, 590 § 2.)**

For prior changes see Tables of Changes contained in Acts and Resolves of 1952 and 1953.

The following references are to chapter 33, as so inserted:

SECT. 15, subsection (c) revised, 1960, 402 § 1.

SECT. 18, subsection (b) stricken out, 1960, 402 § 2.

SECT. 19, paragraph (b) revised, 1959, 383.

SECT. 59 amended, 1956, 378.

SECT. 88 revised, 1958, 629 § 1.

SECT. 90 amended, 1958, 629 § 2.

SECT. 97, paragraph (a) (1) amended, 1955, 468; paragraph (a) revised, 1960, 370.

SECT. 99 revised, 1955, 204.

#### Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 4 amended, 1935, 257 § 1; revised, 1939, 31 § 1. (See 1935, 257 § 12.)

SECT. 5, schedule revised, 1943, 102 § 1; 1949, 193 § 1, 767 § 1; 1951, 743 § 3. (See 1943, 102 § 2; 1949, 193 § 2, 767 § 2; 1951, 743 §§ 4-6.)

SECT. 7 amended, 1935, 257 § 2; last sentence stricken out, 1939, 31 § 2. (See 1935, 257 § 12.)

SECT. 9F added, 1958, 626 § 3 (providing that meetings of county boards and commissions be open to the public); second paragraph revised, 1960, 437 § 2.

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 14, last sentence amended, 1947, 58.

SECT. 16 revised, 1947, 449 § 1. (See 1947, 449 § 7.)

SECT. 17 revised, 1932, 74; third sentence stricken out and two sentences inserted, 1949, 797; sentence inserted before last sentence, 1949, 481 § 3; affected, 1939, 452 § 7; section revised, 1951, 479.

SECT. 19 amended, 1935, 257 § 4. (See 1935, 257 § 12.)

SECT. 23 added, 1932, 297 (authorizing counties to receive certain gifts); revised, 1950, 162 § 2; second sentence revised, 1954, 126 § 2.

**Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.**

For legislation enabling counties to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

Provisions relative to travel allowance of county employees using certain cars on official business, 1933, 322 § 4; 1939, 452 § 2; 1941, 528 § 3; 1943, 465 § 3; 1945, 550 § 3; 1946, 348 § 3.

Provisions relative to expenses incurred for meals by county employees, 1939, 452 § 3; 1941, 528 § 2; 1943, 465 § 2; 1945, 550 § 2; 1946, 348 § 2.

For legislation increasing the salaries of justices, clerks and probation officers of district courts, probation officers of the superior court, trial justices and county commissioners, see 1946, 348 § 4.

SECT. 2 revised, 1945, 289.

SECT. 3 revised, 1932, 56; sentence added at end, 1939, 109 § 2.

SECT. 11 amended, 1943, 65; revised, 1950, 659 § 1.

SECT. 19A added, 1945, 635 § 2 (providing for advances of their vacation pay to officers and employees of counties); two paragraphs added at end, 1958, 293.

SECT. 19B added, 1953, 436 § 1 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 2. (See 1953, 436 § 7.)

SECT. 20 revised, 1950, 659 § 2.

SECT. 21 amended, 1937, 64 § 2.

SECT. 22 revised, 1948, 153; 1952, 87.

SECT. 24 revised, 1951, 530 § 2.

SECT. 25 amended, 1933, 175 § 1.

SECT. 27 amended, 1933, 175 § 2.

SECT. 28 amended, 1933, 318 § 2; 1934, 291 § 2; revised, 1939, 501 § 1; 1945, 158 § 1; first sentence revised, 1952, 80; 1953, 33; amended, 1955, 316 § 1; two sentences inserted after first sentence, 1949, 481 § 1; next to last sentence amended, 1950, 543 § 4; 1952, 516; 1953, 70. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 28A added, 1943, 414 § 2 (establishing a budget system for county tuberculosis hospitals); amended, 1945, 158 § 7; revised, 1945, 398 § 3. (See 1945, 398 §§ 4, 5.)

SECT. 29 revised, 1939, 501 § 2; amended, 1945, 158 § 2.

SECT. 30 revised, 1939, 501 § 3; sentence added at end, 1943, 39; section revised, 1945, 158 § 3.

SECT. 32 revised, 1960, 282 § 1.

SECT. 33 repealed, 1960, 282 § 2.

SECT. 34 revised, 1937, 36; amended, 1939, 501 § 4; 1945, 158 § 4; last sentence amended, 1948, 591 § 3; paragraph added at end, 1959, 51. (See 1948, 591 §§ 4-7.)

SECT. 34A added, 1947, 201 (relative to agreements entered into by county commissioners for highway work in anticipation of appropriations).

SECT. 36A amended, 1939, 501 § 5; revised, 1943, 80; first sentence amended, 1945, 158 § 5.

SECT. 37 amended, 1933, 28.

SECT. 37A amended, 1933, 29; sentence inserted before last sentence, 1952, 66.

SECT. 38 amended, 1953, 75.

SECTS. 39A-39F added, 1949, 488 (relative to the furnishing and certification of county notes by the director of accounts).

SECT. 40 amended, 1936, 23 § 1.

SECT. 43A revised, 1939, 214 § 1.

SECT. 43B added, 1939, 214 § 2 (relative to the effect of the filing of annual fidelity bonds by county officers and employees).

SECT. 44 amended, 1949, 481 § 2.

SECT. 45 amended, 1953, 319 § 5. (See 1953, 319 §§ 39, 40.)

SECT. 46 revised, 1953, 654 § 2.

SECT. 48, fourth sentence revised, 1947, 102 § 1; last sentence of first paragraph revised, 1949, 538; paragraph added at end, 1947, 102 § 2.

SECT. 49 amended, 1935, 182 § 1; 1938, 347 § 1; 1939, 165 § 1; 1941, 447 § 1; 1943, 136 § 1; 1945, 486 § 2; 1946, 262 § 1; revised, 1946, 512 § 1; amended, 1947, 290 § 1; first sentence amended, 1947, 400 § 1; revised, 1947, 469 § 1; amended, 1948, 183 § 1, 664 § 1; revised, 1949, 774 § 1; amended, 1951, 611 § 2; 1956, 738 § 10; 1959, 609 § 7; 1960, 761 § 1; revised, 1960, 801 § 5. (See 1935, 182 § 6; 1938, 347 § 3; 1939, 165 § 3; 1941, 447 §§ 4, 5; 1943, 136 § 3; 1946, 262 §§ 4, 5, 512 § 3; 1947, 400 §§ 3, 4; 1949, 774 § 5; 1956, 738 §§ 13, 14; 1959, 609 § 9.)

SECT. 51 amended, 1938, 73 § 2; paragraph added at end, 1948, 345; third, fourth and fifth paragraphs added, 1955, 645; third paragraph amended, 1960, 433.

SECTS. 51A and 51B added, 1948, 591 § 1 (establishing a salary schedule for certain officers and employees of counties, except Suffolk, and providing for certain temporary cost-of-living adjustments). (See 1948, 591 §§ 4-7; 1949, 782 §§ 2, 4, 5, 6.)

SECT. 51A revised, 1957, 621 § 1. (See 1957, 621 §§ 3-10.)

SECT. 51B, salary schedule revised, 1949, 782 § 1; 1951, 743 §§ 1, 2; 1954, 566 § 1; paragraph (2) revised, 1954, 566 § 2; paragraph (7) revised, 1949, 782 § 3; section revised, 1957, 621 § 2; salary schedule revised, 1960, 250 § 1. (See 1949, 782 §§ 2, 4, 5, 6; 1951, 743 §§ 4-6; 1954, 566 §§ 3, 4; 1957, 621 §§ 3-10; 1960, 250 § 2.)

SECT. 52, second paragraph revised, 1938, 73 § 1.

SECT. 54 revised, 1948, 591 § 2. (See 1948, 591 §§ 4-7.)

SECT. 55 amended, 1949, 774 § 6.

#### Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 4 amended, 1947, 352 § 2.

SECT. 5 revised, 1947, 352 § 1; 1960, 761 § 2.

SECT. 6 revised, 1960, 761 § 3.

SECT. 11 revised, 1947, 449 § 2. (See 1947, 449 § 7.)

SECT. 13A amended, 1951, 191.

SECT. 13B added, 1958, 61 (authorizing the filing of certain plans in registries of deeds).

SECT. 15 revised, 1949, 395 § 1. (See 1949, 395 § 3; 1950, 182, 350.)

SECT. 18A added, 1947, 256 § 2 (authorizing registers and assistant registers to print or type names of persons on filed instruments if not clearly legible).

SECT. 24, first sentence amended, 1955, 306 § 2; sentence added at end, 1952, 245; 1956, 644.

SECT. 24A added, 1941, 89 (authorizing the recording of certified copies of petitions, decrees and orders filed or made pursuant to the federal bankruptcy laws and thereby giving effect to certain provisions of said laws).

SECT. 24B added, 1945, 569 § 1 (relative to the furnishing of abstract cards and photostatic copies of recorded instruments in the Norfolk county registry of deeds and Norfolk registry district to the assessors of municipalities of said county); first paragraph revised, 1949, 189; section revised, 1950, 539 § 1.

SECT. 28 amended, 1952, 250 § 1. (See 1952, 250 § 3.)

SECT. 31 repealed, 1952, 250 § 2. (See 1952, 250 § 3.)

SECT. 33, paragraph added at end, 1948, 664 § 2; revised, 1952, 543; 1956, 661; 1960, 769; paragraph added at end, 1960, 761 § 4.

#### Chapter 37. — Sheriffs.

SECT. 2 revised, 1937, 219 § 2.

SECT. 17 amended, 1945, 63; 1946, 121.

SECT. 21 revised, 1943, 159 § 1. (See 1943, 159 § 2.)

SECT. 22 amended, 1932, 180 § 5.

SECT. 23 amended, 1936, 31 § 2; repealed, 1937, 148.

#### Chapter 38. — Medical Examiners.

SECT. 1, paragraph in lines 70-76 amended, 1939, 260; 1947, 69 § 1; section amended, 1939, 451 § 6; paragraph added at end, 1952, 44.

SECT. 2, last sentence stricken out and two sentences inserted, 1945, 632 § 1.

SECT. 2A added, 1943, 153 § 1 (authorizing associate medical examiners in Barnstable County to perform the duties of medical examiner thereof in certain cases); repealed, 1945, 632 § 2. (See 1943, 153 § 2.)

SECT. 3 revised, 1939, 214 § 4.

SECT. 5, first three sentences revised, 1947, 579; first sentence revised, 1955, 422; third sentence amended, 1949, 510; last sentence revised, 1945, 632 § 3; 1959, 301 § 1.

SECT. 6 amended, 1939, 475; revised, 1945, 632 § 4.

SECT. 7 amended, 1941, 366; revised, 1945, 632 § 5; amended, 1953, 319 § 6; last sentence revised, 1950, 143. (See 1953, 319 §§ 39, 40.)

SECT. 8 revised, 1932, 118 § 1; amended, 1939, 30 § 1. (See 1939, 30 § 2.)

SECT. 9 amended, 1953, 319 § 7. (See 1953, 319 §§ 39, 40.)

SECT. 11 amended, 1941, 499.

SECT. 16 amended, 1959, 301 § 2.

SECT. 18 revised, 1953, 320; 1955, 162.

SECT. 19 revised, 1945, 632 § 6.

#### Chapter 39. — Municipal Government.

SECT. 6A added, 1952, 259 § 1 (relative to salaries of certain mayors, city councillors and aldermen); amended, 1958, 72 § 1; sentence added at end, 1958, 513 § 1. (See 1952, 259 § 4.)

SECT. 8A added, 1950, 132 § 1 (relative to the removal of certain officers of cities by the city council). (See 1950, 132 § 2.)

SECT. 10 amended, 1935, 403 § 1; 1939, 182; sentence inserted after third sentence, 1949, 152 § 1; same sentence stricken out and two sentences inserted, 1959, 64 § 1; fifth and sixth sentences revised, 1954, 32. (See 1935, 403 § 2.)

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1 and 2, respectively; paragraph added at end, 1949, 152 § 2; amended, 1959, 64 § 2.

SECT. 16, first paragraph revised, 1950, 56.

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2.

SECT. 23 amended, 1934, 39 § 3.

SECTS. 23A and 23B added, 1958, 626 § 4 (providing that meetings of certain local boards, commissions, committees and authorities shall be open to the public).

SECT. 23A, first paragraph revised, 1960, 274; section revised, 1960, 437 § 3.

SECT. 23B revised, 1960, 437 § 4.

SECT. 23C added, 1960, 437 § 5 (relative to the remedy in case of non-compliance with the law requiring that certain meetings be open to the public). (See 1960, 437 § 7.)

#### Chapter 40. — Powers and Duties of Cities and Towns.

For temporary legislation relative to the appointment of veterans to civil service employments under the apprentice training provisions of the G. I. Bill of Rights, so called, see 1946, 586; 1947, 673; 1948, 392.

For temporary legislation relative to the emergency housing commission and to local boards of appeals, see 1946, 592; 1947, 609; 1948, 567.

SECT. 4, first paragraph amended, 1951, 798 § 1; revised, 1957, 227 § 1; second paragraph amended, 1941, 351 § 3; 1958, 613 § 2A; third paragraph revised, 1932, 271 § 6; paragraph added at end, 1946, 358 § 1; 1950, 521; same paragraph amended, 1954, 33; paragraph added at end, 1951, 798 § 2. (See 1932, 271 § 7; 1951, 798 § 8; 1957, 227 § 2.)

SECT. 4A added, 1945, 438 (authorizing cities and towns and certain districts to make agreements relative to the performance of certain public services). (See 1955, 760 § 3.)

SECT. 4B added, 1951, 25 § 3 (relative to advertising for proposals for certain contracts of towns); sentence added at end, 1951, 678; section revised, 1960, 592 § 1.

SECT. 4C added, 1960, 561 (allowing cities and towns to enter into collective bargaining agreements).

SECT. 5, clause (1) amended, 1933, 318 § 3 (see 1933, 318 § 9); 1935, 106; revised, 1935, 179; amended, 1951, 798 § 3 (see 1951, 798 § 8); amended, 1939, 19; 1945, 391 § 2; 1948, 174; 1950, 157; 1946, 358 § 2; 1953, 149; revised, 1953, 209; 1955, 291, 385; 1958, 176; clause (2) amended, 1936, 390; 1950, 478; clause (5A) added, 1938, 172 § 1 (authorizing appropriations to establish a water supply); clause (11) revised, 1946, 358 § 3, 526; clause (12) amended, 1932, 114 § 3; 1933, 153 § 2, 245 § 2; revised, 1936, 132 § 1, 163; amended, 1941, 217 § 2; 1943, 99; 1946, 409 § 2; 1947, 144; revised, 1947, 468 § 2; amended, 1948, 445 § 1; 1949, 118 § 2; revised, 1950, 27 § 2; amended, 1954, 627 § 16; 1950, 354 § 2, 492 § 2; 1951, 718; 1955, 271 § 1; revised, 1956, 211; amended,



1958, 118 § 2; 1959, 59 § 2; 1960, 626 § 3; clause (16A) added, 1946, 358 § 4 (authorizing appropriations for the employment of legal counsel for general purposes); clause (19A) added, 1955, 85 § 1 (authorizing cities and towns to construct, operate and maintain incinerators and to appropriate funds for same); clause (20) amended, 1946, 358 § 5; clause (23) revised, 1948, 660 § 24 (see 1948, 660 § 26); amended, 1949, 761 § 11; clause (25A) added, 1946, 358 § 6 (authorizing appropriations for the maintenance and supervision of beaches and swimming pools for recreation and physical exercise); revised, 1948, 89; 1956, 596 § 1; clause (26) amended, 1946, 358 § 7; clause (27) revised, 1946, 358 § 8; amended, 1960, 91; clause (28) revised, 1936, 211 § 5 (see 1936, 211 § 7); amended, 1947, 340 § 5; revised, 1953, 674 § 9; clause (29) amended, 1953, 535 § 1; clause (33) revised, 1946, 358 § 9; clause (34) amended, 1951, 149; clause (36A) added, 1949, 163 (authorizing appropriations for suppression and eradication of ragweed); 1950, 141; clause (37) revised, 1943, 177 § 1 (see 1943, 177 § 2; 1947, 635); 1956, 77; clause (38) added, 1934, 154 § 1 (authorizing appropriations for protection of interests in real estate held under tax title or taking); clause (39) added, 1935, 28 (authorizing appropriations for the purpose of cooperating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children); amended, 1960, 3; clause (40A) added, 1947, 525 (authorizing appropriations for payment of expenses incurred by or in behalf of certain injured school children); clause (40B) added, 1952, 247 § 1 (authorizing appropriations for payment of certain expenses incurred for injuries sustained by school pupils in shop or laboratory work); clause (40C) added, 1958, 124 (authorizing cities and towns to provide co-operative or complementary facilities to mental health out-patient clinics); clause (41) added, 1938, 142 § 1 (authorizing cities and towns to appropriate money for stocking inland waters herein with fish and for liberating game therein); amended, 1941, 599 § 4; 1950, 101; clause (42) added, 1951, 113 (allowing the granting of token awards by a playground or recreation commission); clause (43) added, 1952, 118 (allowing the granting of awards to municipal employees for suggestions relative to the improvement of municipal services); clause (44) added, 1952, 239 (authorizing appropriations for the payment of premiums for group life insurance for permanent employees); clause (44A) added, 1955, 760 § 2; clause (45) added, 1953, 576 § 2 (authorizing appropriations for erecting and maintaining public bath houses in public beach districts); clause (46) added, 1954, 149 (authorizing appropriations for certain celebrations); clause (46A) added, 1956, 152 (authorizing appropriations for the annual observance of United Nations Day and Veterans Day and certain other days); amended, 1958, 118 § 1; 1959, 57; clause (47) added, 1954, 297 § 2 (authorizing appropriations for the establishment of business and industrial commissions); clause (48) added, 1955, 716 § 1 (authorizing cities and towns to construct, maintain and operate outdoor artificial ice skating rinks); amended, 1959, 73 § 1; clause (49) added, 1956, 495 § 2 (authorizing appropriations for the purpose of conducting programs dealing with problems of the aging); amended, 1957, 361; revised, 1957, 406 § 2; 1959, 376; clause (50) added, 1957, 22 (authorizing towns to appropriate money for the control of encephalitis); clause (51) added, 1957, 223 § 2 (authorizing towns to appropriate money for the

purpose of establishing and maintaining a conservation commission); amended, 1959, 208; clause (52) added, 1958, 390 (authorizing towns to appropriate money for the control of diseases of epidemic proportions); clause (53) added, 1960, 236 (authorizing cities and towns to appropriate money for the acquisition and maintenance of tidal marshes and estuaries as reservations). (See 1938, 142 § 2; 1954, 627 §§ 65, 67.)

SECT. 5A added, 1936, 40 (providing for the establishment of reserve funds for cities); amended, 1937, 34; 1949, 135.

SECT. 5B added, 1945, 124 (authorizing cities and towns to appropriate money for a stabilization fund); first paragraph revised, 1957, 404 § 1; second paragraph amended, 1957, 215; third paragraph revised, 1957, 404 § 2.

SECT. 6B revised, 1957, 213.

SECTS. 6C and 6D added, 1943, 225 (relative to the removal by cities and towns of snow and ice from private ways therein open to public use).

SECT. 6E added, 1950, 538 (relative to the repair by cities and towns of private ways therein open to public use); amended, 1951, 299.

SECT. 6F added, 1953, 386 § 1 (further regulating the repair by cities and towns of private ways therein open to public use).

SECT. 6G added, 1958, 195 (authorizing cities and towns to provide temporary resurfacing of certain private ways open to public use upon payment of one half the cost by certain abutting owners).

SECT. 8A added, 1954, 297 § 1 (authorizing cities and towns to establish commissions to promote business and industry); second paragraph amended, 1955, 102 § 1. (See 1954, 511; 1955, 102 § 2.)

SECT. 8B added, 1956, 495 § 1 (authorizing cities and towns to establish local councils for the aging and to appropriate funds therefor); amended, 1957, 406 § 1.

SECT. 8C added, 1957, 223 § 1 (authorizing cities and towns to establish conservation commissions).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51, 209 § 2, 409 § 3; 1947, 468 § 3, 671; amended, 1949, 118 § 3; revised, 1949, 343 § 1; paragraph added at end, 1937, 255; section revised, 1949, 563 § 1; first sentence amended, 1950, 303; 1952, 115, 443; 1953, 469; revised, 1959, 59 § 3; amended, 1960, 203, 626 § 4; sentence inserted after first sentence, 1953, 175. (See 1949, 343 § 2.)

SECT. 9A repealed, 1949, 563 § 2.

SECT. 11 amended, 1941, 490 § 9; 1953, 535 § 2; 1948, 355; revised, 1956, 573.

SECT. 11A added, 1953, 576 § 3 (relative to the forming of public beach districts by cities).

SECT. 12A repealed, 1941, 598 § 5.

SECTS. 12B-12G added, 1953, 576 § 1 (authorizing cities and towns to form public beach districts.)

SECT. 13, paragraph added at end, 1941, 130.

SECT. 14 revised, 1933, 283 § 1.

SECT. 15, paragraph added at end, 1958, 680.

SECT. 15A added, 1951, 798 § 4 (authorizing cities and towns to transfer certain land in certain cases); revised, 1954, 105. (See 1951, 798 § 8.)

SECT. 15B added, 1957, 552 (permitting the sale, rental or use of certain lands no longer needed for public water supply purposes, and the granting of certain easements or rights over such land).

SECT. 17 amended, 1933, 254 § 2. (See 1933, 254 § 66.)

SECT. 21 amended, 1953, 319 § 8; clause (16) added, 1941, 346 § 1; clause (17) added, 1949, 98; amended, 1951, 352; revised, 1959, 220; clause (18) added, 1952, 594; clause (19) added, 1953, 402; amended, 1955, 24; revised, 1957, 436; clause (20) added, 1954, 213; clause (21) added, 1956, 509. (See 1953, 319 §§ 39, 40.)

SECT. 21A added, 1951, 798 § 5 (authorizing cities and towns to establish work weeks and hours for certain municipal employees). (See 1951, 798 § 8.)

SECT. 21B added, 1955, 294 (providing for the adjustment of certain grievances of certain employees of cities and towns).

SECT. 22, paragraph added at end, 1949, 644 § 1; same paragraph amended, 1955, 458 § 1; revised, 1957, 417 § 1.

SECT. 22A added, 1947, 442 § 1 (authorizing the installation and operation of parking meters in cities and towns); sentence added at end, 1949, 644 § 2; revised, 1957, 417 § 2; sentence added at end, 1952, 592; 1955, 458 § 2; same sentence stricken out, 1957, 417 § 3.

SECT. 22B added, 1949, 776 (authorizing the use of receipts from parking meters for the acquisition and maintenance of off-street parking areas and facilities); amended, 1953, 92; revised, 1959, 270.

SECT. 22C added, 1951, 326 (relative to parking meters in off-street parking lots); revised, 1960, 449.

SECTS. 25-33. For special zoning provisions for Boston, see 1924, 488 and amendments prior to 1932; 1932, 143; 1933, 204; 1934, 210; 1936, 240; 1941, 373; 1946, 198.

SECTS. 25-30A stricken out, and new sections 25-30A (municipal zoning laws) inserted, 1933, 269 § 1. (See 1933, 269 § 4.)

SECT. 25, first paragraph amended, 1950, 325 § 1.

SECT. 26 amended, 1952, 438.

SECT. 27 revised, 1941, 320.

SECT. 27A added, 1938, 133 § 1 (to prevent multiplicity of proposals for the same change in zoning ordinances or by-laws).

SECT. 28 revised, 1941, 176.

SECT. 30, first paragraph (as appearing in 1933, 269 § 1) amended, 1945, 167; second paragraph (as so appearing) amended, 1951, 205; paragraph in lines 54-60 (as appearing in 1933, 269 § 1) stricken out and two paragraphs added, 1941, 198 § 1; paragraph in lines 61-70 (as so appearing) amended, 1935, 388 § 1; clause (1) in lines 72-76 (as so appearing) revised, 1941, 198 § 2; paragraph in lines 80-90 (as so appearing) amended, 1935, 388 § 2; next to last paragraph amended, 1953, 102. (See 1941, 198 § 3.)

SECTS. 25-30. Temporarily affected, 1951, 307.

SECT. 30A stricken out and reinserted as section 30B and new section 30A inserted, 1938, 133 § 2 (to prevent multiplicity of proposals for the same change in the application of zoning ordinances or by-laws).

SECT. 30B, sentence added at end, 1950, 325 § 2.

SECTS. 25-30B stricken out, 1954, 368 § 1. (See 1954, 368 § 3.)

SECT. 32 revised, 1933, 185 § 1; amended, 1941, 520 § 1; revised, 1952, 337. (See 1933, 185 § 2; 1941, 520 § 2.)

SECT. 36 amended, 1956, 176.

SECT. 38 revised, 1938, 172 § 2; paragraph added at end, 1941, 465 § 1.

SECTS. 39A-39G added, 1938, 172 § 3 (authorizing the establishment and maintenance of water supply and distributing systems).

SECT. 39A revised, 1941, 465 § 2.

SECT. 39H added, 1943, 125 (authorizing cities, towns and districts, through their water departments, and water companies, to aid similar municipal and other corporations relative to their water supply).

SECT. 39I added, 1958, 527 § 1 (further regulating the testing of water meters).

SECT. 40 revised, 1933, 314; 1945, 606.

SECT. 41A added, 1949, 793 (authorizing certain governmental agencies to restrain the use of water during an emergency).

SECT. 41B added, 1958, 254 (requiring that the will of the voters be ascertained before any public water supply system is fluoridated).

SECT. 42A revised, 1932, 197 § 2; amended, 1936, 42 § 1; revised, 1938, 415 § 1; amended, 1941, 380 § 1; first three sentences stricken out and two sentences inserted, 1954, 487 § 1. (See 1932, 197 § 3; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42B amended, 1935, 56 § 1; revised, 1936, 42 § 2; 1938, 415 § 2; revised, 1941, 380 § 2; sentence inserted after fourth sentence, 1947, 132; section revised, 1954, 487 § 2. (See 1935, 56 § 2; 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42C amended, 1935, 248 § 1; revised, 1938, 415 § 3; 1941, 380 § 3; 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42D, last sentence revised, 1935, 248 § 2; section revised, 1938, 415 § 4; 1941, 380 § 4; second paragraph amended, 1950, 80; section revised, 1954, 487 § 2. (See 1938, 415 § 7; 1941, 380 § 7; 1954, 487 § 3.)

SECT. 42E, last sentence amended, 1932, 180 § 6; same sentence revised, 1939, 451 § 7; section amended, 1941, 380 § 5. Affected, 1938, 415 § 7. (See 1941, 380 § 7.)

SECT. 42F affected, 1938, 415 § 7; 1941, 380 § 7.

SECTS. 42G-42I added, 1955, 332 (to authorize the levy of special assessments to meet the cost of laying water pipes in public and private ways).

SECT. 42G, first sentence amended, 1957, 268 § 1. (See 1957, 268 § 2.)

SECT. 42I, first sentence revised, 1955, 639.

SECT. 43A added, under caption, 1941, 678 § 2 (relative to pipe lines for conveying petroleum and its products and by-products).

SECT. 51 revised, 1937, 196; two sentences added at end, 1945, 340; section revised, 1946, 584 § 3. (See 1946, 584 § 22.)

#### Chapter 40A. — Zoning Regulations.

**New chapter inserted, 1954, 368 § 2. (See 1954, 368 § 3.)**

SECT. 2, first paragraph revised, 1956, 586; 1957, 145; amended, 1959, 607 § 1.

SECT. 5A added, 1958, 492 (exempting certain lots from the application of certain zoning ordinances or by-laws); paragraph added at end, 1960, 789 § 1. (See 1960, 789 § 2.)

SECT. 6, third and fourth sentences revised, 1957, 137; section revised, 1959, 317 § 1.

SECT. 7A added, 1957, 297 (relative to the effect of the adoption or amendment of zoning laws on a recorded subdivision plan); revised, 1959, 221; sentence added at end, 1960, 291.

SECT. 13 revised, 1955, 325 § 1.

SECT. 14, second sentence stricken out and two sentences inserted, 1957, 124; last sentence revised, 1954, 551 § 1; 1958, 202. (See 1954, 551 § 2.)

SECT. 15, paragraph 1 revised, 1955, 325 § 2; paragraph 3 revised, 1958, 381; last paragraph amended, 1957, 123.

SECT. 17 revised, 1959, 317 § 2.

SECT. 18, two sentences added at end, 1960, 326.

SECT. 19, second paragraph revised, 1955, 349.

SECT. 21 revised, 1957, 199 § 1; first sentence stricken out and two sentences inserted, 1958, 175; first paragraph stricken out and two paragraphs inserted, 1960, 365.

#### **Chapter 40B. — Regional Planning.**

**New chapter inserted, 1955, 374.**

SECT. 2 revised, 1955, 656 § 1. (See 1955, 656 § 3.)

SECT. 3, first sentence revised, 1955, 656 § 2. (See 1955, 656 § 3.)

#### **Chapter 40C. — Historic Districts.**

**New chapter inserted, 1960, 372.**

#### **Chapter 41. — Officers and Employees of Cities, Towns and Districts.**

SECT. 1, first paragraph revised, 1943, 453 § 3; paragraph in line 10 revised, 1934, 155 § 1; paragraph in line 11 revised, 1953, 267 § 1; paragraph in lines 15, 16 revised, 1939, 129; paragraph in line 25 revised, 1939, 3; paragraph in lines 26, 27 revised, 1955, 33; paragraph added at end, 1938, 341 § 2.

SECT. 4A, sentence added at end, 1951, 6.

SECT. 5 amended, 1934, 39 § 4.

SECT. 10 revised, 1954, 201.

SECT. 11 amended, 1938, 341 § 3.

SECT. 13 amended, 1936, 18; 1937, 143 § 1.

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks). [For prior legislation, see G. L. chapter 140 § 148, repealed by 1932, 289 § 6.]

SECT. 13B added, 1954, 139 (relative to the renewal of licenses and permits in certain cities).

SECT. 15A revised, 1949, 136.

SECT. 17 revised, 1954, 83.

SECTS. 18A and 18B added, 1948, 56 (providing that the records of city clerks may be attested by the volume and that a facsimile of the signature of the city clerk shall be valid in certain cases).

SECT. 19, second sentence stricken out and two sentences inserted, 1960, 47; last sentence revised, 1938, 66; same sentence amended, 1945, 245; sentence added at end, 1947, 391.

SECT. 19A added, 1933, 70 § 1 (requiring the filing with the state secretary of certificates of appointment or election of clerks or assistant or temporary clerks of cities or towns, and granting authority to said secretary to authenticate attestations of any such officer). (See 1933, 70 § 2.)

SECTS. 19B-19E added, 1950, 388 (relative to the tenure of office of city and town clerks).

SECT. 21, first paragraph revised, 1953, 101 § 2; last paragraph revised, 1934, 155 § 2. (See 1934, 155 § 4.)

SECT. 23A added, 1956, 145 (providing for the establishment of the office of executive secretary of the selectmen).

SECT. 23B added, 1959, 98 (authorizing the selectmen to make an investigation of any town department).

SECT. 24, paragraph added at end, 1945, 136 § 1; section revised, 1951, 364; 1953, 267 § 2. (See 1945, 136 § 2.)

SECT. 24A repealed, 1937, 129 § 1.

SECT. 25 revised, 1937, 129 § 2.

SECT. 25A revised, 1937, 129 § 3; first sentence revised, 1950, 151; third sentence revised, 1951, 77.

SECT. 26 revised, 1937, 129 § 4.

SECT. 26A added, 1935, 149 (relative to employment of counsel by boards of assessors in certain cases); revised, 1951, 215 § 2.

SECT. 27 revised, 1936, 118 § 1. (See 1936, 118 § 3.)

SECT. 28 amended, 1939, 342 § 2.

SECT. 30A added, 1946, 211 (relative to the effect of a vacancy in the office of assessor).

SECT. 32, sentence added at end, 1950, 793 § 3; section amended, 1959, 141 § 1.

SECT. 33, two sentences added at end, 1950, 793 § 4.

SECT. 35 revised, 1937, 143 § 2; sentence added at end, 1939, 109 § 1.

SECT. 37 revised, 1933, 82 § 2; amended, 1934, 259 § 2.

SECT. 38A amended, 1936, 201; revised, 1941, 211; first sentence revised, 1948, 197.

SECT. 39A added, 1939, 89 (providing for the appointment of assistant treasurers of cities and towns); last sentence revised, 1953, 55.

SECT. 39B added, 1943, 284 (authorizing the suspension and removal of city and town collectors and the appointment of temporary collectors under certain circumstances); first sentence amended, 1951, 256.

SECT. 40 revised, 1937, 143 § 3; sentence inserted before last sentence, 1951, 83.

SECT. 42 revised, 1959, 299.

SECT. 43A added, 1939, 88 (requiring municipalities to indemnify and protect collectors of taxes in the performance of their duties in certain cases); revised, 1941, 99.

SECT. 45A added, 1952, 79 (providing that the selectmen shall be the commissioners of trust funds in certain small towns).

SECT. 46 revised, 1957, 203.

SECT. 49A added, 1948, 211 (providing for the appointment of an assistant by auditors, accountants, and officers having similar duties, of cities and towns).

SECT. 53, last sentence revised, 1948, 84.

SECT. 54A amended, 1936, 62.

SECT. 56 revised, 1950, 55; two sentences inserted after third sentence, 1956, 485.

SECT. 59 amended, 1936, 94.

SECT. 61A revised, 1937, 143 § 4.

SECT. 66 revised, 1934, 155 § 3.

SECTS. 69A and 69B added, 1938, 172 § 4 (relative to the establishment and powers and duties of boards of water commissioners in certain towns).

SECTS. 69C-69F added, 1953, 101 § 1 (relative to the establishment in towns of a department of public works exercising the powers of certain other departments and town officers).

SECT. 69E amended, 1954, 45.

SECT. 70, first paragraph amended, 1957, 273 § 1; paragraph added at end, 1936, 211 § 1; amended, 1947, 340 § 1. (See 1936, 211 § 7.)

SECT. 71 amended, 1943, 266; 1953, 409 § 6.

SECT. 72 revised, 1936, 211 § 2; first sentence amended, 1947, 340 § 2; 1953, 674 § 1. (See 1936, 211 § 7.)

SECT. 73, paragraph added at end, 1936, 211 § 3; amended, 1947, 340 § 3; two sentences added at end, 1953, 674 § 8. (See 1936, 211 § 7.)

SECTS. 81A-81J added, under caption "IMPROVED METHOD OF MUNICIPAL PLANNING", 1936, 211 § 4. (See 1936, 211 § 7.)

SECT. 81A, last paragraph revised, 1938, 113.

SECTS. 81A-81J stricken out and sections 81A to 82Y inserted, 1947, 340 § 4.

SECT. 81A, fourth sentence amended, 1957, 273 § 2; seventh sentence revised, 1959, 143.

SECT. 81B amended and paragraph added at end, 1953, 674 § 2.

SECT. 81C amended, 1953, 409 § 7.

SECT. 81D, sentence inserted after second sentence, 1954, 643 § 1.

SECT. 81E, two sentences and two paragraphs added at end, 1953, 674 § 3.

SECT. 81F, sentence inserted after third sentence, 1957, 235; sentence added at end, 1953, 674 § 4.

SECT. 81G revised, 1953, 674 § 5.

SECT. 81J, first sentence amended and sentence inserted after third sentence, 1953, 674 § 6; section revised, 1956, 279.

SECTS. 81K to 81Y stricken out and sections 81K to 81GG inserted, under caption "Subdivision Control", 1953, 674 § 7. (See 1953, 674 § 11.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 81K to 81GG, as so inserted:

SECT. 81L, definition of "Industrial" stricken out, 1955, 411 § 2; definition of "Applicant" inserted, 1957, 163; definition of "Preliminary plan" inserted, 1958, 206 § 1; definition of "Registered mail" inserted, 1957, 138 § 1; definition of "Subdivision" revised, 1956, 282.

SECT. 81M, sentence added at end, 1957, 265.

SECT. 81N, last sentence revised, 1957, 146; 1959, 144.

SECT. 81P, first sentence revised, 1955, 326 § 1; 1957, 293 § 1; second sentence revised, 1960, 197; sentence added at end, 1955, 326 § 2; paragraph added at end, 1957, 293 § 2.

SECT. 81Q, first sentence revised, 1955, 370; 1957, 139; sentence inserted after second sentence, 1960, 417; two sentences inserted after the third sentence, 1959, 410; sentence added at end, 1956, 307; revised, 1960, 196; sentence added at end, 1958, 206 § 3.

SECT. 81R, second paragraph stricken out, 1955, 411 § 1.

SECT. 81S, second sentence revised, 1957, 138 § 2; section revised, 1958, 206 § 2; 1959, 189.

SECT. 81T, second sentence amended, 1957, 122; last sentence amended, 1960, 266 § 1.

SECT. 81U, last sentence revised, 1955, 324; section revised, 1958, 377 § 1; second paragraph revised, 1960, 153; fourth paragraph revised, 1960, 266 § 2. (See 1958, 377 § 2.)

SECT. 81X amended, 1958, 207; first paragraph revised, 1960, 189.

SECT. 81Z, third sentence stricken out and two sentences inserted, 1957, 134; last paragraph amended, 1958, 201.

SECT. 81AA, second sentence of second paragraph revised, 1960, 198.

SECT. 81BB, paragraph added at end, 1955, 348; section revised, 1957, 199 § 2.

SECT. 86 amended, 1939, 261 § 5.

SECT. 87A added, 1954, 386 (providing for the appointment of certain employees of the registry of motor vehicles as weighers and measurers).

SECT. 87B added, 1956, 200 (providing for the appointment of certain employees of the department of public utilities as weighers and measurers).

SECT. 90A added, 1957, 178 (providing a penalty for interfering with a public weigher of fish or his deputies, in the performance of their official duties).

SECT. 91B added, 1933, 128 (further regulating the appointment of constables).

SECT. 96A added, 1938, 342 (disqualifying felons from appointment to the police forces or departments of cities, towns and districts).

SECT. 97A added, 1948, 540 (relative to the establishment of police departments in certain towns); revised, 1948, 595.

SECT. 98 amended, 1953, 319 § 9; third sentence revised, 1954, 162 § 1; 1957, 688 § 1. (See 1953, 319 §§ 39, 40.)

SECT. 99 amended, 1932, 124; revised, 1951, 214; amended, 1958, 53.

SECT. 100, sentence added at end, 1933, 324 § 3; section amended, 1938, 298; revised, 1945, 670; second sentence revised, 1950, 337; sentence inserted after second sentence, 1950, 398; sentence inserted before last sentence, 1950, 550; same sentence amended, 1955, 168; revised, 1958, 267; last sentence revised, 1950, 412 § 1; paragraph added at end, 1957, 342. (See 1950, 412 § 2.)

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3; 1945, 391 § 1; 1949, 128. (See 1933, 318 §§ 8, 9; 1934, 291 § 6; 1945, 391 § 3.)

SECT. 100B added, 1953, 628 § 1 (providing for the indemnification by cities and towns of certain retired police officers and fire fighters for certain hospital, medical and surgical expenses). (See 1953, 628 § 2.)

SECT. 100C added, 1959, 451 (providing for the indemnification of public school teachers against certain actions and claims).

SECT. 105 amended, 1936, 132 § 2; sentence added at end, 1954, 627 § 17. (See 1954, 627 §§ 65, 67.)

SECT. 107, second sentence revised, 1953, 44; 1955, 123.

SECT. 108 revised, 1947, 540 § 1.

SECT. 108A added, 1947, 540 § 2 (authorizing cities and towns to establish salary plans for certain employees thereof); revised, 1948, 351; paragraph added at end, 1960, 87.

SECT. 108B added, 1949, 235 (providing for additional compensation and expenses for assessors and collectors in towns for assessing and collecting district taxes).



SECT. 108C added, 1954, 295 § 2 (relative to rules and regulations promulgated in connection with compensation plans for municipal officers and employees and municipal personnel administration).

SECT. 108D added, 1958, 621 (establishing a minimum annual compensation for fire fighters in certain cities and towns); revised, 1960, 260.

SECT. 108E added, 1959, 228 (establishing a minimum annual compensation for police officers in certain cities and towns).

SECT. 109 revised, 1960, 592 § 2.

SECT. 110, sentence added at end, 1950, 242.

SECT. 110A added, 1947, 265 (authorizing the closing of public offices in cities and towns on Saturdays).

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15; 1941, 368; fourth sentence stricken out and two sentences inserted, 1943, 280; first paragraph revised, 1946, 301; same paragraph stricken out and three paragraphs inserted, 1948, 330 § 1; same three paragraphs stricken out and one paragraph inserted, 1949, 475 § 1; same paragraph revised, 1951, 242 § 1. (See 1948, 330 § 2; 1951, 242 § 2.)

SECT. 111A amended, 1934, 107; revised, 1949, 172; first sentence stricken out and two sentences inserted, 1956, 46; first sentence amended, 1960, 154.

SECT. 111B added, 1945, 156 (providing sick leaves for laborers, workmen and mechanics regularly employed by certain cities and towns); amended, 1946, 187; sentence added at end, 1949, 686.

SECT. 111C added, 1945, 348 (authorizing attendance at funerals or memorial services of war veterans by certain municipal employees without loss of pay); revised, 1953, 179.

SECT. 111D added, 1949, 384 (relative to vacations without loss of pay for regular members of police and fire forces in certain cities and towns). See 1950, 36 § 1.

SECT. 111E added, 1949, 475 § 2 (providing for payment of compensation to certain municipal employees and their beneficiaries in lieu of vacations in certain cases); amended, 1953, 436 § 2; revised, 1954, 13; sentence added at end, 1956, 45.

SECT. 111F added, 1952, 419 (providing injured leave for certain incapacitated police officers and fire fighters); sentence added at end, 1958, 266.

SECT. 111G added, 1952, 488 (relative to annual vacations for certain employees of certain cities and towns).

SECT. 111H added, 1953, 293 (relative to overtime service by police officers of cities and towns); revised, 1954, 573 § 1. (See 1954, 573 § 2.)

SECT. 111I added, 1953, 436 § 3 (relative to the payment of salaries, wages or other sums owing by cities and towns upon the death of their officers and employees); revised, 1954, 562 § 3. (See 1953, 436 § 7.)

SECT. 112 revised, 1954, 627 § 18. (See 1954, 627 §§ 65, 67.)

SECT. 112A added, 1947, 276 (regulating the separation from the service of certain cities and towns of certain war veterans holding unclassified offices or positions).

SECT. 119, two sentences added at end, 1950, 137; paragraph added at end, 1950, 779.

SECT. 120 added, 1949, 133 § 1 (establishing the financial year of fire, water, light and improvement districts). (See 1949, 133 § 2.)

SECT. 121 added, 1950, 211 (requiring the treasurer of fire, water, light and improvement districts to be bonded).

**Chapter 42. — Boundaries of Cities and Towns.**

Boundary line between Saugus and Wakefield (portion) established, 1933, 298; between Woburn and Reading (portion) established, 1934, 177; between Oak Bluffs and Tisbury (portion) established, 1935, 145; between Brewster and Orleans (portion) established, 1935, 356; between Middleton and Topsfield established, 1936, 96; between Foxborough and Walpole established, 1937, 140; between Edgartown and Oak Bluffs (portion) established, 1937, 265; between Arlington and Belmont (portion) established, 1938, 371; between Rochester and Wareham and between Marion and Wareham (portion) established, 1939, 279; between Fitchburg and Leominster (portion) established, 1941, 37, 698; between Bellingham and Franklin established, 1941, 641; between Chicopee and Springfield (portion) established, 1945, 274; between Brewster and Dennis and between Dennis and Harwich, 1945, 599; between Reading and Lynnfield (portion) established, 1947, 243; between Dennis and Harwich established, 1947, 372.

SECT. 1 revised, 1933, 278 § 3.

**Chapter 43. — City Charters.**

SECT. 1, definition of "Plan D" revised, 1948, 459 § 1; three paragraphs inserted after word "inclusive" in line 22, 1938, 378 § 1; definition of "Plan F" inserted, 1959, 448 § 1.

SECT. 5, paragraph added at end, 1938, 378 § 2; same paragraph revised, 1948, 459 § 2.

SECT. 7 amended, 1939, 451 § 8; revised, 1948, 459 § 3; paragraph added at end, 1958, 513 § 2; 1959, 448 § 7.

SECT. 8, form of petition revised, 1938, 378 § 3; amended, 1948, 459 § 4; section revised, 1959, 448 § 2.

SECT. 9 revised, 1941, 640 § 1; 1948, 459 § 5; 1954, 155; first sentence amended, 1959, 448 § 3. (See 1941, 640 § 7.)

SECT. 9A added, 1959, 448 § 4 (proceedings after filing of petition for the adoption of Plan F).

SECT. 10, paragraph added at end, 1938, 378 § 4.

SECT. 11 revised, 1941, 640 § 2. (See 1941, 640 § 7.)

SECT. 12 amended, 1959, 268.

SECT. 15 amended, 1933, 313 § 7; last paragraph amended, 1938, 378 § 5; section revised, 1941, 640 § 3. (See 1941, 640 § 7.)

SECT. 16 revised, 1959, 448 § 5.

SECT. 16A added, 1959, 448 § 6 (city primary and election under Plan F, and nomination of candidates).

SECT. 17 revised, 1938, 378 § 6.

SECT. 17A added, 1952, 259 § 2 (relative to salaries of certain mayors, city councillors and city managers); amended, 1958, 72 § 2; sentence added at end, 1954, 67.

SECT. 17B added, 1959, 448 § 8 (salary of mayor and members of city council under Plan F).

SECT. 18, paragraph 2, third sentence revised, 1958, 626 § 5; paragraph 4 inserted, 1938, 378 § 7; amended, 1949, 723 § 1.

SECT. 19 revised, 1938, 378 § 8; amended, 1948, 459 § 6.

SECT. 23 amended, 1935, 68 § 1.

SECT. 26, first paragraph revised, 1937, 224 § 1; amended, 1938, 378 § 9; 1959, 448 § 9.

SECT. 28 amended, 1951, 25 § 1.

SECT. 29 revised, 1938, 378 § 10; first sentence revised, 1949, 723 § 2; amended, 1951, 25 § 2; section revised, 1959, 448 § 10.

SECT. 30 revised, 1938, 378 § 11; first sentence revised, 1948, 459 § 7; 1959, 448 § 11.

SECT. 31 amended, 1938, 378 § 12; 1959, 448 § 12.

SECT. 32 amended, 1949, 318.

SECT. 35, first sentence revised, 1958, 626 § 6.

SECT. 36 revised, 1938, 378 § 13.

SECT. 42 amended, 1935, 68 § 2.

SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added at end, 1934, 30; first paragraph revised, 1938, 378 § 14; amended, 1959, 448 § 13; last sentence of first paragraph stricken out, 1941, 640 § 4. (See 1941, 640 § 7.)

SECT. 44C, first paragraph amended, 1937, 147; 1943, 229 § 1.

SECT. 44H amended, 1932, 180 § 7; 1941, 640 § 5. (See 1941, 640 § 7.)

SECT. 46 amended, 1939, 451 § 9.

SECT. 50A added, 1936, 135 (relative to the filling of vacancies in the city council in cities having a Plan A form of charter).

SECT. 51 repealed, 1952, 259 § 3.

SECT. 56 amended, 1937, 224 § 2.

SECT. 59A added, 1937, 224 § 3 (relative to the filling of vacancies in the city council in cities having a Plan B form of charter); two paragraphs inserted before first paragraph, 1955, 222.

SECT. 62 repealed, 1952, 259 § 3.

SECT. 71, second sentence revised, 1958, 626 § 7.

SECT. 78 repealed, 1952, 259 § 3.

SECTS. 79-92 stricken out and new sections 79-92A (relative to Plan D form of charter) inserted, 1948, 459 § 8.

SECT. 84, fourth sentence revised, 1958, 626 § 8.

SECT. 87 repealed, 1952, 259 § 3.

SECTS. 93-116 added, under caption, 1938, 378 § 15 (providing an additional optional standard form of city charter under which substantial control of the city government is vested in a city council elected at large by proportional representation, with a city manager appointed and removable at pleasure by the city council).

SECTS. 93-116 repealed in so far as they provide for election by proportional representation of city councils and school committees, 1949, 661 § 1; 1952, 281 § 1. (See 1949, 661 §§ 1A-3; 1952, 281 § 2; 1953, 118.)

SECT. 98, fourth sentence revised, 1958, 626 § 9.

SECT. 100 amended, 1941, 722 § 5.

SECT. 101 repealed, 1952, 259 § 3.

SECT. 102 amended, 1941, 722 § 6.

SECT. 103, first paragraph amended, 1950, 353.

SECT. 110, first paragraph amended, 1949, 181; form of petition amended, 1941, 722 § 7.

SECT. 114, last sentence revised, 1952, 78.

SECTS. 117-127 added, under caption, 1959, 448 § 14 (establishing an additional optional standard form of city charter under which the city

government is vested in a mayor and a city council elected partly at large and partly by wards, said mayor and city councillors being nominated in party primaries).

**Chapter 43A. — Standard Form of Representative Town Meeting Government.**

SECT. 3, first paragraph amended, 1937, 267 § 2.

SECT. 4, first paragraph amended, 1936, 128.

SECT. 6 revised, 1943, 1 § 1; 1943, 453 § 4; amended, 1945, 359; next to last sentence amended, 1947, 291. (See 1943, 1 § 2.)

SECT. 8, first sentence revised, 1943, 453 § 5.

**Chapter 44. — Municipal Finance.**

For temporary legislation establishing an emergency finance board in the department of the state treasurer, and providing for the borrowing of money by cities and towns against certain tax titles, see 1933, 49, 104; 1935, 221, 300, 456; 1936, 281; 1938, 57; 1939, 288, 496; 1941, 129; 1943, 413; 1945, 324; 1947, 206; 1949, 79; 1951, 438; 1953, 467; 1955, 262, 726.

For legislation enabling cities and towns to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526; 1949, 327. [For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1946, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

For emergency legislation authorizing cities and towns to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6; 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 487; 1942, 4.]

For legislation authorizing the renewal by cities and towns of certain temporary revenue loans, see 1947, 108; 1949, 134.

For legislation relative to the collection of certain taxes and other charges due to the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

For legislation authorizing cities and towns to borrow, in the years 1935 to 1948, inclusive, on account of public welfare and veterans' benefits (and in certain of said years for additional specified purposes), see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44; 1945, 73; 1946, 584 § 17; 1947, 611; 1949, 90; 1951, 108; 1953, 479; 1955, 18, 726; 1957, 252.

For legislation regulating the use of receipts from the sale by cities and towns of federal surplus commodity stamps, 1941, 65.

For legislation authorizing cities and towns to borrow for remodeling, reconstructing or making extraordinary repairs to public buildings, see 1948, 275; 1957, 226.

SECT. 1, definition of "Revenue" revised, 1946, 358 § 10.

SECT. 2 revised, 1936, 224 § 4; amended, 1946, 358 § 11. (See 1936, 224 §§ 11, 12.)

SECT. 4 amended, 1934, 11 § 1; affected, 1934, 11 §§ 2, 3; amended, 1936, 16; 1946, 358 § 12; 1947, 298 § 2.

SECT. 4A added, 1935, 68 § 3 (temporary loans by cities in anticipation of revenue exempted from charter provisions relative to publication and referendum).

SECT. 5 amended, 1939, 37.

SECT. 5A amended, 1935, 68 § 4.

SECT. 5B added, 1943, 61 § 1 (relative to borrowing for liabilities incurred by districts prior to the annual appropriations).

SECT. 6 revised, 1957, 385.

SECT. 6A, temporarily affected, 1956, 412.

SECT. 7 amended, 1936, 224 § 5; first paragraph amended, 1946, 358 § 13; 1947, 207 § 1; 1948, 275 § 3; revised, 1951, 54, 181 § 1; clause (1A) added, 1957, 219; clause (2A) added, 1955, 716 § 2; amended, 1959, 73 § 2; clause (2B) added, 1956, 596 § 2; clause (3A) added, 1947, 207 § 2; repealed, 1948, 275 § 4; clause (4A) added, 1955, 85 § 2; clause (5) revised, 1947, 101; amended, 1951, 282 § 1; clause (6) amended, 1951, 282 § 2; clause (12) repealed, 1946, 358 § 14; clause (14) revised, 1953, 100; clause (15) added, 1948, 383; clause (16) added, 1951, 181 § 2; amended, 1952, 38. (See 1936, 224 §§ 11, 12.)

SECT. 8, clause (3) revised, 1938, 172 § 5; clause (4) revised, 1958, 383 § 1; clause (5) revised, 1941, 83; amended, 1952, 123 § 1; revised, 1958, 383 § 2; clause (6) amended, 1952, 123 § 2; clause (7A) added, 1957, 224; clause (8) amended, 1958, 70 § 1; clause (9) amended, 1939, 457; 1947, 298 § 3; clause (13) added, 1946, 358 § 15; amended, 1947, 298 § 4; revised, 1957, 431; clause (14) added, 1954, 106; last paragraph revised, 1960, 592 § 6. (See 1952, 123 § 3.)

SECT. 8A added, 1939, 108 § 1 (providing for submitting to the voters of certain cities the question of approving or disapproving orders authorizing the issue of bonds, notes or certificates of indebtedness for certain purposes). (See 1939, 108 § 2.)

SECT. 9 amended, 1941, 376; 1946, 384 § 1; first paragraph amended, 1950, 169; paragraph added at end, 1947, 298 § 5.

SECT. 10 amended, 1936, 224 § 6; 1939, 24 § 1; 1946, 329; second sentence revised, 1950, 51; section revised, 1952, 56; second sentence revised, 1959, 99. (See 1936, 224 §§ 11, 12.)

SECT. 11 amended, 1936, 224 § 7. (See 1936, 224 §§ 11, 12.)

SECT. 12 amended, 1936, 224 § 8; repealed, 1946, 358 § 16. (See 1936, 224 §§ 11, 12.)

SECT. 13 revised, 1946, 358 § 17; paragraph added at end, 1948, 5.

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations).

SECT. 16, first sentence stricken out and two sentences inserted, 1956, 98; last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 16A added, 1957, 58 § 1 (authorizing the use of facsimile counter-signatures on bonds, notes and certificates of indebtedness issued by certain cities).

SECT. 17 amended, 1946, 358 § 18.

SECT. 18 amended, 1946, 358 § 19.

SECT. 19 amended, 1946, 358 § 20.

SECT. 20 amended, 1946, 358 § 21; revised, 1947, 60; sentence added at end, 1949, 403.

SECT. 21 amended, 1946, 358 § 22.

SECT. 22 amended, 1936, 224 § 9. (See 1936, 224 §§ 11, 12.)

SECT. 26 amended, 1951, 265.

SECT. 28A added, 1951, 16 (making certain provisions of municipal finance laws applicable to regional school districts); revised, 1957, 262 § 1. (See 1957, 262 § 2.)

SECT. 29. As to tax limit of Boston, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 31 revised, 1946, 358 § 23; 1949, 138; first sentence revised, 1955, 259; sentence added at end, 1954, 46.

SECT. 31A added, 1941, 473 § 1 (relative to budgets in certain cities); amended, 1953, 654 § 3.

SECT. 31B added, 1950, 173 (relative to the liabilities which may be incurred by fire, water, light and improvement districts).

SECT. 32, paragraphs added at end, 1938, 175 § 1, 378 § 16; section revised, 1941, 473 § 2; subdivision (2) of first paragraph amended, 1953, 51; paragraph added at end, 1953, 79.

SECT. 33 revised, 1941, 473 § 3.

SECT. 33A stricken out and new sections 33A and 33B inserted, 1943, 62 (amending and clarifying the law relative to budgets in cities).

SECT. 33A revised, 1947, 298 § 1; sentence added at end, 1950, 370; section revised, 1955, 358; amended, 1960, 301.

SECT. 33B, two sentences added at end, 1951, 798 § 6. (See 1951, 798 § 8.)

SECT. 34 revised, 1938, 170; paragraph added at end, 1941, 93.

SECT. 35 amended, 1941, 454; revised, 1951, 17 § 1.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1; sentence inserted after first sentence, 1947, 298 § 6; section revised, 1948, 82; 1951, 17 § 2. (See 1945, 29 § 2; repealed by 1946, 109.)

SECT. 41 revised, 1946, 432 § 4.

SECT. 43, two sentences added at end, 1951, 276.

SECT. 46 amended, 1953, 654 § 4.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial transactions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 53 revised, 1960, 592 § 3.

SECT. 54 amended, 1933, 200; 1946, 358 § 24; revised, 1948, 194 § 1; 1949, 243; amended, 1953, 83; 1954, 47.

SECT. 55, sentence added at end, 1948, 143 § 1; 1951, 59; section revised, 1953, 103; amended, 1960, 592 § 4; sentence added at end, 1960, 253.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48.

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities). (See 1934, 229 §§ 2, 3.)

SECT. 58 amended, 1951, 15.

SECT. 63 amended, 1946, 358 § 25.

SECT. 63A added, 1955, 247 (providing for a payment in lieu of taxes in the event of a sale of real estate by a city or town). (See 1955, 401.)

SECT. 64 added, 1941, 179 (authorizing towns to appropriate money for the payment of certain unpaid bills of previous years); last paragraph revised, 1960, 592 § 5.

SECT. 65 added, 1945, 635 § 3 (providing for advances of their vacation pay to officers and employees of cities and towns).

SECT. 66 added, 1956, 21 (authorizing advances to municipal officers and employees on account of certain necessary expenses).

#### **Chapter 45. — Public Parks, Playgrounds and the Public Domain.**

SECT. 2 amended, 1941, 10 § 1.

SECT. 14 revised, 1949, 256; second sentence stricken out and two sentences inserted, 1955, 96.

SECT. 17A added, 1938, 220 (authorizing cities and towns to use certain ways therein for playground purposes); revised, 1953, 80; 1955, 1.

SECT. 18 revised, 1954, 131.

#### **Chapter 46. — Return and Registry of Births, Marriages and Deaths.**

SECT. 1, third sentence of second paragraph revised, 1933, 280 § 1; fourth paragraph amended, 1941, 51; revised, 1954, 627 § 23. (See 1954, 627 §§ 65, 67.)

SECT. 1A added, 1939, 61 § 1 (further regulating the making and recording of certificates of birth of certain abandoned children and foundlings).

SECTS. 1B and 1C added, 1952, 72 (relative to filing evidence of certain births and deaths occurring without the commonwealth).

SECT. 2A added, 1933, 279 (regulating the impounding of birth records of children born out of wedlock); amended, 1937, 78 § 1; revised, 1939, 269 § 1; amended, 1954, 324; 1960, 48 § 1. (See 1960, 48 § 8.)

SECT. 3, first sentence revised, 1957, 24; third sentence revised, 1960, 48 § 2; fourth sentence stricken out, 1955, 95 § 1; sentence inserted after third sentence, 1959, 48 § 1; paragraph added at end, 1939, 326 § 1. (See 1959, 48 § 3; 1960, 48 § 8.)

SECT. 4A added, 1941, 434 (providing for the verification of returns of births); first sentence revised, 1960, 15 § 1; paragraph added at end, 1960, 15 § 2.

SECT. 6 revised, 1939, 61 § 2.

SECT. 7A added, 1950, 22 (requiring reports of births in airplanes).

SECT. 9 amended, 1936, 100; 1945, 113; sentence inserted after first sentence, 1954, 137; revised, 1959, 48 § 2; 1960, 48 § 3. (See 1959, 48 § 3; 1960, 48 § 8.)

SECTS. 9A and 9B added, 1960, 48 § 4 (relative to the filing of certain certificates of death). (See 1960, 48 § 8.)

SECT. 10 revised, 1954, 627 § 24. (See 1954, 627 §§ 65, 67.)

SECT. 11, first sentence amended, 1960, 48 § 5; second sentence stricken out, 1955, 95 § 2. (See 1960, 48 § 8.)

SECT. 12 amended, 1937, 78 § 2; revised, 1945, 439; amended, 1960, 48 § 6. (See 1960, 48 § 8.)

SECT. 13, paragraph in first to sixth lines amended, 1939, 61 § 3; revised, 1960, 342 § 1; second paragraph amended, 1933, 280 § 2; second paragraph stricken out and two new paragraphs inserted, 1938, 63; first paragraph so inserted revised, 1943, 72 § 2; paragraph in eighteenth and nineteenth lines, as appearing in Tercentenary Edition, amended, 1938, 97; revised, 1953, 261 § 1; 1955, 107 § 3; 1959, 146; second sentence of

said paragraph stricken out and four sentences inserted, 1960, 342 § 2; fourth paragraph, as so appearing, amended, 1941, 50; same paragraph amended, 1945, 65; 1953, 261 § 2; revised, 1955, 107 § 4; 1956, 342; paragraph added at end, 1939, 61 § 4; paragraph added at end, 1948, 550 § 2.

SECT. 13A added, 1945, 542 (providing for the recording of certain births upon the determination of facts relating thereto by a probate court).

SECT. 16 amended, 1941, 351 § 4; 1958, 613 § 2B; sentence added at end, 1955, 107 § 5.

SECT. 17 revised, 1932, 12; amended, 1939, 269 § 2; revised, 1960, 21 § 1. (See 1960, 21 § 2.)

SECT. 18 revised, 1957, 95.

SECT. 19 revised, 1943, 228 § 1; amended, 1945, 570 § 1; sentence added at end, 1950, 366. (See 1943, 228 § 2; 1945, 570 § 2.)

SECT. 20 revised, 1941, 351 § 5; amended, 1958, 613 § 2C.

SECT. 24 revised, 1960, 48 § 7. (See 1960, 48 § 8.)

SECT. 26 amended, 1939, 326 § 2; first sentence revised, 1947, 283.

#### Chapter 48. — Fires, Fire Departments and Fire Districts.

For legislation enabling districts to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526. [For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

For legislation authorizing districts to borrow, in the years 1935 to 1944, inclusive, on account of public welfare and soldiers' benefits (and in certain of said years for additional specified purposes), see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44.

For legislation authorizing the renewal by districts of certain temporary revenue loans, see 1947, 108.

For emergency legislation authorizing districts to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6, 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 587; 1942, 4.]

SECT. 8 amended, 1941, 490 § 10; revised, 1954, 104.

SECT. 13 amended, 1938, 204; revised, 1941, 581; 1945, 269; amended, 1951, 274.

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11.

SECT. 16 revised, 1943, 103 § 1; amended, 1952, 222.

SECT. 18 revised, 1943, 103 § 2.

SECT. 20A repealed, 1950, 442.

SECT. 24 amended, 1953, 535 § 3; third sentence amended, 1956, 590.

SECT. 28A amended, 1941, 490 § 12; revised, 1953, 496.

SECT. 28B revised, 1953, 535 § 4.

SECT. 28C added, 1948, 131 (providing for the closing of privately owned forest lands during periods of fire hazard).

SECT. 36A added, 1948, 159 § 1 (providing for the promotion of certain call firemen to membership in the permanent fire force in certain cities and towns).

SECT. 37 revised, 1948, 149 § 2.

SECT. 51A added, 1948, 337 § 1 (providing for the furnishing of gas masks for the use of members of fire departments); second paragraph revised, 1949, 467 § 1. (See 1948, 337 § 2; 1949, 467 § 2.)



SECT. 57A added, 1953, 640 (relative to additional pay or time off for fire fighters and others who are required to work on legal holidays).

SECT. 57B added, 1959, 285 § 1 (granting time off without loss of pay to delegates to the state convention of the Associated Fire Fighters of Massachusetts AFL-CIO).

SECT. 58A added, 1941, 638 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns).

SECT. 58B added, 1945, 413 § 1 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns); second paragraph amended, 1955, 151; section revised, 1957, 713 § 1; second paragraph revised, 1958, 279. (See 1945, 413 § 2; 1946, 114, 371, 436, 597; 1947, 64, 200.)

SECT. 58C added, 1955, 195 (authorizing compensation for overtime service by fire fighters of cities and towns); revised, 1956, 206.

SECT. 59, fifth paragraph revised, 1955, 150.

SECT. 59A amended, 1949, 77; first sentence revised, 1960, 14.

SECT. 59E added, under caption, 1939, 419 § 1 (providing for the ultimate abolition of reserve fire forces in certain cities and towns).

SECT. 65 revised, 1956, 95.

SECT. 66 revised, 1950, 121.

SECT. 69 revised, 1959, 91.

SECT. 70 repealed, 1950, 170.

SECT. 79 revised, 1948, 133; first sentence amended, 1951, 392.

SECT. 88 added, 1959, 367 (providing that a fire fighter in certain cities and towns shall not be required to perform the duties of a police officer).

#### **Chapter 49. — Fences, Fence Viewers, Pounds and Field Drivers.**

SECT. 6 revised, 1948, 550 § 3.

SECT. 10 amended, 1951, 143 § 2.

SECT. 26 revised, 1957, 233.

SECT. 29 amended, 1951, 143 § 1.

SECT. 36 revised, 1948, 550 § 4.

#### **Chapter 49A. — Use of Certain Animals for Scientific Investigation, Experiment or Instruction.**

**New chapter inserted, 1957, 298 § 1.**

#### **Chapter 50. — General Provisions relative to Primaries, Caucuses and Elections.**

SECT. 1. "Ballot labels" defined, 1941, 511 § 1; "City election" defined, 1943, 453 § 6; "Official ballot" defined, 1941, 511 § 2; "Political committee" defined, 1943, 318 § 5; amended, 1954, 224; definition of "Political party" amended, 1951, 805 § 4; "State officer" defined, 1943, 453 § 7; "Town officer" defined, 1943, 453 § 8. (See 1951, 805 §§ 6, 7.)

SECT. 2 amended, 1932, 141 § 1; sentence added at end, 1938, 341 § 4.

SECT. 3A added, 1947, 37 (relative to the placing on nomination papers of acceptances of nominations); revised, 1953, 26.

SECT. 4, paragraph added at end, 1947, 30 § 2.

SECT. 6A added, 1948, 15 § 3 (providing for the filling of vacancies in certain elective offices in case of the retirement of an incumbent by reason of superannuation prior to the next regular election).

SECT. 8 amended, 1943, 453 § 9.

## Chapter 51. — Voters.

For legislation providing for a state wide verification of voting lists, see 1938, 427; repealed and superseded by 1939, 450; amended, 1943, 537; 1945, 127.

SECT. 1, first paragraph revised, 1943, 453 § 10; section amended, 1954, 627 § 19; paragraph added at end, 1932, 206; amended, 1960, 300. (See 1954, 627 §§ 65, 67.)

SECT. 2 amended, 1933, 254 § 3; revised, 1945, 310. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4; revised, 1943, 453 § 11. (See 1933, 254 § 66.)

Heading before section 4 revised, 1943, 453 § 12.

SECT. 4 amended, 1933, 254 § 5; first paragraph revised, 1935, 345 § 1; amended, 1937, 1 § 1; revised, 1938, 186 § 1; section revised, 1938, 440 § 2; section amended, 1943, 453 § 13; last paragraph revised, 1947, 26; section amended, 1955, 67 § 1. (See 1933, 254 §§ 65, 66; 1937, 226; 1938, 186 § 5, 440 § 23.)

SECT. 5 revised, 1938, 440 § 3; 1939, 188 § 1. (See 1938, 440 § 23.)

SECT. 6 revised, 1938, 440 § 4; 1939, 188 § 2; next to last sentence revised, 1949, 196. (See 1938, 440 § 23.)

SECT. 7 amended, 1933, 254 § 6; revised, 1935, 345 § 2; amended, 1938, 440 § 5; revised, 1939, 188 § 3; amended, 1955, 67 § 2; 1959, 137. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 8 amended, 1933, 254 § 7; 1937, 1 § 2; revised, 1938, 186 § 2, 440 § 6. (See 1933, 254 § 66; 1938, 186 § 5, 440 § 23.)

SECT. 9 amended, 1933, 254 § 8; revised, 1938, 440 § 7. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 10 amended, 1938, 440 § 8; repealed, 1943, 453 § 14. (See 1938, 440 § 23.)

SECTS. 10A and 10B added, 1939, 369 § 1 (providing for the securing of information relative to persons residing at inns, lodging houses and public lodging houses); sections stricken out and new section 10A inserted, 1943, 320 § 1; revised, 1955, 176.

SECT. 11 revised, 1938, 440 § 9. (See 1938, 440 § 23.)

SECT. 12 revised, 1938, 440 § 10; sentence added at end, 1945, 715 § 1. (See 1938, 440 § 23.)

SECT. 13 repealed, 1943, 453 § 15.

SECT. 14A revised, 1938, 440 § 11. (See 1938, 440 § 23.)

SECT. 14B added, 1933, 254 § 9 (amending special acts relative to the listing of voters in certain municipalities so as to conform to the change in taxing date from April 1 to January 1); revised, 1938, 440 § 12; amended, 1943, 453 § 16. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 15 amended, 1959, 127 § 2.

SECT. 16 repealed, 1959, 127 § 1.

SECT. 16A added, 1955, 218 (authorizing the establishment of boards of election commissioners and defining their powers and duties); amended, 1956, 723 § 1.

SECT. 18 amended, 1950, 142.

SECT. 20 revised, 1943, 453 § 17.

SECT. 22 amended, 1938, 280; revised, 1943, 453 § 18; amended, 1950, 172.

SECT. 22A added, 1945, 715 § 2 (providing for registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 1.

SECT. 23 amended, 1943, 453 § 19; revised, 1945, 715 § 3.

SECT. 24 amended, 1950, 177.

SECT. 26 amended, 1932, 48 § 1; 1935, 37 § 1; 1938, 473 § 2; 1943, 453 § 20; revised, 1947, 34 § 1; sentence inserted before last sentence, 1948, 42.

SECT. 27 revised, 1932, 48 § 2; amended, 1935, 37 § 2; 1938, 473 § 3; amended, 1943, 109 § 1; revised, 1943, 453 § 21; 1947, 34 § 2.

SECT. 28 revised, 1947, 34 § 3.

SECT. 29 amended, 1947, 34 § 4; 1956, 134.

SECT. 29A amended, 1943, 109 § 2; revised, 1947, 34 § 5.

SECT. 29B added, 1938, 179 (providing for sessions of registrars of voters in all the wards of every city prior to each biennial state election); amended, 1943, 453 § 22; 1947, 34 § 6.

SECT. 30, first sentence amended, 1943, 453 § 23; section revised, 1947, 34 § 7.

SECT. 32 amended, 1933, 254 § 10. (See 1933, 254 § 66.)

SECT. 33, paragraph added at end, 1945, 246; revised, 1946, 160.

SECT. 34 amended, 1933, 254 § 11. (See 1933, 254 § 66.)

SECT. 35 revised, 1938, 440 § 13; amended, 1939, 451 § 10; sentence added at end, 1947, 244 § 1. (See 1938, 440 § 23.)

SECT. 36 amended, 1933, 254 § 12; 1955, 67 § 3; paragraph added at end, 1943, 453 § 24. (See 1933, 254 § 66.)

SECT. 37 amended, 1933, 254 § 13; revised, 1938, 440 § 14; fourth sentence amended, 1939, 369 § 2; 1943, 320 § 2; last sentence stricken out, 1941, 328 § 2; section revised, 1943, 453 § 25. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 38 revised, 1943, 453 § 26.

SECT. 39 amended, 1938, 440 § 15. (See 1938, 440 § 23.)

SECT. 41 revised, 1943, 453 § 27.

SECT. 41A added, 1941, 328 § 1 (ensuring that certain laws relative to registration of persons residing at inns and lodging houses are of general application); revised, 1943, 320 § 3.

SECT. 42 revised, 1945, 715 § 4.

SECT. 42A added, 1945, 715 § 5 (relative to registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 2.

SECT. 42B added, 1959, 332 (providing for registration sessions in certain factories and mills).

SECT. 43 amended, 1933, 254 § 14; revised, 1938, 440 § 16. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 44 amended, 1943, 453 § 28; revised, 1945, 715 § 6.

SECT. 45 revised, 1943, 108; 1945, 715 § 7.

SECT. 46 revised, 1945, 715 § 8.

SECT. 47 revised, 1945, 715 § 9.

SECT. 50 amended, 1938, 440 § 17; 1945, 378. (See 1938, 440 § 23.)

SECT. 54, paragraph added at end, 1946, 537 § 1. (See 1946, 537 § 12.)

SECT. 55 amended, 1933, 254 § 15; sentence added at end, 1936, 2 § 1; same sentence revised, 1938, 473 § 4; section amended, 1943, 453 § 29;

1950, 193; third and fourth sentences revised, 1949, 212; last sentence revised, 1946, 140 § 15; section revised, 1950, 255. (See 1933, 254 § 66.)

SECT. 57 amended, 1943, 453 § 30.

SECT. 58 revised, 1945, 253.

SECT. 61 amended, 1937, 21 § 1.

SECT. 62 amended, 1943, 453 § 31.

SECT. 63 revised, 1943, 453 § 32.

## Chapter 52. — Political Committees.

**Chapter stricken out and new chapter inserted, 1938, 346 § 1. (See 1938, 346 §§ 3, 4.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 52, as so inserted:**

SECT. 1, first two paragraphs revised, 1948, 614 § 1; section revised, 1950, 280 § 1; amended, 1955, 138 § 1. (See 1948, 614 §§ 8, 9.)

SECT. 1A added, 1948, 614 § 2 (relative to nominations of candidates for members of state political committees); repealed, 1950, 280 § 2. (See 1948, 614 §§ 8, 9.)

SECT. 2, first sentence amended, 1955, 138 § 2; sentence added at end, 1948, 23; section revised, 1958, 111.

SECT. 4 amended, 1955, 138 § 3.

SECT. 6 revised, 1957, 38.

SECT. 9 revised, 1941, 337 § 1; first sentence revised, 1953, 406 § 1.

## Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 1 amended, 1939, 371.

SECT. 2 amended, 1932, 310 § 4; last sentence revised, 1934, 32 § 1; section revised, 1938, 473 § 5; 1941, 337 § 2; amended, 1953, 406 § 2. (See 1937, 384, 435.)

SECT. 3 revised, 1936, 116 § 1; amended, 1937, 45 § 1; revised, 1943, 334 § 1; sentence added at end, 1945, 55.

SECT. 5, first paragraph amended, 1954, 31; paragraph added at end, 1947, 141; revised, 1955, 288 § 1.

SECT. 6 amended, 1936, 101; revised, 1939, 191; 1941, 266; amended, 1943, 50; revised, 1943, 334 § 2; third sentence revised, 1960, 224.

SECT. 7 amended, 1933, 254 § 16; sentence inserted, 1936, 2 § 2; section revised, 1936, 4 § 1; amended, 1937, 25 § 1; 1937, 341 § 5; first and second sentences revised, 1943, 334 § 3; last three sentences revised, 1954, 183 § 2. (See 1933, 254 § 66.)

SECT. 7A added, 1943, 229 § 2 (relative to the certification of nomination petitions for preliminary elections in cities).

SECT. 8, first paragraph amended, 1932, 135 § 4; section amended, 1933, 35 § 1; first sentence amended, 1938, 473 § 6; section revised, 1943, 334 § 4; first paragraph amended, 1955, 288 § 2; 1957, 14; revised, 1957, 278 § 1; second paragraph amended, 1951, 805 § 5. (See 1951, 805 §§ 6, 7.)

SECT. 10, first paragraph amended, 1934, 111; revised, 1937, 45 § 2; amended, 1938, 373 § 4; 1946, 20 § 2; second paragraph revised, 1933, 313 § 2; 1941, 278; amended, 1941, 472 § 4; first two sentences stricken

out and one sentence inserted, 1954, 114; 1943, 229 § 3; third paragraph revised, 1937, 77 § 2; amended, 1943, 334 § 5; revised, 1947, 74; paragraph inserted after third paragraph, 1948, 63.

SECT. 11, sentence added at end, 1933, 313 § 3; revised, 1937, 77 § 3; section revised, 1937, 212 § 1; amended, 1943, 334 § 6; second sentence revised, 1956, 135.

SECT. 12 revised, 1937, 212 § 2; first paragraph amended, 1943, 334 § 7; paragraph added at end, 1939, 166.

SECT. 12A added, 1933, 305 (to prevent certain fraudulent nominations).

SECT. 13, sentence added at end, 1933, 313 § 4; section amended, 1937, 26, 77 § 4; revised, 1955, 221.

SECT. 14, sentence inserted after third sentence, 1943, 334 § 8.

SECT. 15 amended, 1943, 334 § 9.

SECT. 17 amended, 1943, 334 § 10.

SECT. 17A added, under the heading "ENDORSEMENT FOR NOMINATION OF MEMBERS OF STATE POLITICAL COMMITTEES BY CONVENTIONS", 1938, 397; second paragraph amended, 1945, 237 § 1; fifth paragraph amended, 1945, 20.

SECT. 18 revised, 1934, 282.

SECT. 20 revised, 1943, 334 § 11.

SECT. 21 amended, 1945, 237 § 2.

SECT. 22A amended, 1932, 80; 1938, 192; 1943, 51; 1948, 596.

SECT. 22B added, 1938, 191 (requiring persons circulating initiative and referendum petitions to attest the validity of signatures thereto under the penalties of perjury).

SECT. 24. See 1937, 275.

SECT. 26 amended, 1943, 334 § 12; paragraph added at end, 1945, 51.

SECT. 28 amended, 1932, 310 § 5; revised, 1933, 313 § 5; amended, 1934, 32 § 2; revised, 1938, 473 § 7; first paragraph amended, 1946, 20 § 3. (See 1937, 384, 435.) Temporarily affected, 1958, 73.

SECT. 32 amended, 1932, 310 § 6; 1938, 473 § 8. (See 1937, 384, 435.)

SECT. 33, sentence added at end, 1941, 511 § 3.

SECT. 34 revised, 1932, 310 § 7; first paragraph revised, 1938, 436 § 1; fourth paragraph revised, 1937, 22; section revised, 1938, 473 § 9; second and third paragraphs revised, 1941, 337 § 3; fifth paragraph revised, 1941, 352; amended, 1943, 334 § 13; section revised, 1953, 406 § 3; second paragraph revised, 1954, 225; 1958, 289; 1960, 216. (See 1937, 384, 435.)

SECT. 35 amended, 1932, 310 § 8; 1938, 473 § 10; amended, 1941, 337 § 4. (See 1937, 384, 435.)

SECT. 35A added, 1943, 301 (relative to pasters or stickers for use at primaries).

SECT. 36 amended, 1941, 511 § 4.

SECT. 37 revised, 1943, 334 § 14; sentence added at end, 1949, 194; revised, 1957, 26.

SECT. 38 amended, 1938, 299; 1943, 334 § 15; 1945, 237 § 3; revised, 1959, 74.

SECT. 40 revised, 1932, 30.

SECT. 40A added, 1943, 334 § 16 (requiring petitions for recounts at primaries of a political party to be signed by enrolled voters thereof).

SECT. 41 revised, 1932, 310 § 9; section and title preceding it stricken out and new section inserted under the heading "PROVISIONS APPLYING

TO STATE PRIMARIES'', 1938, 473 § 11; section revised, 1941, 337 § 5. (See 1937, 384, 435.)

SECT. 42 amended, 1932, 310 § 10; 1937, 24 § 2; revised, 1938, 373 § 1; 1953, 406 § 4. (See 1937, 384, 435.)

SECT. 43 amended, 1932, 310 § 11; 1937, 201; 1949, 109 § 1. (See 1937, 384, 435.)

SECT. 44 revised, 1932, 310 § 12; amended, 1935, 38; revised, 1938, 373 § 2, 473 § 12; amended, 1941, 337 § 6; revised, 1952, 221; 1953, 406 § 5; last sentence stricken out and two sentences inserted, 1954, 183 § 1; third sentence revised, 1955, 249. (See 1937, 384, 435.)

SECT. 45 amended, 1932, 310 § 13; first paragraph amended, 1936, 22; 1938, 84; section revised, 1938, 473 § 13; amended, 1941, 337 § 7; first paragraph amended, 1947, 338 § 1; paragraph added at end, 1946, 537 § 2. (See 1937, 384, 435; 1946, 537 § 12.)

SECT. 46 amended, 1936, 4 § 2; revised, 1937, 25 § 2; amended, 1941, 337 § 8.

SECT. 47 amended, 1932, 310 § 14; 1938, 473 § 14. (See 1937, 384, 435.)

SECT. 48 amended, 1932, 310 § 15; first paragraph revised, 1938, 373 § 3; paragraph added at end, 1938, 272; same paragraph amended, 1941, 563; paragraph added at end, 1941, 675; section amended, 1943, 53; first paragraph amended, 1946, 20 § 4; section revised, 1951, 332; first paragraph revised, 1953, 406 § 6. (See 1937, 384, 435.)

SECT. 48A added, 1956, 232 (relative to the nomination of certain candidates at state primaries).

SECT. 49 revised, 1932, 310 § 16; 1938, 473 § 15. (See 1937, 384, 435.)

SECT. 51 amended, 1932, 310 § 17; 1938, 473 § 16; revised, 1960, 434 § 2. (See 1937, 384, 435.)

SECT. 52 amended, 1932, 310 § 18; revised, 1938, 473 § 17; amended, 1941, 337 § 9; revised, 1948, 614 § 3; 1950, 280 § 3. (See 1937, 384, 435; 1948, 614 §§ 8, 9.)

SECT. 53 revised, 1932, 310 § 19; 1938, 473 § 18; amended, 1941, 337 § 10; 1948, 614 § 4; 1950, 280 § 4. (See 1937, 384, 435; 1948, 614 §§ 8, 9.)

SECT. 53A amended, 1932, 310 § 20; revised, 1938, 473 § 19. (See 1937, 384, 435.)

SECT. 54 revised and heading inserted preceding said section, 1932, 310 § 21; two sentences added, 1935, 482 § 1; section amended, 1936, 11 § 1; 1937, 24 § 3; section (and heading) revised, 1938, 346 § 2; section amended, 1941, 337 § 11; section revised, under new heading, 1953, 406 § 7; section amended, 1955, 138 § 4; first sentence revised, 1957, 278 § 2; stricken out and two sentences inserted, 1958, 230; first sentence amended, 1959, 553; section revised, 1960, 83. (See 1936, 11 §§ 2, 3; 1937, 384, 435; 1938, 346 §§ 3, 4.)

SECTS. 54A and 54B added, 1932, 310 § 22 (relative to proceedings at pre-primary conventions, to the form of certificates of nomination of candidates thereat, and to the acceptance of such nominations); repealed, 1938, 473 § 20. (See 1937, 384, 435.)

SECTS. 54C and 54D added, 1953, 406 § 8 (relative to the certification and seating of candidates and delegates at state conventions).

SECT. 55, paragraph added at end, 1936, 116 § 2.

SECT. 56 amended, 1943, 334 § 17.

SECT. 57 amended, 1937, 410; 1945, 237 § 4.

SECT. 61 amended, 1936, 140; 1937, 411; 1941, 272.

SECTS. 65-70 (and caption) repealed, 1932, 310 § 23. (See 1937, 384, 435; 1938, 473 § 21.)

SECTS. 70A-70H added, under heading "PROVISIONS APPLYING TO PRESIDENTIAL PRIMARIES," 1938, 473 § 21.

SECT. 70B amended, 1941, 337 § 12.

SECT. 70D, fourth sentence stricken out and two sentences inserted, 1947, 338 § 2; section revised, 1948, 614 § 5; 1950, 280 § 5; second and third sentences revised, 1957, 299; fourth sentence revised, 1956, 74 § 1. (See 1948, 614 §§ 8, 9; 1956, 74 § 2.)

SECT. 70E, sentence inserted before last sentence, 1947, 31; four paragraphs added at end, 1951, 764.

SECT. 70F amended, 1939, 452 § 11; revised, 1948, 614 § 6; 1950, 280 § 6. (See 1948, 614 §§ 8, 9.)

SECT. 70G, second paragraph, as appearing in 1938, 473 § 21, amended, 1948, 614 § 7; 1950, 280 § 7; two paragraphs inserted after first paragraph, 1953, 406 § 9. (See 1948, 614 §§ 8, 9.)

SECT. 71. See 1937, 275.

SECT. 72A added, 1933, 313 § 6 (relative to caucuses before regular city elections in cities having absent voting); revised, 1937, 77 § 5; 1945, 1.

SECT. 76, paragraph added at end, 1946, 537 § 3. (See 1946, 537 § 12.)

SECT. 87, paragraph added at end, 1946, 537 § 4. (See 1946, 537 § 12.)

SECT. 112 amended, 1935, 59 § 2.

SECT. 117 amended, 1932, 141 § 2.

SECT. 121 added, 1932, 141 § 3 (authorizing the nomination by caucuses other than those of political or municipal parties of two candidates for each town office); revised, 1936, 204.

#### Chapter 54. — Elections.

For legislation relative to absent voting by members of the armed forces during time of war, see 1948, 531.

SECT. 2 amended, 1943, 411 § 1.

SECT. 4 revised, 1935, 482 § 2; amended, 1936, 185; revised, 1937, 412.

SECT. 5 revised, 1943, 209 § 1.

SECT. 6 revised, 1943, 411 § 2.

SECT. 7 revised, 1943, 411 § 3; amended, 1947, 267 § 1.

SECT. 7A added, 1947, 267 § 3 (authorizing the division of precincts in certain towns for the sole purpose of facilitating voting therein).

SECT. 9A added, 1937, 267 § 1 (relative to the use of precincts in certain towns in the formation of representative districts); revised, 1947, 267 § 2.

SECT. 11 amended, 1932, 76 § 1; 1934, 158 § 1; 1937, 27; 1938, 341 § 6; revised, 1941, 432 § 1.

SECT. 11A added, 1932, 76 § 2 (dispensing with the appointment of deputy election officers in certain cities).

SECT. 11B added, 1941, 432 § 2 (relative to the appointment of election officers in certain cities); revised, 1943, 230.

SECT. 12 amended, 1934, 158 § 2; revised, 1945, 363; first paragraph revised, 1960, 431 § 1.

SECT. 13 amended, 1934, 158 § 3; 1943, 411 § 4.

SECT. 14 amended, 1943, 411 § 5.

SECT. 16A added, 1943, 411 § 6 (relative to the temporary filling of vacancies in the offices of election officers); amended, 1960, 431 § 2.

SECT. 17 amended, 1960, 431 § 3.

SECT. 18 repealed, 1960, 431 § 4.

SECT. 19 amended, 1934, 158 § 4; repealed, 1960, 431 § 4.

SECT. 21 amended, 1934, 158 § 5; repealed, 1960, 431 § 4.

SECT. 22 amended, 1943, 411 § 7.

SECT. 23 amended, 1943, 411 § 8; paragraph added at end, 1946, 537 § 5. (See 1946, 537 § 12.)

SECT. 24, last sentence stricken out and two new sentences inserted, 1943, 209 § 2.

SECT. 25 revised, 1943, 411 § 9.

SECT. 26 amended, 1938, 281 § 1; 1943, 240.

SECT. 27, paragraph added at end, 1946, 537 § 6. (See 1946, 537 § 12.)

SECT. 30 amended, 1943, 310 § 1.

SECT. 30A added, 1943, 310 § 2 (relative to election officers in places where voting machines are used); revised, 1947, 255 § 1.

SECT. 31, paragraph added at end, 1943, 310 § 3.

SECT. 33, last sentence stricken out, and paragraph inserted at end, 1935, 238 § 1; last sentence of same paragraph revised, 1951, 709 § 1; paragraph added at end, 1951, 709 § 2.

SECTS. 33A-33D added, 1943, 310 § 4 (relative to the use of voting machines at primaries and elections).

SECT. 34 revised, 1936, 205 § 1; second paragraph stricken out, 1938, 281 § 2; section amended, 1945, 84.

SECT. 35 revised, 1943, 310 § 5.

SECTS. 35A and 35B added, 1938, 281 § 3 (relative to voting by challenged voters at polling places where voting machines are used and to the counting of votes where such machines are used).

SECT. 35A, sentence added at end, 1941, 511 § 5; section amended, 1945, 62.

SECT. 35B, second sentence of second paragraph revised, 1941, 511 § 6; second paragraph revised, 1943, 310 § 6; third paragraph amended, 1941, 511 § 7.

SECT. 38 revised, 1936, 205 § 2.

SECT. 41, third paragraph amended, 1933, 35 § 2; 1938, 190; second sentence of same paragraph revised, 1938, 436 § 2; same paragraph amended, 1946, 78; 1955, 256; last paragraph stricken out and three paragraphs inserted, 1943, 411 § 11; sentence added at end, 1952, 128; same sentence revised, 1953, 1; 1954, 127.

SECT. 42 amended, 1932, 135 § 5; first paragraph amended, 1935, 238 § 2; same paragraph revised and paragraph inserted, 1941, 292; first two paragraphs revised, 1948, 272; second paragraph amended, 1953, 212, 432; last paragraph amended, 1943, 411 § 12.

SECT. 42A added, 1947, 138 § 1 (relative to questions appearing upon ballots at state and municipal elections).

SECT. 43 revised, 1932, 135 § 1.

SECT. 43A added, 1957, 126 § 1 (placing the office of United States senator ahead of state constitutional officers on ballots, ballot labels and voting machines at state elections and primaries); first paragraph revised, 1959, 298.



SECT. 44 amended, 1943, 411 § 13; third and fourth sentences stricken out and sentence inserted, 1957, 126 § 2.

SECT. 45, first sentence revised, 1943, 281 § 1; paragraph added at end, 1943, 281 § 2.

SECT. 48 amended, 1943, 290.

SECT. 49 amended, 1943, 411 § 14.

SECT. 53 amended, 1945, 64.

SECT. 58A added, 1956, 180 (relative to the form of question to be used in placing provisions of the general laws on the ballot for acceptance by the voters of cities and towns); paragraph added at end, 1959, 43.

SECT. 60, last sentence amended, 1938, 281 § 6.

SECT. 62 amended, 1935, 257 § 5. (See 1935, 257 § 12.)

SECT. 64, third paragraph revised, 1949, 109 § 2; last paragraph amended, 1934, 39 § 5.

SECT. 65 revised, 1933, 289 § 1; amended, 1943, 411 § 15; second sentence stricken out and two sentences inserted, 1952, 129; same sentence stricken out and one sentence inserted, 1955, 266; paragraph inserted after first paragraph, 1951, 257; paragraph added at end, 1946, 537 § 7; section revised, 1957, 54. (See 1946, 537 § 12.)

SECT. 68, paragraph added at end, 1946, 537 § 8. (See 1946, 537 § 12.)

SECT. 69 amended, 1947, 255 § 2.

SECT. 70 revised, 1943, 411 § 16; amended, 1947, 255 § 3.

SECT. 71. See 1937, 275.

SECT. 71A added, 1943, 411 § 17 (requiring that election officers in cities and in certain towns be supervised by the city or town clerk).

SECT. 73, paragraph added at end, 1946, 537 § 9. (See 1946, 537 § 12.)

SECT. 75 amended, 1943, 411 § 18.

SECT. 76 revised, 1943, 411 § 19.

SECT. 76A added, 1943, 411 § 20 (requiring a person applying to vote to write his name upon request of any election officer).

SECT. 78 revised, 1932, 135 § 2.

SECT. 79 amended, 1943, 411 § 21.

SECT. 80 revised, 1958, 194.

SECT. 85A added, 1937, 275 § 1 (relative to the challenging of voters at polling places at certain elections, primaries and caucuses). (See 1937, 275 § 2.)

SECT. 86 revised, 1945, 466 § 1; amended, 1950, 21; 1951, 153 § 1; revised, 1954, 101; 1959, 178 § 1.

SECT. 87, subsection (a) revised, 1945, 52; subsection (b) revised, 1936, 404 § 1; amended, 1945, 466 § 2; 1951, 153 § 2; 1959, 178 § 2; paragraph added at end, 1948, 477 § 1; subsection (c) revised, 1936, 404 § 2; amended, 1937, 162 § 2; 1941, 279 § 2; 1944, 1 § 9; 1945, 231 §§ 1, 2; 466 § 3; amended, 1960, 685 § 1; subsection (d) revised, 1941, 333; subsection (e) revised, 1946, 140 § 13.

SECT. 89 revised, 1936, 404 § 3; sentence inserted after second sentence, 1960, 16.

SECT. 90 repealed, 1946, 140 § 14.

SECT. 92 revised, 1936, 404 § 4; amended, 1937, 162 § 1; 1941, 279 § 1; revised, 1945, 466 § 4; second sentence revised, 1960, 685 § 2.

SECT. 93 revised, 1936, 404 § 5; amended, 1941, 722 § 8.

SECT. 94 amended, 1952, 39 § 1; revised, 1954, 102; 1956, 67.

SECT. 95 revised, 1936, 404 § 6; amended, 1945, 466 § 5; first sentence amended, 1952, 39 § 2; revised, 1959, 70; section revised, 1960, 685 § 3.

SECT. 96 amended, 1936, 404 § 7.

SECT. 98 amended, 1945, 466 § 6.

SECT. 100 revised, 1936, 404 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1; first paragraph amended, 1939, 152; revised, 1948, 477 § 2; paragraph added at end, 1946, 118.

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, first paragraph amended, 1952, 39 § 3; 1959, 133; revised, 1959, 155 § 1; second paragraph revised, 1947, 95; fourth paragraph amended, 1938, 341 § 7; stricken out, 1960, 434 § 1.

SECT. 107 revised, 1943, 411 § 22; amended, 1946, 93.

SECT. 109 amended, 1943, 411 § 23.

SECT. 112 amended, 1935, 257 § 6; 1939, 31 § 3; first sentence revised, 1946, 130 § 2. (See 1935, 257 § 12.)

SECT. 115, second sentence revised, 1952, 207.

SECT. 116, first sentence revised, 1946, 130 § 3.

SECT. 122 amended, 1935, 257 § 7. (See 1935, 257 § 12.)

SECTS. 124-128 repealed, 1946, 130 § 4.

SECT. 132 amended, 1932, 33.

SECT. 133 amended, 1937, 21 § 2.

SECT. 134 amended, 1943, 411 § 24.

SECT. 135, first paragraph amended, 1933, 254 § 17; section revised, 1933, 270; first paragraph revised, 1935, 59 § 1; 1938, 250 § 1; 1941, 236; third paragraph revised, 1937, 303; same paragraph amended, 1941, 350; last paragraph revised, 1938, 250 § 2; paragraph inserted after first paragraph, 1938, 281 § 4; section revised, 1943, 417; paragraph inserted after first paragraph, 1945, 149; first paragraph stricken out and three paragraphs inserted, 1945, 315; second paragraph amended, 1957, 45; third paragraph (as appearing in 1943, 417) revised, 1947, 353 § 1; fifth paragraph (as so appearing) amended, 1959, 155 § 2; seventh paragraph (as so appearing) revised, 1947, 353 § 2. (See 1933, 254 § 66.)

SECT. 135A added, 1938, 281 § 5 (relative to the recounting of votes where voting machines are used); amended, 1943, 411 § 25; sentence inserted after first sentence, 1949, 188; 1945, 142.

SECT. 137 amended, 1935, 55.

SECT. 138, last paragraph amended, 1937, 23 § 1.

SECT. 139 amended, 1943, 49.

SECT. 141 amended, 1939, 508 § 16; first paragraph stricken out, 1946, 130 § 5; second paragraph amended, 1945, 38 § 7; 1946, 20 § 1.

SECT. 144 revised, 1935, 257 § 8; first paragraph amended, 1939, 31 § 4. (See 1935, 257 § 12.)

SECT. 146 amended, 1935, 257 § 9. (See 1935, 257 § 12.)

SECT. 148 amended, 1937, 23 § 2.

SECT. 151 amended, 1932, 135 § 3.

SECT. 158 amended, 1935, 257 § 10; first paragraph revised, 1939, 31 § 5. (See 1935, 257 § 12.)

SECT. 161 (except last paragraph) amended, 1934, 265; paragraph added at end, 1946, 594. (See 1939, 467.)

**Chapter 54A. — Election of City and Town Officers by Proportional Representation and Preferential Voting.**

New chapter inserted, 1937, 345.

Chapter inserted by 1937, 345 stricken out and new chapter inserted, 1938, 341 § 1.

The following references are to chapter 54A as so inserted:

SECT. 1 amended, 1941, 345.

SECT. 2, paragraph added at end, 1938, 378 § 17; section revised, 1941, 640 § 6. (See 1941, 640 § 7.)

SECT. 8 revised, 1960, 166.

SECT. 9, paragraph (t) added, 1950, 28.

**Chapter 55. — Corrupt practices and Election Inquests.**

Chapter stricken out and new chapter 55 inserted, 1946, 537 § 10. (See 1946, 537 § 12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 55 as so inserted:

SECT. 4, first sentence stricken out and three sentences inserted, 1954, 287.

SECT. 11, first paragraph revised, 1954, 644.

SECT. 13, paragraph inserted after first paragraph, 1954, 530.

SECT. 16 amended, 1954, 272.

SECT. 20, first sentence revised, 1954, 223.

SECT. 29 amended, 1956, 230.

SECT. 30 amended, 1955, 131 § 1.

SECT. 31 amended, 1955, 131 § 2.

SECT. 32 amended, 1955, 131 § 3.

SECT. 33 amended, 1955, 131 § 4.

SECT. 34 amended, 1955, 131 § 5.

SECT. 35 amended, 1955, 131 § 6.

**Chapter 56. — Violations of Election Laws.**

Chapter stricken out and new chapter 56 inserted, 1946, 537 § 11. (See 1946, 537 § 12.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 56 as so inserted:

SECT. 41, first paragraph revised, 1950, 88.

SECT. 41A added, 1950, 91 (relative to the unauthorized use of persons' names in political advertising).

SECT. 43A added, 1951, 104 (regulating use of the word "Veteran" by candidates for public office).

SECT. 44A added, 1949, 238 (prohibiting the distribution of certain lists of candidates for state office unless the name of the person responsible therefor appears thereon).

**Chapter 57. — Congressional, Councillor and Senatorial Districts, and Apportionment of Representatives.**

SECT. 1 revised, 1941, 556.

SECT. 2 revised, 1939, 507 § 1; 1948, 250 § 1; 1960, 432 § 1. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4.)

SECT. 3 revised, 1939, 507 § 2; 1948, 250 § 2; 1960, 432 § 2. (See 1948, 250 §§ 3, 4; 1960, 432 §§ 3, 4.)

SECT. 4 revised, 1939, 467 § 1; 1947, 182 § 1. (See 1939, 467 §§ 2, 3, 4; 1947, 182 §§ 2, 3, 4.)

SECT. 5. See 1939, 467.

**Chapter 58. — General Provisions relative to Taxation.**

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, first sentence revised, 1943, 428 § 2; fifth sentence amended, 1932, 180 § 9; same sentence revised, 1937, 108 § 2.

SECT. 2 amended, 1933, 254 § 18; paragraph added at end, 1941, 726 § 2; same paragraph revised, 1953, 654 § 5; section revised, 1958, 490 § 1. (See 1933, 254 § 66; 1958, 490 § 3.)

SECT. 3 amended, 1933, 254 § 19. (See 1933, 254 § 66.)

SECTS. 7A–7E added, under caption, 1955, 649 (relative to assessment systems in cities and towns).

SECT. 8 revised, 1935, 322 § 1; 1945, 351 § 2; amended, 1953, 654 § 6.

SECT. 8A added, 1951, 500 (relative to reimbursement of municipalities for loss of taxes through abatements to paraplegic veterans); revised, 1957, 687.

SECT. 9 revised, 1939, 346; 1941, 112; amended, 1953, 654 § 7.

SECT. 10 amended, 1934, 323 § 9; 1951, 641 § 3; revised, 1953, 654 § 8. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 11 amended, 1939, 451 § 14; repealed, 1941, 609 § 1.

SECT. 12 amended, 1941, 490 § 13; repealed, 1941, 609 § 1.

SECT. 13 amended, 1933, 254 § 20; 1945, 564; 1953, 654 § 9; revised, 1955, 467; first sentence revised, 1956, 701 § 1; amended, 1960, 593 § 1. (See 1933, 254 § 66; 1956, 701 § 2; 1960, 593 § 2.)

SECT. 14 amended, 1939, 451 § 15; 1953, 654 § 10.

SECT. 15 amended, 1933, 254 § 21; revised, 1941, 490 § 14; amended, 1953, 654 § 11. (See 1933, 254 § 66.)

SECT. 15A added, 1956, 701 § 1A (providing that certain land exempt from local taxation at the time of its acquisition by the commonwealth shall not be included in any determination of valuation for purposes of reimbursement). (See 1956, 701 § 2.)

SECT. 17A amended, 1939, 451 § 26; 1953, 654 § 12.

SECT. 17B added, 1945, 592 § 1 (relative to payments by the commonwealth to certain towns in reimbursement for loss of taxes by reason of property taken for flood control); amended, 1953, 654 § 13; revised, 1959, 412 § 1. (See 1945, 592 § 2; 1959, 412 § 2.)

SECT. 18 revised, 1933, 350 § 7; amended, 1936, 405 § 1; 1939, 451 § 16; 1945, 624 § 1; revised, 1945, 735 § 4; amended, 1955, 780 § 9; amended, 1953, 654 § 14; amended, 1951, 641 § 4; amended, 1947, 679 § 3; affected, 1933, 357 § 4; 1935, 438 § 2; revised, 1956, 599 § 1. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4; 1951, 641 §§ 18, 19; 1955, 780 § 10; 1956, 599 § 5.)

SECT. 20 revised, 1936, 362 § 3; amended, 1937, 108 § 1; 1953, 654 § 15; introductory paragraph amended, 1941, 656 § 1; 1945, 624 § 2. (See 1936, 362 §§ 4, 8; 1937, 108 § 3.)

SECT. 20A added, 1936, 376 § 3 (relative to the set-off of money due to the commonwealth from a city or town against sums due to the city or town from the commonwealth).

SECT. 21 amended, 1933, 254 § 22; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECTS. 22 and 23 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 24 amended, 1933, 254 § 23; repealed, 1951, 641 § 2. (See 1933, 254 § 66; 1951, 641 §§ 18, 19.)

SECT. 24A revised, 1934, 323 § 2; first sentence amended, 1945, 624 § 3; section repealed, 1951, 641 § 2. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 25 revised, 1934, 323 § 3; amended, 1939, 451 § 17; first sentence revised, 1941, 729 § 11; section revised, 1945, 624 § 4, 687; amended, 1951, 641 § 5; 1953, 654 § 16. (See 1934, 323 § 11; 1941, 729 § 15; 1951, 641 §§ 18, 19.)

SECT. 25A revised, 1934, 323 § 4; first sentence revised, 1945, 624 § 5; amended, 1951, 641 § 6; 1953, 654 § 17. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 26 amended, 1933, 254 § 24; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 26A added, 1945, 523 § 1 (relative to abatement of uncollectible taxes); amended, 1953, 654 § 18.

SECT. 27, first sentence revised, 1943, 521 § 1; section amended, 1951, 641 § 7; 1953, 654 § 19; first sentence revised, 1959, 525. (See 1951, 641 §§ 18, 19.)

SECTS. 28A and 28B added, 1947, 483 § 1 (provisions for aiding in the collection of federal and state personal income taxes).

SECT. 29, first sentence revised, 1953, 654 § 20; paragraph (1) amended, 1956, 129; paragraph (4) stricken out, 1945, 161 § 1.

SECT. 30 revised, 1945, 624 § 6; amended, 1951, 641 § 8. (See 1951, 641 §§ 18, 19.)

SECT. 31 added, under caption, 1937, 135 § 1 (relative to forms of application for abatement of taxes and certain other forms and the approval thereof by the commissioner of corporations and taxation); amended, 1953, 654 § 21.

SECT. 32 added, 1953, 654 § 22 (relative to the summons, attendance and testimony of witnesses before the commissioner).

#### **Chapter 58A. — Appellate Tax Board (former title, Board of Tax Appeals).**

##### **Title changed, 1937, 400 § 2.**

SECT. 1 revised, 1937, 400 § 3; first paragraph amended, 1948, 583; same paragraph revised, 1950, 784; amended, 1953, 654 § 23; 1955, 730 § 41; fourth sentence revised, 1957, 732. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43.)

SECT. 5 revised, 1941, 381, 596 § 24.

SECT. 6 amended, 1932, 180 § 10; revised, 1933, 167 § 4; amended, 1934, 323 § 10; revised, 1938, 478 § 4; first sentence revised, 1941, 609 § 2; same sentence amended, 1941, 726 § 1; same sentence revised, 1945, 367 § 3; section revised, 1945, 621 § 1; first sentence revised, 1947, 632

§ 2; amended, 1951, 641 § 9; 1957, 617 § 12A; section amended, 1953, 654 § 24; last two sentences stricken out and six sentences inserted, 1958, 523 § 1. (See 1933, 167 § 5; 1934, 323 § 11; 1937, 400 § 1; 1947, 632 § 3; 1951, 641 §§ 18, 19; 1957, 617 § 13; 1958, 523 § 4.)

SECT. 7 revised, 1933, 321 § 2; amended, 1939, 451 § 18; 1945, 621 § 2; 1952, 502; 1953, 654 § 25. (See 1933, 321 § 9.)

SECT. 7A added, 1933, 321 § 3 (providing for the establishment of informal procedure before the appellate tax board); revised, 1935, 447; third sentence revised, 1938, 384; 1943, 282; section revised, 1945, 621 § 3. (See 1933, 321 §§ 8, 9.)

SECT. 8 revised, 1933, 321 § 4. (See 1933, 321 § 9.)

SECT. 8A added, 1935, 276 § 1 (providing for adequate discovery in tax appeal cases).

SECT. 9 amended, 1953, 654 § 26.

SECT. 10 revised, 1933, 321 § 5. (See 1933, 321 § 9.)

SECT. 12 amended, 1933, 321 § 6. (See 1933, 321 § 9.)

SECT. 12A added, 1943, 430 (relative to taxation of costs by the appellate tax board in certain appeals as to the assessed value where it exceeds the value as recently determined by said board).

SECT. 12B added, 1950, 262 (relative to the admissibility of evidence of assessed valuations at hearings before the appellate tax board).

SECT. 13 revised, 1933, 321 § 7; first sentence revised, 1956, 630; 1957, 522; fifth sentence stricken out, 1954, 681 § 5; sixth sentence amended, 1953, 654 § 27; 1954, 681 § 5; sentence inserted after sixth sentence, 1954, 681 § 5; eighth sentence amended, 1953, 654 § 27; fifteenth sentence revised, 1933, 350 § 8; amended, 1935, 218 § 1; 1939, 366 § 1; 1953, 654 § 27. (See 1933, 321 § 9; 350 § 9; 1954, 681 §§ 20, 22.)

#### Chapter 59. — Assessment of Local Taxes.

For temporary legislation exempting persons in the military and naval service of the United States from the payment of poll taxes, see 1943, 406; 1947, 637.

For temporary legislation exempting from taxation certain real property of residents of the commonwealth serving in the armed forces of the United States, and their spouses, see 1943, 412; 1945, 627 § 2.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

Temporary act relative to the taking of appeals involving real estate in which closed banks have an interest, 1941, 145 § 2.

For temporary legislation extending the time during which soldiers and sailors and their wives, widows or parents may apply for abatement or exemption from certain real estate taxes, see 1950, 165; 1951, 301; 1955, 148; 1956, 287; 1957, 41; 1958, 37.

As to Boston taxes, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 1 amended, 1936, 202 § 1; revised, 1938, 186 § 3. (See 1936, 202 § 2; 1938, 186 § 5.)

SECT. 2 revised, 1954, 459 § 1.

SECT. 3A revised, 1951, 667 § 1.

SECT. 3B added, 1946, 393 (to abolish certain implied exemptions from local taxation).

SECT. 3C added, 1952, 614 § 1 (relative to local taxation of certain pipe lines). (See 1952, 614 § 3.)

SECT. 3D added, 1956, 690 § 1 (providing for the assessment and taxation of certain land owned by the United States and leased to private interests); first sentence revised, 1958, 549 § 1.

SECT. 5, clause First revised, 1936, 81; 1938, 47; 1956, 690 § 3; clause Second revised, 1951, 667 § 2; clause Third, subsection (c) amended, 1933, 198 § 1 (see 1933, 198 § 2); clause Third revised, 1957, 500 § 1 (see 1957, 500 § 2); clause Eighth amended, 1947, 83 § 1; clause Eleventh revised, 1938, 317; amended, 1953, 231; 1954, 341; clause Sixteenth revised, 1936, 362 § 1 (see 1936, 362 §§ 4, 8); 1941, 467; amended, 1949, 732; 1952, 232 § 1 (see 1952, 232 § 2); 1953, 654 § 28; 1954, 435 § 1 (see 1954, 435 § 2); revised, 1957, 541; clause Seventeenth revised, 1935, 294; amended, 1939, 451 § 19; revised, 1941, 227 § 1; 1954, 351; clause Seventeenth A added, 1938, 186 § 4 (see 1938, 186 § 5); sentence added at end, 1943, 559; amended, 1949, 236; revised, 1953, 358; clause revised, 1960, 316, 714; clause Seventeenth B added, 1950, 796; amended, 1951, 730; clause Eighteenth revised, 1941, 227 § 2; clause Twentieth revised, 1937, 132; 1941, 482; 1947, 310; 1951, 640 § 1 (see 1951, 640 § 2); amended, 1953, 347; revised, 1956, 384; clause Twenty-first revised, 1956, 400 § 1; clause Twenty-second amended, 1939, 451 § 20; paragraph (a) amended, 1945, 627 § 1; clause revised, 1946, 579; 1947, 612 § 1 (see 1947, 612 § 2); paragraph (a), sentence added at end, 1949, 206; paragraph (d) revised, 1948, 560; paragraph (e) and one other paragraph inserted, 1948, 644 § 1 (see 1948, 644 § 3); paragraph added at end, 1948, 644 § 2 (see 1948, 644 § 3); clause revised, 1949, 534 § 1; 1951, 675; paragraph (g) revised, 1954, 245; clause revised, 1954, 683 § 1 (see 1954, 683 §§ 2A, 3); first sentence revised, 1956, 381 § 1, 651; 1957, 525 § 1; 1958, 282 § 1; amended, 1960, 811 § 1 (see 1957, 525 § 5; 1958, 282 § 3); paragraph (a) revised, 1955, 403 § 3 (see 1955, 403 § 14); 1957, 525 § 2; 1958, 282 § 2; 1960, 414 § 1 (see 1957, 525 § 5; 1958, 282 § 3; 1960, 414 § 2); paragraph (b) stricken out, 1957, 525 § 3 (see 1957, 525 § 5); paragraph (c) revised, 1956, 381 § 2; paragraph (d) stricken out, 1956, 381 § 3; paragraph added after paragraph (h), 1955, 312; paragraph (i) added, 1960, 764 § 1 (see 1960, 764 § 2); clause Twenty-second A added, 1954, 683 § 2 (see 1954, 683 § 3); first paragraph revised, 1957, 525 § 4; amended, 1960, 811 § 2 (see 1957, 525 § 5); clause Twenty-second B added, 1959, 233 § 1 (see 1959, 233 § 2); clause Twenty-third amended, 1932, 114 § 4; revised, 1947, 647; 1949, 534 § 2; clause Twenty-fifth amended, 1951, 272; clause Thirty-second amended, 1951, 641 § 10 (see 1951, 641 §§ 18, 19); clause Thirty-fifth revised, 1939, 24 § 2; clause Thirty-sixth added, 1952, 583 § 2 (see 1952, 583 § 3); clause Thirty-seventh added, 1953, 379; amended, 1959, 88 § 2; revised, 1959, 444 § 1 (see 1959, 444 § 2); last sentence revised, 1960, 18; clause Thirty-eighth added, 1957, 444 § 2.

SECT. 5A added, 1941, 227 § 3 (relative to collection of taxes from estates of persons who were relieved therefrom for lack of ability to pay, or otherwise); first sentence revised, 1948, 541.

SECT. 6 amended, 1933, 254 § 25; 1936, 59 § 1; first paragraph amended, 1941, 440; revised, 1946, 410. (See 1933, 254 § 66; 1936, 59 § 3.)

SECTS. 6 and 7. See 1934, 307.

SECT. 7, first paragraph amended, 1936, 59 § 2; section amended, 1939, 451 § 21; 1945, 367 § 1. (See 1936, 59 § 3.)

SECT. 7A added, 1945, 367 § 2 (relative to payments in lieu of taxes on certain property held by a municipality or district in another municipality).

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added at end, 1935, 119 § 1. (See 1933, 254 § 66; 1935, 119 § 2.)

SECT. 8A added, under caption, 1956, 400 § 2 (relative to excise tax on farm animals); first paragraph revised, 1960, 130.

SECT. 9 amended, 1933, 254 § 27; revised, 1939, 342 § 4. (See 1933, 254 § 66.)

SECT. 10 amended, 1933, 254 § 28. (See 1933, 254 § 66.)

SECT. 11 amended, 1933, 254 § 29; revised, 1936, 92; 1939, 175; sentence inserted after third sentence, 1956, 690 § 2; same sentence stricken out, 1958, 549 § 2; paragraph added at end, 1956, 397; revised, 1957, 418. (See 1933, 254 § 66.)

SECT. 16 amended, 1937, 114.

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause Second revised, 1936, 362 § 2. (See 1933, 254 § 66; 1936, 362 § 8.)

SECT. 19 amended, 1933, 254 § 31; revised, 1945, 143. (See 1933, 254 § 66.)

SECT. 20 revised, 1933, 254 § 32; amended, 1936, 376 § 1; revised, 1946, 432 § 1. (See 1933, 254 § 66.)

SECT. 21 revised, 1933, 254 § 33; 1936, 376 § 2; second sentence amended, 1945, 624 § 7; first three sentences stricken out and five sentences inserted, 1946, 432 § 2. (See 1933, 254 § 66.)

SECT. 23, first paragraph amended, 1951, 798 § 7; 1955, 143; two paragraphs inserted, 1955, 202 § 1; 1953, 654 § 29; 1948, 576; paragraph added at end, 1938, 175 § 2; 1949, 104 § 1. Temporarily affected, 1954, 43. (See 1951, 798 § 8; 1952, 359; 1953, 119; 1955, 202 § 2.)

SECT. 23C added, 1952, 578 § 1 (providing for separate school tax rates); first paragraph revised, 1954, 460 § 1; "School percentage" defined, 1954, 460 § 2.

SECT. 25, first sentence revised, 1950, 257; amended, 1953, 654 § 30; sentence added at end, 1949, 104 § 2.

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, last three sentences revised, 1933, 254 § 34. (See 1933, 254 § 66.)

SECT. 33 amended, 1933, 254 § 35; first sentence revised, 1954, 459 § 2. (See 1933, 254 § 66.)

SECT. 38A added, 1952, 614 § 2 (relative to the valuation for taxation of natural gas or petroleum pipe lines); amended, 1953, 654 § 31. (See 1952, 614 § 3.)

SECT. 39 amended, 1933, 254 § 36; 1939, 451 § 22; revised, 1953, 468, 654 § 32; 1955, 344 § 1. (See 1933, 254 § 66; 1955, 344 § 3.)

SECT. 40 amended, 1953, 654 § 33.

SECT. 41 amended, 1933, 254 § 37; 1953, 654 § 34. (See 1933, 254 § 66.)

SECT. 42 amended, 1953, 654 § 35.

SECT. 43, first sentence revised, 1948, 112 § 1.

SECT. 45 amended, 1933, 254 § 38; first sentence revised, 1948, 112 § 2; form appended to section amended, 1933, 254 § 39. (See 1933, 254 § 66.)

SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)

SECT. 48 revised, 1947, 84.



SECT. 49 amended, 1933, 254 § 41; first sentence revised, 1948, 112 § 3; section revised, 1955, 245 § 1. (See 1933, 254 § 66; 1955, 245 § 2.)

SECT. 50 revised, 1948, 112 § 4.

SECT. 54 revised, 1954, 444 § 1. (See 1954, 444 § 5.)

SECT. 57 amended, 1933, 151 § 1; revised, 1933, 254 § 42; 1935, 158 § 1; amended, 1937, 203 § 1; revised, 1938, 330 § 1; 1941, 258 § 1; first two sentences revised, 1947, 522 § 1; first sentence revised, 1949, 265 § 1; fourth and fifth sentences stricken out and three sentences inserted, 1947, 99 § 1; sentence added at end, 1949, 278 § 1. (See 1933, 151 § 2, 254 § 66; 1935, 158 § 2; 1937, 203 § 2; 1938, 330 § 2; 1947, 99 § 2, 522 § 2; 1949, 265 § 2, 278 § 2.)

SECT. 59, sentence added at end, 1933, 165 § 1; section revised, 1933, 254 § 43, 266 § 1; 1934, 136 § 2; amended, 1935, 187 § 1; revised, 1939, 250 § 1; first sentence revised, 1943, 166 § 1; 1945, 621 § 4; 1946, 199 § 1. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2; 1949, 277; 1950, 165.) Temporarily affected, 1953, 568.

SECT. 60 revised, 1941, 209; 1945, 620.

SECT. 61, last sentence revised, 1933, 165 § 2.

SECT. 61A added, 1935, 276 § 2 (providing for adequate discovery in proceedings for tax abatement).

SECT. 63 amended, 1943, 79.

SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6; 1938, 478 § 1; first sentence amended, 1939, 31 § 6; first paragraph revised, 1945, 621 § 5; second paragraph amended, 1939, 366 § 2; 1943, 248; revised, 1956, 544. (See 1937, 400 §§ 1-5, 7.)

SECT. 65 amended, 1933, 130 § 2, 167 § 1; revised, 1938, 478 § 2; 1939, 31 § 7; first sentence revised, 1945, 621 § 6.

SECT. 65A added, 1932, 218 § 1 (providing that the sale or taking of real property for payment of unpaid taxes thereon shall not prejudice proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board). (See 1953, 476 § 2.)

SECT. 65D added, 1956, 452 § 1 (relative to certain appeals filed with the appellate tax board). (See 1956, 452 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3.

SECT. 70A added, 1945, 351 § 1 (regulating the procedure after abatement of a local tax, assessment, rate or charge).

SECT. 73 amended, 1933, 254 § 44; 1953, 654 § 36; stricken out, 1955, 344 § 2. (See 1933, 254 § 66; 1955, 344 § 3.)

SECT. 74 amended, 1933, 254 § 45; 1939, 24 § 3; 1945, 137. (See 1933, 254 § 66.)

SECT. 75 amended, 1934, 104; first sentence revised, 1946, 339.

SECT. 77 revised, 1945, 333.

SECT. 78 amended, 1941, 258 § 5.

SECT. 79 amended, 1938, 150 § 1; last sentence revised, 1946, 251 § 2. (See 1946, 251 § 3.)

SECT. 83 amended, 1933, 254 § 46; 1939, 24 § 4; revised, 1958, 490 § 2. (See 1933, 254 § 66; 1958, 490 § 3.)

SECT. 84 amended, 1933, 254 § 47. (See 1933, 254 § 66.)

SECT. 85 amended, 1933, 254 § 48; repealed, 1945, 271. (See 1933, 254 § 66.) Affected, 1941, 609.

SECT. 86 amended, 1933, 254 § 49. (See 1933, 254 § 66.)

#### Chapter 60. — Collection of Local Taxes.

SECT. 1, third paragraph revised, 1933, 164 § 1; last two paragraphs amended, 1943, 37 § 1.

SECT. 3 revised, 1933, 254 § 50; sentence inserted after first sentence, 1954, 444 § 2; amended, 1941, 258 § 2; 1943, 37 § 2; sentence inserted after third sentence, 1943, 166 § 2. (See 1933, 254 § 66; 1954, 444 § 5.)

SECT. 3A added, 1934, 136 § 1 (requiring that certain information relative to abatement or exemptions be included in tax bills); amended, 1936, 156; revised, 1943, 166 § 3, 564 § 1 (providing that additional information be included in certain tax bills issued subsequent to the termination of the present war); sentence added at end, 1952, 578 § 2; section revised, 1954, 444 § 3. (See 1934, 136 § 3; 1943, 564 § 2; 1949, 277; 1954, 444 §§ 4, 5.)

SECT. 3B added, 1935, 322 § 2 (relative to the suspension of payment of certain assessments payable by certain persons entitled to exemption from local taxes).

SECT. 4 revised, 1939, 342 § 5.

SECT. 5 revised, 1933, 168 § 2; amended, 1941, 258 § 3; last sentence revised, 1955, 474 § 1.

SECT. 13, sentence added at end, 1937, 143 § 5; section revised, 1939, 44; 1941, 308.

SECT. 15, first paragraph amended, 1934, 151 § 2; 1935, 252 § 1; section revised, 1943, 179; 1952, 398; amended, 1955, 474 § 2; clause 2 revised, 1958, 306 § 1; clauses 9 and 10 revised, 1958, 306 § 2. (See 1958, 306 § 3.)

SECT. 15A added, 1935, 252 § 2 (further regulating charges and fees for the collection of poll taxes); revised, 1948, 386; 1959, 152.

SECT. 16 revised, 1933, 168 § 1; amended, 1933, 254 § 51. (See 1933, 168 § 4, 254 § 66.)

SECT. 18 repealed, 1932, 54 § 1.

SECT. 22 revised, 1933, 254 § 52; first sentence revised, 1947, 278; affected, 1933, 308. (See 1933, 254 § 66.)

SECT. 22A added, 1941, 573 § 1 (relative to bills for taxes on parcels of real estate and payments on account thereof). (See 1941, 573 § 2.)

SECT. 23 revised, 1932, 197 § 1; fourth sentence revised, 1952, 388; two sentences added at end, 1943, 478 § 3; fifth sentence amended, 1954, 487 § 2A; section revised, 1958, 537; last sentence amended, 1960, 421 § 1. (See 1954, 487 § 3.)

SECT. 34, first sentence amended, 1947, 313.

SECT. 35 revised, 1938, 150 § 2; 1946, 251 § 1. (See 1946, 251 § 3.)

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146; last sentence revised, 1941, 84 § 1; section revised, 1943, 478 § 1. (See 1933, 254 § 66; 1934, 131 § 3; 1941, 84 § 2.)

SECT. 37A added, 1943, 478 § 2 (relative to the continuance of local tax liens during the existence of legal impediments to sales or takings thereunder); third sentence amended, 1960, 421 § 2.

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66, 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209; 1938, 339 § 1.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2; amended, 1941, 319 § 1. (See 1935, 414 § 4; 1941, 319 §§ 3, 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protection of interests in real estate held under tax sales or takings).

SECT. 50B added, 1946, 185 (requiring cities and towns to appropriate or provide sums necessary for foreclosure of tax titles by proceedings in the land court).

SECT. 51 amended, 1933, 254 § 55. (See 1933, 254 § 66.)

SECT. 52 revised, 1936, 392 § 1.

SECT. 53 revised, 1933, 164 § 3. (See 1933, 325 § 20.)

SECT. 54 amended, 1933, 325 § 7; 1938, 339 § 2.

SECT. 55 amended, 1933, 325 § 8.

SECT. 58 revised, 1932, 2; 1939, 250 § 2.

SECT. 59 amended, 1933, 254 § 56. (See 1933, 254 § 66.)

SECT. 60 revised, 1945, 130.

SECT. 61 revised, 1933, 325 § 9; amended, 1934, 48; 1936, 93 § 1. (See 1933, 325 § 20.)

SECT. 61A added, 1943, 188 (relative to taking for nonpayment of taxes lands subject to tax titles held by municipalities when the assessment unit is changed).

SECT. 62 revised, 1933, 325 § 10; first paragraph amended, 1934, 218; same paragraph revised, 1935, 414 § 2; second paragraph revised, 1935, 278; section revised, 1936, 392 § 2; second paragraph amended, 1941, 231; sentence inserted before last sentence in second paragraph, 1947, 133; paragraph inserted after the second paragraph, 1938, 415 § 5. (See 1935, 414 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3.

SECT. 65 amended, 1933, 325 § 12; 1938, 305.

SECT. 66 amended, 1935, 224 § 1. (See 1935, 224 § 6.)

SECT. 67 amended, 1935, 224 § 2. (See 1935, 224 § 6.)

SECT. 68 amended, 1935, 224 § 3; paragraph added at end, 1935, 354 § 1; section amended, 1935, 414 § 3. (See 1935, 224 § 6, 354 § 3, 414 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added at end, 1945, 226 § 1. (See 1935, 224 § 6.)

SECT. 69A added, 1945, 226 § 2 (relative to the conclusiveness of decrees foreclosing tax titles).

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 71 amended, 1941, 319 § 2. (See 1941, 319 §§ 3, 4.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases); paragraph added at end, 1939, 181; amended, 1953, 674 § 10. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors or irregularities in respect to water rates and charges included in a tax title account).

SECT. 76C added, 1945, 268 (providing for notice to certain municipal officers of certain action in connection with tax titles).

SECT. 77, paragraph added at end, 1938, 339 § 3; amended, 1953, 654 § 37.

SECT. 77A added, 1945, 78 (relative to recording of deeds of cities and towns conveying land acquired through foreclosure of tax titles).

SECT. 77B added, 1947, 224 § 1 (making permanent certain temporary provisions of law relative to certain land acquired by municipalities). (See 1947, 224 § 2.) [For prior temporary legislation, see 1938, 358; 1939, 123; 1941, 296.]

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1.

SECT. 80 amended, 1933, 325 § 15; revised, 1935, 173 § 2; amended, 1941, 594 § 2. (See 1939, 123; 1941, 296.)

SECTS. 80A and 80B added, 1941, 594 § 3 (relative to the validity of title acquired at sales of lands of low value held by cities and towns under tax titles).

SECT. 80B revised, 1946, 302.

SECT. 82 amended, 1945, 267 § 1.

SECT. 83 amended, 1945, 267 § 2.

SECT. 84 revised, 1935, 260.

SECT. 84A revised, 1933, 325 § 16; 1935, 181 § 1. (See 1935, 181 § 2.)

SECT. 92 revised, 1933, 82 § 1; amended, 1934, 259 § 1.

SECT. 93 revised, 1943, 199; last sentence revised, 1945, 397 § 2. (See 1945, 397 § 3.)

SECT. 95 revised, 1933, 325 § 17; amended, 1934, 315 § 2; revised, 1935, 248 § 3; amended, 1939, 451 § 23; 1941, 380 § 6; sentence added at end, 1943, 107; revised, 1949, 202. (See 1934, 315 § 3.)

SECT. 97 revised, 1934, 151 § 1.

SECT. 104 revised, 1937, 43.

SECT. 105 revised, 1933, 168 § 3; 1941, 258 § 4.

Form 2 in schedule at end of chapter repealed, 1932, 54 § 1; schedule of forms at end of chapter stricken out, 1933, 168 § 3.

#### **Chapter 60A. — Excise Tax on Registered Motor Vehicles in Lieu of Local Tax.**

For legislation exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368.

SECT. 1, first paragraph amended, 1936, 384 § 1; last paragraph amended, 1936, 384 § 2; paragraph added at end, 1938, 111; section revised, 1938, 480 § 1; table revised, 1953, 653; third paragraph revised, 1953, 654 § 38; fourth paragraph amended, 1941, 718 § 1; revised, 1949,

342; amended, 1950, 666 § 1; 1951, 736 § 4; paragraph inserted after fourth paragraph, 1949, 401; same paragraph revised, 1950, 731; 1954, 548; sixth paragraph revised, 1953, 388; last paragraph revised, 1947, 644; 1952, 412; paragraph added at end, 1951, 165; section revised, 1954, 640 § 1; first paragraph revised, 1960, 758 § 1; fifth paragraph revised, 1955, 320; amended, 1955, 403 § 4; revised, 1959, 273 § 1; sixth paragraph revised, 1955, 587 § 1; seventh paragraph amended, 1956, 328 § 1; last paragraph revised, 1957, 174. (See 1941, 718 § 2; 1951, 736 § 5; 1955, 403 § 14, 587 § 3; 1956, 328 § 2; 1959, 273 § 2; 1960, 758 § 2.)

SECT. 1A added, 1949, 484 (providing for but one excise tax on a motor vehicle in each year in certain cases); sentence added at end, 1952, 285; repealed, 1955, 587 § 2. (See 1955, 587 § 3.)

SECT. 2 revised, 1936, 384 § 3; 1938, 480 § 2; amended, 1939, 366 § 4; 1950, 666 § 2; 1952, 400; 1953, 654 § 39; 1954, 373 § 1; revised, 1954, 640 § 2; sixth sentence revised, 1957, 375; ninth sentence revised, 1959, 371 § 1. (See 1954, 373 § 2; 1959, 371 § 2.)

SECT. 2A added, 1938, 492 § 1 (providing for the suspension of certificates of registration in cases of nonpayment of the excise on registered motor vehicles); last sentence stricken out, 1943, 18; second sentence revised, 1945, 443; section revised, 1953, 339 § 1; amended, 1958, 91. (See 1953, 339 § 2.)

SECT. 3 revised, 1936, 384 § 4; 1938, 480 § 3.

SECT. 4 revised, 1938, 480 § 4, 492 § 2.

SECT. 5 stricken out, 1953, 654 § 40.

SECT. 6 amended, 1936, 384 § 5; revised, 1938, 480 § 5.

#### **Chapter 61. — Classification and Taxation of Forest Lands and Forest Products (former title Taxation of Forest Products and Classification and Taxation of Forest Lands).**

Chapter stricken out, and new chapter 61 (with new title) inserted, 1941, 652 § 1. (See 1941, 652 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 61 as so inserted:

SECT. 1, first paragraph stricken out and two paragraphs inserted, 1943, 461 § 1; first paragraph amended, 1955, 705 § 1. (See 1943, 461 §§ 4 and 5.)

SECT. 2, first schedule revised, 1955, 705 § 2; second schedule and all preceding such schedule revised, 1943, 461 § 2. (See 1943, 461 §§ 4 and 5.)

SECT. 6 amended, 1943, 461 § 3. (See 1943, 461 §§ 4 and 5.)

SECT. 7 added, 1955, 705 § 3 (relative to the taxation of wild land).

#### **Chapter 62. — Taxation of Incomes.**

For legislation establishing an additional tax upon personal incomes to provide funds for old age assistance, see 1941, 729 §§ 9, 15; 1948, 503 § 5; 1949, 674 § 2; 1951, 386 § 2; 1953, 246 § 6; 1955, 707 § 5. (See also 1951, 800 §§ 1, 2, 3.)

For prior temporary legislation relative to the taxation of dividends of certain corporations, see 1933, 307, 357; 1935, 489; 1936, 82 § 1; 1937,

395; 1938, 489 §§ 2-5; 1939, 373; 1941, 331; 1943, 285. (See also 1945, 735.)

For temporary legislation providing for additional taxes upon personal incomes, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4; 1948, 503 §§ 1, 4, 6; 1949, 674 § 2; 1951, 386 § 2; 1953, 246 § 2; 1955, 707 § 2; 1956, 354; 1957, 456; 1959, 31 §§ 2-4. (See also 1951, 800 §§ 1, 2, 3; 1953, 246 §§ 5, 15.)

For temporary legislation relative to the payment of income taxes by persons who served in the armed forces of the United States during the existing war, see 1946, 604.

For temporary legislation providing that income taxes shall be due and payable when the tax return therefor is required to be filed, see 1950, 816 § 2; affected, 1951, 750; 1952, 623; 1953, 246 § 5; 1954, 70 § 2. (See 1950, 816 § 4.)

SECT. 1, first sentence revised, 1954, 679 § 1; subsection (a), paragraph First revised, 1957, 491 § 1; 1958, 554 § 1; paragraph Fifth added, 1946, 539; subsection (b) revised, 1945, 735 § 1; amended, 1957, 445 § 1; revised, 1959, 556 § 1; subsection (c) amended, 1957, 445 § 2; paragraph Third added, 1935, 489 § 6; subsection (e) amended, 1935, 489 § 7; subsection (g) revised, 1954, 545; 1955, 635 § 1; subsection (h) added, 1954, 679 § 2. (See 1945, 735 § 5; 1954, 679 § 7; 1957, 445 § 3, 491 § 2; 1958, 554 § 2.)

SECT. 3 revised, 1943, 45 § 1.

SECT. 5, first sentence of subsection (a) revised, 1954, 679 § 3; subsection (b) amended, 1935, 489 § 8; revised, 1939, 486 § 1; first sentence stricken out and three sentences inserted, 1954, 679 § 4; first three sentences stricken out and four sentences inserted, 1956, 443 § 1; first sentence revised, 1957, 677 § 1; subsection (c) revised, 1934, 363 § 1; 1935, 481 § 1; amended and paragraph added at end, 1954, 599 § 1; subsection (c) revised, 1955, 635 § 2; amended, 1956, 607 § 1; revised, 1957, 540 § 1; amended, 1959, 556 § 2; 1960, 554 § 1; subsections (f) and (g) added, 1954, 679 § 5; subsection (f), first paragraph amended, 1957, 435 § 1; subsection (g) revised, 1957, 677 § 2. (See 1934, 363 § 2; 1935, 481 § 2; 1939, 486 § 3; 1954, 679 § 7; 1956, 443 § 2, 607 § 2; 1957, 435 § 4, 540 § 3, 677 § 8; 1960, 554 § 2.)

SECT. 5A added, 1955, 780 § 1 (relative to the taxation of income earned in the commonwealth by non-residents); subsection (c), first sentence revised, 1957, 677 § 3; subsection revised, 1958, 491 § 1; subsection (d), second sentence revised, 1957, 677 § 4. (See 1957, 677 § 8; 1958, 491 § 3.)

SECT. 6, first paragraph revised, 1954, 611 § 1; amended, 1955, 780 § 2; first paragraph revised, 1957, 677 § 5; amended, 1960, 557; clause (a), sentence added at end, 1947, 485 § 1; clause (b) amended, 1956, 460 § 1; clause (c) revised, 1956, 517 § 1; 1957, 448 § 1; 1960, 556 § 1; clause (g) revised, 1935, 436 § 1; amended, 1956, 460 § 2; clause (h) revised, 1943, 511; 1951, 800 § 4; 1953, 514; 1954, 251 § 1, 657 § 1; 1958, 510 § 1; clause (i) added, 1955, 717 § 1. (See 1935, 436 § 2; 1947, 485 § 3; 1951, 800 § 6; 1954, 251 § 2, 611 § 3, 657 § 2; 1955, 717 § 2, 780 § 10; 1956, 460 § 3, 157 § 2; 1957, 448 § 3; 1958, 510 § 2.)

SECT. 6A added, 1955, 780 § 2A (providing for a credit for taxes paid to another state for income earned therein); revised, 1957, 448 § 2, 677

§ 6; 1958, 489 § 1. (See 1955, 780 § 10; 1957, 448 § 3, 677 § 8; 1958, 489 § 2.)

SECT. 7 amended, 1953, 654 § 41; first paragraph stricken out, 1955, 618 § 1; second and third paragraphs revised, 1954, 599 § 2; same paragraphs stricken out and three paragraphs inserted, 1955, 635 § 3; first paragraph amended, 1957, 446 § 1; third paragraph revised, 1957, 540 § 2; section revised, 1958, 152; first paragraph revised, 1958, 576 § 1; clause (j) revised, 1959, 556 § 3; third paragraph amended, 1958, 576 § 2. (See 1958, 576 § 3.)

SECTS. 7A and 7B added, 1935, 438 § 1 (relative to income taxation of gains from certain transactions in real property).

SECT. 7A revised, 1959, 461.

SECT. 7B amended, 1953, 654 § 42.

SECT. 8, paragraph (a) revised, 1951, 800 § 5; paragraph (d) revised, 1957, 644 § 1; paragraph (e) revised, 1954, 560; paragraph (g) amended, 1947, 83 § 2; 1952, 555; paragraph (h) added, 1945, 625 § 4; paragraphs (i) and (j) added, 1947, 485 § 2; paragraph (k) added, 1954, 443; paragraph (l) added, 1957, 677 § 7. (See 1947, 485 § 3; 1951, 800 § 6; 1953, 208; 1957, 644 § 5, 677 § 8.)

SECT. 9 amended, 1955, 592 § 1; revised, 1957, 644 § 2. (See 1957, 644 § 5.)

SECT. 10 amended, 1954, 387 § 1; revised, 1955, 592 § 2; paragraph added at end, 1955, 780 § 3; section revised, 1957, 644 § 3. (See 1954, 387 § 2; 1955, 780 § 10; 1957, 644 § 5.)

SECT. 11 revised, 1955, 592 § 3.

SECT. 12A added, 1954, 679 § 6 (relative to the exemption of certain unearned income); first sentence revised, 1957, 437 § 1. (See 1954, 679 § 7; 1957, 437 § 2.)

SECT. 13 revised, 1955, 527; 1957, 644 § 4. (See 1957, 644 § 5.)

SECT. 16 amended, 1953, 654 § 43.

SECT. 17 revised, 1955, 780 § 4. (See 1955, 780 § 10.)

SECT. 18. See Sect. 18 of Chapter 58 in this Table.

SECT. 21A added, under caption, 1936, 310 (providing that individuals under certain circumstances shall be presumed to be inhabitants of the Commonwealth for income tax purposes); repealed, 1938, 489 § 8.

SECT. 22 revised, 1939, 486 § 2; clause (a) revised, 1954, 611 § 2; paragraph added after first paragraph, 1954, 648 § 1; revised, 1957, 435 § 2; paragraph added at end, 1955, 780 § 5; amended, 1957, 435 § 3; paragraph added at end, 1958, 491 § 2. (See 1939, 486 § 3; 1954, 611 § 3; 1955, 780 § 10; 1957, 435 § 4; 1958, 491 § 3.)

SECT. 24 revised, 1943, 45 § 2; amended, 1954, 70 § 1. (See 1954, 70 § 2.)

SECT. 25, third sentence revised, 1955, 592 § 4; last sentence revised, 1947, 322 § 1.

SECT. 25A added, 1935, 438 § 3 (relative to returns of taxable gains from certain transactions in real property).

SECT. 27 repealed, 1956, 128.

SECT. 29 revised, 1954, 648 § 2.

SECT. 30 amended, 1935, 152; first sentence amended, 1951, 452 § 1; revised, 1956, 310 § 1; section revised, 1958, 509 § 1. (See 1956, 310 § 3; 1958, 509 § 3.)

SECT. 31 revised, 1943, 45 § 3.

SECT. 32, third sentence amended, 1951, 452 § 2; 1953, 654 § 44.

SECT. 33, first paragraph revised, 1943, 45 § 4; 1954, 391 § 1; amended, 1955, 780 § 6; second paragraph revised, 1945, 735 § 2; paragraph inserted before last paragraph, 1932, 186; last paragraph amended, 1958, 54 § 1. (See 1945, 735 § 5; 1954, 391 § 2; 1955, 780 § 10; 1958, 54 § 2.)

SECT. 34 repealed, 1947, 483 § 2.

SECT. 36 amended, 1933, 167 § 2; revised, 1955, 539 § 1.

SECT. 37 revised, 1933, 350 § 1; amended, 1949, 698 § 1; first sentence revised, 1956, 310 § 2; sentence inserted after second sentence, 1954, 605 § 1; section revised, 1958, 509 § 2. (See 1933, 350 § 9; 1949, 698 § 2; 1954, 605 § 2; 1956, 310 § 3; 1958, 509 § 3.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments); amended, 1947, 322 § 2; revised, 1954, 69; temporarily affected, 1950, 816 § 2; 1951, 750; 1952, 623 § 2; 1953, 246 § 5. (See 1933, 350 § 9; 1950, 816 § 4.)

SECT. 38 stricken out, 1953, 654 § 45.

SECT. 39, first sentence revised, 1933, 350 § 3; 1956, 300. (See 1933, 350 § 9.)

SECT. 41 revised, 1932, 152; 1933, 350 § 4. (See 1933, 350 § 9.)

SECT. 43 amended, 1933, 350 § 5; 1937, 135 § 2; first sentence stricken out and three sentences inserted, 1951, 528; section amended, 1953, 654 § 46; revised, 1954, 269; 1955, 545; 1959, 17 § 2. (See 1933, 350 § 9.)

SECT. 44 amended, 1953, 654 § 47.

SECT. 45 amended, 1939, 451 § 24; 1945, 523 § 2; 1953, 654 § 48; revised, 1958, 523 § 2. (See 1958, 523 § 4.)

SECT. 46 revised, 1933, 350 § 6; 1955, 243. (See 1933, 350 § 9.)

SECT. 55 revised, 1958, 298 § 1. (See 1958, 298 § 2.)

SECT. 56 revised, 1943, 45 § 5; 1955, 539 § 2; two paragraphs added at end, 1959, 315.

SECT. 58 revised, 1955, 661.

SECT. 61 added, 1952, 262 (defining the term "received" as relates to income); revised, 1956, 597 § 1. (See 1956, 597 § 2.)

SECT. 62 added, 1955, 618 § 2 (relating to the method of accounting required under the income tax law).

SECT. 63 added, 1958, 308 § 1 (permitting income to be reported on the installment method under certain circumstances). (See 1958, 308 § 2.)

#### **Chapter 62A. — Simplified Method of Computing Individual Income Taxes.**

**New chapter inserted, 1955, 692 § 1. (See 1955, 692 § 2.)**

SECT. 2 revised, 1957, 544 § 1. (See 1957, 544 § 2.)

#### **Chapter 62B. — Withholding of Taxes on Wages and Declaration of Estimated Income Tax.**

**New chapter inserted, 1959, 17 § 1.**

SECT. 13, first sentence revised, 1960, 159 § 1. (See 1960, 159 § 2.)

#### **Chapter 63. — Taxation of Corporations.**

SECT. 1, paragraph defining "Bank" revised, 1943, 472; paragraph defining "Net income" revised, 1933, 327 § 1. (See 1933, 327 § 7.)

SECT. 2 amended, 1933, 327 § 2; 1939, 451 § 25; 1941, 509 § 3; 1953,



654 § 49; temporarily affected, 1951, 386 § 5; 1953, 246 § 9; 1955, 707 § 8; 1957, 456 § 8; 1959, 31 § 7. (See 1933, 327 § 7; 1941, 509 § 9.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5; 1945, 161 § 2; 1953, 654 § 50; 1955, 611 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 4 amended, 1939, 368; 1941, 509 § 4. (See 1941, 509 § 9.)

SECT. 5 amended, 1933, 254 § 59; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 6 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 11 revised, 1959, 456 § 1. (See 1959, 456 § 5.)

SECT. 12, paragraph (c) amended, 1937, 274 § 1; 1955, 432 § 5; paragraph (h) added, 1934, 362; paragraph (i) added, 1948, 544 § 7A; paragraphs (j) and (k) added, 1953, 292; paragraph (l) added, 1954, 354; paragraph (m) added, 1954, 436; paragraph (n) added, 1954, 543; paragraph (o) added, 1955, 476 § 9; paragraph (p) added, 1956, 465 § 30; paragraph (q) added, 1956, 463; paragraph (r) added, 1957, 701 § 11; revised, 1958, 606 § 24; paragraph (s) added, 1958, 603 § 18; paragraph (t) added, 1960, 701 § 7; paragraph (u) added, 1960, 773 § 23; paragraph (v) added, 1960, 804 § 1. (See 1955, 432 §§ 2, 4, 24; 476 § 10.)

SECT. 13 revised, 1959, 456 § 2. (See 1959, 456 § 5.)

SECT. 17 revised, 1959, 456 § 3. (See 1959, 456 § 5.)

SECT. 18 revised, 1939, 447 § 1; 1948, 486 § 1; amended, 1954, 515 § 1; revised, 1960, 558 § 1. (See 1939, 447 § 3; 1948, 486 §§ 2-4.)

SECT. 18A amended, 1939, 447 § 2; 1953, 654 § 51; revised, 1959, 456 § 4. (See 1939, 447 § 3.)

SECT. 20 amended, 1941, 509 § 5; revised, 1943, 531 § 1; second paragraph revised, 1958, 575; fourth paragraph amended, 1953, 654 § 52; section revised, 1960, 558 § 4. (See 1941, 509 § 9; 1943, 531 §§ 2, 3, 7; 1948, 587.)

SECT. 22 revised, 1945, 721 § 1; amended, 1946, 387 § 1; temporarily affected, 1951, 386 § 6; 1953, 246 § 10; 1955, 707 § 9; 1957, 456 § 9; 1959, 31 § 8. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 23 revised, 1945, 721 § 2; amended, 1946, 387 § 2. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 24 amended, 1943, 531 § 4; revised, 1945, 721 § 3. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 25 amended, 1943, 531 § 5; 1945, 721 § 4; 1960, 558 § 7; 1953, 654 § 53. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 26 amended, 1946, 387 § 3; 1953, 654 § 54. (See 1946, 387 § 7.)

SECT. 27 amended, 1946, 387 § 4; revised, 1960, 558 § 8. (See 1946, 387 § 7.)

SECT. 28 amended, 1939, 451 § 27; 1941, 509 § 6; revised, 1943, 531 § 6; paragraph inserted after second paragraph, 1945, 342; second and third paragraphs revised, 1946, 387 § 5; third paragraph revised, 1950, 427; paragraph inserted after third paragraph, 1953, 633; last paragraph amended, 1953, 654 § 55; section revised, 1960, 558 § 9. (See 1941, 509 § 9; 1943, 531 § 7; 1946, 387 § 7.)

SECT. 29, first sentence revised, 1960, 558 § 10.

SECT. 29A added, 1946, 387 § 6 (relative to the taxation of marine and fire and marine insurance companies); subsection (7) revised, 1960, 558 § 11. (See 1946, 387 § 7.)

SECT. 29B added, 1947, 488 § 4 (relative to the taxation of the exchange of reciprocal or inter-insurance contracts).

SECTS. 30-51. For temporary legislation providing for further additional taxes levied under these sections, see 1947, 598; 1948, 574; 1949, 674; 1950, 608; 1951, 386; 1953, 246; 1955, 707 § 1; 1956, 354; 1957, 456.

SECTS. 30-60. For legislation establishing an additional tax under these sections to provide funds for old age assistance, see 1941, 729 §§ 9, 15.

For temporary legislation providing for additional taxes levied under these sections, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4; 1948, 503 §§ 1, 4, 6; 574; 1956, 354; 1957, 456 § 1; 1959, 31 § 1.

SECT. 30, paragraph 2 revised, 1943, 459 § 1; paragraph 3, subdivision (a) revised, 1939, 24 § 5; sentence added at end, 1947, 622 § 1; paragraph contained in lines 48-51 amended, 1933, 58 § 3; revised, 1943, 459 § 2; stricken out, 1956, 550 § 1; paragraph contained in lines 52-69 revised, 1934, 237 § 1; paragraph 3 revised, 1958, 679 § 1; subdivision (b) revised, 1960, 548 § 1; subdivision (d) revised, 1960, 548 § 2; paragraph 4, subdivision (a) revised, 1939, 24 § 6; subdivision (b), last paragraph stricken out, 1956, 550 § 2; sentence added at end, 1947, 622 § 2; paragraph contained in lines 70-74 amended, 1933, 58 § 4; revised, 1934, 237 § 1; 1943, 459 § 3; paragraph 4 revised, 1958, 679 § 2; subdivision (b) revised, 1960, 548 § 3; paragraph 5 revised, 1933, 327 § 3; paragraph 6 revised, 1956, 550 § 3. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2; 1947, 622 § 5; 1956, 550 § 13; 1958, 679 § 3.)

SECT. 32 revised, 1933, 342 § 1; amended, 1936, 362 § 5; 1939, 363 § 1; revised, 1956, 550 § 4; 1957, 577 § 1; subsection (b) revised, 1958, 406 § 1; section revised, 1960, 548 § 4. (See 1933, 342 § 6; 1936, 362 § 8; 1939, 363 § 2; 1956, 550 § 13; 1957, 577 § 3; 1958, 406 § 3; 1960, 548 § 11.)

SECT. 32A amended, 1933, 342 § 2; revised, 1956, 550 § 5; repealed, 1960, 548 § 5. (See 1933, 342 § 6; 1956, 550 § 13.)

SECT. 33 revised, 1933, 303 § 1. (See 1933, 303 § 3.)

SECT. 34 amended, 1933, 327 § 4; repealed, 1960, 548 § 6. (See 1933, 327 § 7.)

SECT. 35 revised, 1933, 58 § 1; amended, 1953, 654 § 56; revised, 1956, 550 § 6. (See 1956, 550 § 13.)

SECT. 36 revised, 1933, 327 § 5; amended, 1935, 473 § 2; second sentence revised, 1950, 506; first two sentences stricken out and sentence inserted, 1954, 270 § 1; section amended, 1953, 654 § 57; paragraph added at end, 1954, 270 § 2; section revised, 1955, 613; second sentence revised, 1956, 550 § 7. (See 1933, 327 § 7; 1935, 473 § 7; 1956, 550 § 13.)

SECT. 38, paragraph 2, subdivision (c) revised, 1960, 553; paragraph 10 added at end, 1933, 342 § 3. (See 1933, 342 § 6.)

SECT. 38B, first sentence amended, 1953, 654 § 58; last paragraph amended, 1935, 473 § 3; revised, 1956, 379 § 2; section revised, 1956, 550 § 8. (See 1935, 473 § 7; 1956, 550 § 13.) [For temporary legislation affecting taxation, during the years 1934 to 1946, inclusive, of corporations subject to this section, see 1934, 317 § 1; 1935, 489 § 4; 1937, 395 § 5; 1938, 489 § 6; 1939, 373 § 5; 1941, 331 § 5; 1943, 285 § 5.]

SECT. 38C revised, 1937, 383 § 1. (See 1937, 383 § 3.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; new paragraph added at end, 1933, 342 § 4; section revised, 1956, 550 § 9; 1957, 577 § 2; subsection (b) revised, 1958,

406 § 2; section revised, 1960, 548 § 7. (See 1933, 327 § 7, 342 § 6; 1936, 362 § 8; 1956, 550 § 13; 1957, 577 § 3; 1958, 406 § 3.)

SECT. 39A revised, 1933, 303 § 2; first paragraph amended, 1934, 134. (See 1933, 303 § 3.)

SECT. 39C revised, 1956, 550 § 10; repealed, 1960, 548 § 8. (See 1956, 550 § 13.)

SECT. 40 revised, 1933, 58 § 2.

SECT. 42, last sentence amended, 1932, 180 § 11; section revised, 1933, 342 § 5; second sentence revised, 1956, 550 § 11; last sentence stricken out, 1953, 654 § 59. (See 1933, 342 § 6; 1956, 550 § 13.)

SECT. 42B revised, 1937, 383 § 2. (See 1937, 383 § 3.)

SECT. 43 repealed, 1945, 735 § 3. (See 1933, 307 § 9A; 1935, 489 § 2; 1937, 395 § 2; 1938, 489 § 3; 1939, 373 § 2; 1941, 331 § 2; 1943, 285 § 2.)

SECT. 44 amended, 1935, 473 § 4; 1936, 362 § 7; first sentence revised, 1960, 548 § 9; last sentence revised, 1955, 549 § 1. (See 1935, 473 § 7; 1936, 362 § 8; 1960, 548 § 11.)

SECT. 45 amended, 1933, 195 § 1; revised, 1935, 473 § 5; amended, 1943, 395; 1950, 505; first sentence revised, 1955, 549 § 2. (See 1933, 195 § 2; 1935, 473 § 7.)

SECT. 46 revised, 1954, 193; sentence added at end, 1955, 549 § 3.

SECT. 47 stricken out, 1953, 654 § 60.

SECT. 48 revised, 1935, 473 § 1; 1956, 379 § 1. (See 1935, 473 § 7.)

For temporary legislation providing that certain taxes payable under this section shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623 § 2; 1953, 246 § 5; 1954, 70 § 2.

SECT. 49 amended, 1953, 654 § 61.

SECT. 51, first sentence stricken out and three sentences inserted, 1951, 529; section amended, 1953, 654 § 62; 1954, 515 § 2; revised, 1957, 434 § 1; 1958, 503 § 1. (See 1957, 434 § 2; 1958, 503 § 2.)

SECT. 52, second sentence amended, 1946, 394 § 1; fourth sentence amended, 1946, 394 § 2; eighth sentence amended, 1955, 611 § 2.

SECT. 52A added, under caption, 1951, 641 § 1 (relative to taxation of certain utility corporations); subdivision (1), paragraph (b) amended, 1952, 344; 1955, 611 § 3; paragraph (d) added, 1957, 629 § 1; subdivision (4) amended, 1954, 515 § 3; clause Fifth revised, 1954, 490; subdivisions (6) and (7) amended, 1953, 654 § 63; subdivision (6) amended, 1954, 515 § 4; revised, 1956, 555 § 1; subdivision (7) amended, 1956, 555 § 2; subdivision (9) amended, 1955, 611 § 4. (See 1951, 641 §§ 18, 19; 1956, 555 §§ 3, 4; 1957, 629 § 2.)

SECT. 53, first paragraph amended, 1933, 254 § 60; 1941, 509 § 7; 1951, 641 § 11; clause Third amended, 1955, 611 § 5; clause Fourth revised, 1934, 323 § 6; stricken out, 1951, 641 § 11. (See 1933, 254 § 66; 1934, 323 § 11; 1941, 509 § 9; 1951, 641 §§ 18, 19.)

SECT. 54, paragraph in lines 9-17 amended, 1933, 254 § 61; same paragraph revised, 1934, 323 § 7; last paragraph amended, 1934, 323 § 7A; section repealed, 1951, 641 § 2. (See 1933, 254 § 66; 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 55, first paragraph amended, 1936, 134; section amended, 1939, 24 § 7; second last paragraph revised, 1947, 622 § 3; section revised, 1951, 641 § 12. (See 1947, 622 § 5; 1951, 641 §§ 18, 19.)

SECT. 56A revised, 1934, 317 § 3; amended, 1951, 641 § 13. (See 1934, 317 § 4; 1951, 641 §§ 18, 19.)

SECT. 58 amended, 1951, 641 § 14. (See 1951, 641 §§ 18, 19.)

SECT. 59 amended, 1934, 323 § 8; 1951, 641 § 15. (See 1934, 323 § 11; 1951, 641 §§ 18, 19.)

SECT. 60 amended, 1939, 451 § 28; 1941, 509 § 8; 1954, 515 § 5; 1953, 654 § 64. (See 1941, 509 § 9.)

SECT. 67, third sentence revised, 1956, 550 § 12; sentence added at end, 1951, 641 § 16. (See 1951, 641 §§ 18, 19; 1956, 550 § 13.)

SECT. 68A amended, 1939, 24 § 8; revised, 1947, 622 § 4; amended, 1954, 515 § 6. (See 1947, 622 § 5.)

SECT. 69 amended, 1951, 641 § 17. (See 1951, 641 §§ 18, 19.)

SECT. 70 revised, 1935, 473 § 6. (See 1935, 473 § 7.)

SECT. 71 amended, 1933, 167 § 3; 1939, 451 § 29; 1945, 523 § 3; 1953, 654 § 65; revised, 1954, 515 § 7; first sentence revised, 1958, 523 § 3. (See 1958, 523 § 4.)

SECT. 71A amended, 1935, 150; 1939, 451 § 30; 1953, 654 § 66; revised, 1958, 305.

SECT. 71B added, 1937, 135 § 3 (providing that applications for abatement or correction of taxes, made pursuant to any provision of this chapter, shall be in writing upon forms approved by the commissioner); amended, 1953, 654 § 67.

SECT. 76 revised, 1954, 461 § 1. (See 1954, 461 §§ 3, 4.)

SECT. 81 revised, 1939, 24 § 9.

#### **Chapter 63A. — Taxation of Certain Corporations, Associations and Organizations Engaged in the Sale of Alcoholic Beverages.**

For temporary legislation providing for additional taxes upon certain corporations, see 1948, 503 §§ 3, 4; 1949, 674 § 4; 1951, 386 §§ 4, 7; 1953, 246 §§ 8, 11, 15; 1955, 495, 707 § 7; 1956, 354; 1957, 456 § 7; 1959, 31 § 6.

For temporary legislation providing that certain taxes under this chapter shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623; 1953, 246.

New chapter inserted, 1947, 632 § 1. (See 1947, 632 § 3.)

Chapter stricken out and new chapter 63A inserted, 1955, 580 § 1. (See 1955, 580 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

#### **Chapter 64. — Taxation of Stock Transfers.**

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

Chapter repealed, 1954, 353 § 1. (See 1954, 353 §§ 2, 3.)

#### **Chapter 64A. — Taxation of Sales of Gasoline (former title, Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel).**

Title changed, 1956, 619 § 3.

Chapter affected, 1932, 248; 1935, 336; 1936, 398; 1938, 431 § 2; 1939, 408; 1941, 330; 1943, 270; 1945, 571; 1949, 744 § 3.

SECT. 1, paragraph (c) revised, 1957, 617 § 1; paragraph (d) revised,

1936, 357 § 1; amended, 1948, 492 § 1; revised, 1951, 414 § 1; definition of "Special fuels" stricken out, 1956, 619 § 4; sentence defining "Diesel engine fuel" added, 1947, 666 § 1; paragraph (e) revised, 1957, 617 § 2; paragraph (f) revised, 1957, 617 § 3; paragraph (g) amended, 1941, 490 § 16; paragraph (i) added, 1957, 617 § 4. (See 1936, 357 § 3; 1947, 666 §§ 2A, 4; 1956, 619 § 6; 1957, 617 § 13.)

SECT. 2 revised, 1957, 617 § 5. (See 1957, 617 § 13.)

SECT. 3, last sentence amended, 1943, 420 § 1; 1957, 383 § 1; section amended, 1957, 617 § 8. (See 1957, 383 § 4, 617 § 13.)

SECT. 4 revised, 1938, 431 § 1; paragraph added at end, 1945, 556; section revised, 1949, 744 § 1; second sentence revised, 1951, 699 § 2; 1952, 556 § 12; 1956, 718 § 12; first paragraph revised, 1960, 411 § 1; section amended, 1953, 654 § 72; paragraph added at end, 1957, 617 § 6. (See 1951, 699 §§ 3-5; 1952, 556 §§ 13-15; 1956, 718 §§ 14, 15; 1957, 617 § 13; 1960, 411 § 3.)

SECT. 4A added, 1947, 666 § 2 (providing for the taxation of Diesel engine fuel); next to last sentence revised, 1948, 464; section stricken out and sections 4A-4E inserted, 1949, 744 § 2 (relative to the sale, distribution and rate of tax on Diesel engine fuel); repealed, 1956, 619 § 5. (See 1947, 666 §§ 2A, 4; 1956, 619 § 6.)

SECT. 4A revised, 1951, 414 § 2; repealed, 1956, 619 § 5.

SECT. 5 amended, 1936, 357 § 2; 1939, 451 § 32; revised, 1943, 420 § 2; amended, 1953, 654 § 73; revised, 1957, 383 § 2; amended, 1957, 617 § 9; revised, 1958, 336. (See 1936, 357 § 3; 1957, 383 § 4, 617 § 13.)

SECT. 6 amended, 1957, 617 § 10. (See 1957, 617 § 13.)

SECT. 7 revised, 1943, 420 § 3; first sentence revised, 1948, 492 § 2; amended, 1952, 377 § 3; 1956, 552 § 1; section amended, 1949, 200; 1953, 654 § 74; section revised, 1957, 383 § 3, 728 § 1. (See 1956, 552 § 3; 1957, 383 § 4, 728 § 5.)

SECT. 7A added, 1956, 552 § 2 (relative to the reimbursement of the excise tax on certain fuels used by persons engaged in the business of farming); revised, 1960, 410 § 1. (See 1960, 410 § 2.)

SECT. 8A added, 1956, 559 (providing for the sale of certain motor vehicle fuel); revised, 1957, 617 § 7; sentence added at end, 1959, 540 § 1. (See 1957, 617 § 13; 1959, 540 § 2.)

SECT. 9 amended, 1953, 654 § 75.

SECT. 10 amended, 1939, 451 § 33; revised, 1943, 420 § 4; second sentence revised, 1953, 654 § 76; amended, 1957, 617 § 11; section revised, 1960, 383. (See 1957, 617 § 13.)

SECT. 11 amended, 1957, 617 § 12. (See 1957, 617 § 13.)

SECT. 12 revised, 1941, 490 § 17.

#### **Chapter 64B. — Excise upon Charges for Meals served to the Public.**

**New chapter inserted, 1941, 729 § 17. (See 1941, 729 § 15.)**

SECT. 1, definition of "taxable charge", revised, 1945, 663 § 1; 1946, 326 § 1; 1949, 725; 1953, 627 § 1.

SECT. 2 revised, 1945, 663 § 2; 1946, 326 § 2; amended, 1953, 654 § 77.

SECT. 2A added, 1953, 627 § 2 (exempting certain meals from the excise imposed by this chapter).

SECT. 3 revised, 1945, 663 § 3; 1946, 326 § 3.

SECT. 4 revised, 1953, 617.

SECT. 5 amended, 1953, 654 § 78.

SECT. 6, paragraph added at end, 1943, 521 § 2; amended, 1948, 658; 1953, 654 § 79; second paragraph revised, 1954, 503 § 1. (See 1954, 503 § 2.)

SECT. 7 revised, 1946, 564; next to last sentence stricken out and two sentences inserted, 1953, 654 § 80; third sentence revised, 1957, 368 § 1. (See 1957, 368 § 2.)

SECT. 10 amended, 1953, 654 § 81; revised, 1955, 540 § 4. (See 1955, 540 §§ 5-7.)

#### Chapter 64C. — Cigarette Excise.

**New chapter inserted, 1945, 547 § 1. (See 1945, 547 §§ 2, 3; 731 § 9; 1949, 771.)**

For legislation providing for temporary cigarette taxes, see 1939, 454 §§ 1-18; 1941, 417, 715; 1943, 407; 1945, 731 § 9; 1949, 771; 1951, 386 § 9; 1953, 246 § 13; 1955, 707 § 11; 1956, 354; 1957, 456 § 11; 1958, 457 § 1; 1959, 31 § 10.

For legislation providing for temporary taxes on cigars and tobacco, see 1949, 796 § 2 (see 1949, 796 § 3); repealed, 1950, 827.

SECT. 2 amended, 1956, 90 § 1. (See 1956, 90 § 3.)

SECT. 3 revised, 1956, 90 § 2. (See 1956, 90 § 3.)

SECT. 4 amended, 1953, 654 § 82.

SECT. 6 amended, 1953, 654 § 83; 1956, 720 § 1; revised, 1960, 774 § 7. (See 1956, 720 §§ 2-4; 1960, 774 §§ 6, 8, 9, 10.)

SECT. 7, first two sentences stricken out and three sentences inserted. 1957, 373 § 1. (See 1957, 373 § 2.)

SECT. 9, paragraph added at end, 1956, 322 § 1. (See 1956, 322 § 2.)

SECT. 13, paragraph (b) revised, 1958, 633 § 1; paragraph (d) revised, 1958, 633 § 2.

SECT. 15 amended, 1958, 633 § 3.

SECT. 22 amended, 1953, 654 § 84.

SECT. 23 amended, 1953, 654 § 85.

SECT. 24 amended, 1956, 239.

SECT. 25 amended, 1953, 654 § 86.

#### Chapter 64D. — Excise on Deeds, Instruments and Writings.

**New chapter inserted, 1951, 710 § 1. (See 1951, 710 § 2.)**

SECT. 1 revised, 1953, 303.

SECT. 2, sentence inserted after first sentence, 1955, 651 § 2.

SECT. 3, five paragraphs added at end, 1955, 651 § 1.

SECTS. 3A and 3B added, 1954, 550 (establishing a fund for the purchase by registries of deeds of documentary stamps to be sold by said registries).

SECT. 4 amended, 1953, 654 § 87.

SECT. 6, second sentence stricken out and two sentences inserted, 1953, 503.

**Chapter 64E. — Taxation of Special Fuels Used in the Propulsion of Motor Vehicles.**

**New chapter inserted, 1956, 619 § 1. (See 1956, 619 § 6.)**

SECT. 3, last paragraph revised, 1957, 382 § 1. (See 1957, 382 § 4.)

SECT. 4, first paragraph amended, 1956, 718 § 12A; last paragraph revised, 1960, 411 § 2. (See 1956, 718 §§ 14, 15; 1960, 411 § 3.)

SECT. 5 revised, 1957, 382 § 2, 728 § 2. (See 1957, 382 § 4, 728 § 5.)

SECT. 7 revised, 1957, 382 § 3. (See 1957, 382 § 4.)

**Chapter 64F. — Taxation of Fuel and Special Fuels Acquired Outside and Used within the Commonwealth.**

**New chapter inserted, 1956, 619 § 2. (See 1956, 619 § 6.)**

SECT. 3, first paragraph revised, 1956, 718 § 12B; two sentences added, 1957, 728 § 3. (See 1956, 718 §§ 14, 15; 1957, 728 § 5.)

SECT. 4, first sentence revised, 1957, 377 § 1. (See 1957, 377 § 4.)

SECT. 6, second sentence revised, 1956, 718 § 12C; section revised, 1960, 375 § 1. (See 1956, 718 §§ 14, 15; 1960, 375 § 3.)

SECT. 7, second paragraph revised, 1957, 377 § 2. (See 1957, 377 § 4.)

SECT. 8 revised, 1957, 377 § 3; first sentence revised, 1960, 375 § 2. (See 1957, 377 § 4.)

**Chapter 65. — Taxation of Legacies and Successions.**

For legislation establishing an additional tax upon legacies and successions to provide funds for old age assistance, see 1941, 729 §§ 9A, 15.

For temporary legislation providing for additional taxes upon legacies and successions, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 §§ 20, 22; 1941, 416 §§ 2, 3; 1943, 482 §§ 2, 3, 4; 1945, 557 §§ 2, 3, 4; 1948, 503 §§ 2, 4; 1949, 674 § 3; 1951, 386 § 3; 1953, 246 § 7; 1955, 707 § 6; 1956, 354; 1957, 456 § 6; 1959, 31 § 5.

SECT. 1, table revised, 1933, 293; 1941, 415 § 1; first sentence revised, 1941, 605 § 1; amended, 1949, 792 § 1; revised, 1950, 556; 1955, 596; paragraph added after table, 1949, 792 § 2. (See 1941, 415 § 2, 605 § 2.)

SECT. 3 amended, 1939, 380.

SECT. 7 revised, 1957, 429 § 1. (See 1957, 429 § 2.)

SECT. 9, first sentence revised, 1952, 445 § 1; paragraph added at end, 1954, 595 § 1; section revised, 1957, 502 § 1. (See 1957, 502 § 2.) (See 1954, 595 §§ 2, 3; 1956, 488.)

SECT. 11 amended, 1949, 749.

SECT. 14 amended, 1953, 654 § 88.

SECT. 15 revised, 1948, 543 § 1. (See 1948, 543 § 2.)

SECTS. 24A–24F added, 1933, 319 (providing reciprocal relations in respect to death taxes upon estates of non-resident decedents).

SECT. 25 amended, 1939, 451 § 34; revised, 1939, 494 § 1; 1954, 572 § 1.

SECT. 26 amended, 1939, 451 § 35; revised, 1939, 494 § 2; amended, 1953, 654 § 89; revised, 1954, 572 § 2.

SECT. 27 amended, 1953, 654 § 90.

SECT. 32 amended, 1939, 451 § 36; last sentence stricken out, 1945, 523 § 4.

SECT. 35 revised, 1958, 313.

SECT. 35A added, 1957, 369 § 1 (relative to the furnishing of certain certificates and other papers relating to the tax on legacies and succession and establishing fees therefor).

**Chapter 65A. — Taxation of Transfers of Certain Estates.**

SECT. 1, paragraph added at end, 1932, 284; second paragraph revised, 1933, 316 § 1; section amended, 1937, 420 § 1. (See 1933, 316 § 2; 1937, 420 § 4.)

SECT. 5 stricken out, and new sections 5-5B inserted, 1943, 519 § 1 (providing for the equitable apportionment in certain cases of estate taxes and the collection and payment thereof). (See 1943, 519 § 2.)

SECT. 5 revised, 1948, 605 § 1. (See 1948, 605 §§ 3, 4.)

SECT. 5A revised, 1948, 605 § 2. (See 1948, 605 §§ 3, 4.)

SECT. 6 amended, 1937, 420 § 2; last sentence revised, 1943, 471; 1945, 529; section amended, 1953, 654 § 91. (See 1937, 420 § 4.)

SECT. 7 repealed, 1937, 420 § 3. (See 1937, 420 § 4.)

**Chapter 65B. — Settlement of Disputes respecting the Domicile of Decedents for Death Tax Purposes.**

New chapter inserted, 1943, 428 § 1. (See 1943, 428 § 3.)

SECT. 3 amended, 1953, 654 § 92.

SECT. 4, paragraph (a) amended, 1953, 654 § 93.

**Chapter 66. — Public Records.**

SECT. 1 amended, 1945, 580 § 7.

SECT. 3 revised, 1936, 305; 1941, 662 § 1.

SECT. 4 amended, 1950, 310.

SECTS. 5, 7 and 16 affected, 1941, 662 § 2.

SECT. 5A added, 1958, 626 § 10 (relative to the records of certain public boards and commissions); amended, 1960, 437 § 6.

SECT. 8 amended, 1943, 128; 1949, 395 § 2. (See 1949, 395 § 3; 1950, 182, 350.)

SECT. 8A added, 1951, 56 (relative to the destruction of certain records by city and town clerks).

SECT. 10 revised, 1948, 550 § 5.

SECT. 13, sentence added at end, 1951, 200.

SECT. 15 amended, 1939, 40.

SECT. 16 revised, 1948, 550 § 6.

SECT. 17A added, 1941, 630 § 1 (making records relating to old age assistance, aid to dependent children and aid to the blind confidential); revised, 1943, 169; amended, 1945, 240 § 1; revised, 1946, 67; amended, 1948, 202; revised, 1948, 525; amended, 1953, 342; sentence added at end, 1956, 356.

SECT. 18 amended, 1945, 393 § 6.

**Chapter 67. — Parishes and Religious Societies.**

SECT. 7 revised, 1945, 28.

SECT. 40 amended, 1952, 580.

SECT. 55 added, 1953, 592 (to provide for the incorporation of churches, congregations, parishes, committees and other religious organizations under the jurisdiction of the Orthodox Church).



**Chapter 68. — Donations and Conveyances for Pious and Charitable Uses.**

SECT. 10, first sentence amended, 1957, 94; sentence added at end, 1934, 238.

SECT. 15 amended, 1946, 23; repealed, 1954, 529 § 3.

SECT. 17 added, 1954, 559 (relative to the solicitation of funds for charitable purposes); fifth paragraph amended, 1955, 498; section revised, 1957, 352.

**Chapter 69. — Powers and Duties of the Department of Education.**

For an act to encourage the establishment of regional and consolidated public schools and to provide financial assistance to cities and towns in the construction of school buildings, see 1948, 645; 1949, 637, 741.

SECT. 4 revised, 1952, 585 § 8.

SECT. 6 amended, 1932, 127 § 3; 1960, 403 § 1.

SECT. 7 amended, 1935, 275; 1937, 213, 327; 1938, 315; revised, 1938, 424; amended, 1941, 351 § 6, 561; revised, 1943, 403; second sentence amended, 1958, 613 § 2D; sentence inserted after second sentence, 1956, 186.

SECT. 7A added, 1946, 439 § 1 (extending to certain members of the armed forces, and to veterans of World War II, university extension courses free of charge); revised, 1954, 627 § 20; 1958, 409. (See 1946, 439 § 2; 1954, 627 §§ 65, 67.)

SECT. 7B added, 1946, 548 § 1 (relative to higher educational opportunities for children of certain deceased members or former members of the armed forces); first paragraph amended, 1948, 381; second paragraph amended, 1947, 399; 1948, 357; section revised, 1950, 758; 1951, 747; amended, 1952, 497; first paragraph revised, 1954, 627 § 21. (See 1954, 627 §§ 65, 67.)

SECT. 7C added, 1957, 692 (providing for the granting of certain scholarships to certain students at the State Teachers College at Fitchburg); amended, 1960, 403 § 2.

SECT. 8 amended, 1932, 127 § 4; 1960, 403 § 3.

SECT. 9 amended, 1938, 442 § 1.

SECT. 9A added, 1938, 442 § 2 (further regulating education in the use of English and certain other subjects adapted to fit persons for American citizenship).

SECT. 10A added, 1951, 693 (providing for the advancement of education for American citizenship).

SECT. 11 revised, 1939, 409 § 4. (See 1939, 409 §§ 1, 5.)

SECT. 13 stricken out and sections 13-13D inserted, 1951, 673 § 1. (See 1951, 673 § 8.)

SECT. 14 revised, 1951, 673 § 2. See 1957, 669.

SECT. 15, sentence added at end, 1951, 673 § 3.

SECT. 16 repealed, 1952, 345.

SECTS. 17 and 18 stricken out and section 17 inserted, 1951, 673 § 4.

SECT. 19 amended, 1943, 89 § 1; revised, 1951, 673 § 5.

SECT. 19A added, 1943, 89 § 2 (requiring reports to the director of the division of the blind of results of examinations of blind persons).

SECT. 19B added, 1945, 554 (providing for examinations by ophthalmologists of certain applicants for aid to the blind).

SECTS. 20-22 repealed, 1951, 673 § 6.

SECT. 23 revised, 1943, 526; first paragraph amended, 1947, 458; 1951, 555; revised, 1956, 585 § 1; paragraph inserted after first paragraph, 1951, 551; paragraph added at end, 1945, 541 § 1. (See 1956, 585 § 2.)

SECT. 23A added, 1938, 28 (requiring the furnishing of information to the director of the division of the blind by certain banks and other depositories).

SECT. 23B added, 1945, 541 § 2 (relative to granting aid or assistance to certain blind persons).

SECT. 24A added, 1953, 457 § 1 (providing that permits to operate vending stands in public buildings be granted to the division of the blind); revised, 1956, 477. (See 1953, 457 § 2.)

SECT. 25 revised, 1935, 397.

SECTS. 25A-25E added, 1938, 329 (regulating the raising of funds for the benefit of the blind).

SECT. 26, first sentence amended, 1945, 524; 1951, 673 § 6A; paragraph added at end, 1935, 286; section revised, 1952, 498 § 1; 1957, 582; 1958, 508.

SECT. 26A added, 1941, 630 § 2 (relative to information concerning recipients of aid to the blind).

SECT. 28 revised, 1952, 498 § 2; 1957, 615 § 1.

SECT. 28A added, 1957, 615 § 2 (providing reimbursement to cities, towns and regional school districts for extra compensation paid to teachers of special day classes for deaf pupils).

SECT. 29 added, 1938, 313 (relative to instruction in lip reading for certain school children whose hearing is defective); revised, 1960, 600.

SECTS. 29A and 29B added, under caption, 1954, 514 § 3 (relative to the powers and duties of the division of special education for mentally retarded children).

SECT. 29A revised, 1955, 626 § 1; amended, 1956, 570 § 1.

SECT. 29B revised, 1955, 626 § 1; amended, 1956, 535 § 1; 1957, 615 § 3; revised, 1960, 627; amended, 1960, 750 § 2. (See 1960, 750 § 3.)

SECT. 29C added, 1956, 570 § 2 (relative to the allocation of the expense of purchasing, leasing and maintaining special audio-equipment for the instruction of physically handicapped children).

SECT. 29D added, 1956, 635 (relative to recreational programs for physically handicapped children); revised, 1958, 556.

SECTS. 30 and 31 added, under caption, 1943, 549 § 3 (relative to approval by the Board of Collegiate Authority of the organization of certain educational institutions and of certain amendments to their charters).

SECT. 30, sentence inserted after fifth sentence, 1953, 290; sentence added at end, 1960, 405.

SECTS. 32 and 33 added, 1951, 673 § 7 (relative to instruction of visually handicapped and blind children).

SECT. 33, sentence added at end, 1952, 397.

**Chapter 70. — School Funds and State Aid for Public Schools (former title, School Funds and Other State Aid for Public Schools).**

**Chapter stricken out and new chapter 70 (with new title) inserted, 1948, 643 § 1. (See 1948, 643 § 3, 645.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 70 as so inserted:**

SECT. 3, first sentence revised, 1956, 599 § 2. (See 1956, 599 §§ 4, 5.)

SECT. 3A added, 1950, 703 (providing state reimbursement for cities and towns for payment to certain teachers); repealed, 1955, 626 § 2A.

SECT. 3B added, 1950, 774 (providing state reimbursement for towns forming regional school districts); sentence added at end, 1953, 547 § 2.

SECT. 3C added, 1954, 514 § 4 (providing for reimbursement of cities and towns on account of special education for mentally retarded children); repealed, 1955, 626 § 2A.

SECT. 4, sentence added at end, 1953, 547 § 1.

SECT. 4A added, 1956, 453 (relative to state reimbursement to certain towns in regional school districts).

SECT. 6 revised, 1951, 592 § 1. (See 1951, 592 § 2.)

SECT. 9, second sentence revised, 1956, 599 § 3. (See 1956, 599 § 5.)

SECT. 10, sentence added at end, 1950, 620.

SECT. 11 amended, 1960, 403 § 4.

### **Chapter 71. — Public Schools.**

SECT. 1 amended, 1953, 137.

SECT. 2 amended, 1938, 246 § 1; revised, 1949, 468; 1952, 282.

SECT. 4 amended, 1953, 260; second sentence revised, 1955, 109.

SECT. 5 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 6, second and third sentences of first paragraph stricken out, 1947, 679 § 4.

SECT. 7 amended, 1941, 590; repealed, 1947, 679 § 5.

SECT. 7A added, 1947, 679 § 1 (providing for reimbursement to cities and towns for certain expenses incurred for the transportation of pupils); first paragraph revised, 1949, 754.

SECTS. 8 and 9 repealed, 1948, 643 § 2. (See 1948, 643 § 3.)

SECT. 13A added, 1938, 241 (requiring the teaching of the Italian language in certain public high schools in certain cases).

SECT. 13B added, 1939, 311 (relative to the teaching of modern languages in certain public high schools).

SECT. 13C added, 1945, 402 (requiring the teaching of the Polish language in certain public high schools in certain cases).

SECT. 13D added, 1948, 205 (providing for motor vehicle driving education in high schools); paragraph added at end, 1954, 49.

SECT. 13E added, 1949, 99 (requiring the teaching of the Lithuanian language in public schools in certain cases).

SECT. 13F added, 1957, 709 (providing that cities and towns may contribute to the financing of educational television programs from funds appropriated for school purposes).

SECT. 13F stricken out and sections 13F–13I inserted, 1960, 567 § 1 (establishing in the department of education an executive committee for educational television). (See 1960, 567 § 3.)

SECTS. 14–16 stricken out and sections 14–16I inserted, under caption, 1949, 638 § 1 (relative to the formation of regional school districts). (See 1949, 638 § 2.)

SECT. 14 revised, 1951, 331 § 1.

SECT. 14A amended, 1951, 331 § 2.

SECT. 14B amended, 1951, 331 § 3; clause (b) revised, 1955, 142 § 1; clause (c) revised, 1952, 471 § 1; 1960, 650 § 1. (See 1952, 471 § 2; 1955, 142 § 2; 1960, 650 § 2.)

SECT. 14C added, 1954, 214 (authorizing certain towns to sell, lease or license school buildings to a regional school district); last sentence stricken out and two sentences inserted, 1955, 58; section amended, 1955, 127 § 1. (See 1955, 127 § 2.)

SECT. 15, first paragraph revised, 1951, 331 § 4; 1955, 141 § 1; amended, 1957, 53. (See 1955, 141 § 2.)

SECTS. 16-16I inserted, 1949, 638 § 1. (See 1949, 638 § 2.)

SECT. 16, clause (c) revised, 1955, 65; clause (d) revised, 1955, 65; 1956, 243.

SECT. 16A revised, 1958, 129.

SECT. 16B, paragraph added at end, 1958, 619.

SECT. 16C revised, 1952, 470.

SECT. 16F. See 1952, 601.

SECT. 19 amended, 1939, 461 § 1.

SECT. 20 revised, 1951, 680.

SECT. 21 amended, 1945, 133 § 1.

SECTS. 26A-26F added, 1946, 165 § 1 (providing for extended school services for certain children of certain employed mothers). (See 1946, 165 §§ 2, 3.)

SECT. 30A added, 1935, 370 § 1 (requiring that an oath or affirmation be taken and subscribed to by certain professors, instructors and teachers in the colleges, universities and schools of the commonwealth); sentence added at end, 1948, 160 § 2. (See 1935, 370 §§ 2, 2A, 3.)

SECT. 34 revised, 1939, 294.

SECTS. 34A and 34B added, 1943, 547 (requiring persons operating or maintaining educational institutions to furnish, upon request, certain transcripts of records).

SECT. 34C added, 1951, 67 (relative to granting high school diplomas to certain students who enter the armed forces); revised, 1954, 91.

SECT. 37A added, 1958, 119 (authorizing school committees to accept and disburse grants and gifts for educational purposes from charitable foundations and private corporations).

SECTS. 38, sentence added at end, 1960, 333 § 2.

SECTS. 38A-38F added, 1941, 676 § 2 (relative to occupational guidance and placement). (See 1941, 646.)

SECT. 38G added, 1951, 278 § 1 (to establish standards of certification of teachers in the public schools); first two paragraphs stricken out and one paragraph inserted, 1952, 530; revised, 1953, 264; amended, 1956, 122; section revised, 1960, 20 § 1; first paragraph revised, 1960, 333 § 1. (See 1951, 278 § 2; 1960, 20 § 2.)

SECT. 40 amended, 1941, 507; 1943, 494; revised, 1945, 727 § 1; two sentences added at end, 1946, 527 § 1; section revised, 1949, 684; first sentence revised, 1951, 499; 1952, 69; 1956, 434; 1957, 447; 1958, 545; 1959, 602 § 1. (See 1945, 727 § 2; 1946, 527 §§ 2, 3; 1959, 602 § 2.)

SECT. 41 revised, 1947, 597 § 1; sentence added at end, 1950, 283; section revised, 1953, 372; amended, 1956, 132 § 1.

SECT. 42 revised, 1934, 123; first sentence revised, 1947, 597 § 2; amended, 1956, 132 § 2; sentence inserted after second sentence, 1953, 244; sentence inserted in line 27, 1946, 195.

SECT. 42A added, 1945, 330 (giving certain rights to school principals and supervisors in cases of demotion); revised, 1953, 269.

SECT. 42B added, 1952, 545 (providing for tenure of teachers and superintendents in regional school districts); sentence added at end, 1956, 136 § 1. (See 1956, 136 § 2.)

SECT. 42C added, 1957, 195 (requiring school officials to permit teachers to inspect records kept concerning them or their work).

SECT. 43A added, 1958, 462 (providing that certain teachers or superintendents dismissed by action of a school committee may appeal therefrom to the superior court).

SECT. 46 amended, 1941, 194 § 4; revised, 1954, 514 § 5; 1955, 626 § 3; 1956, 535 § 4; paragraph added at end, 1957, 584.

SECT. 46A amended, 1932, 159; revised, 1945, 534; 1946, 357; paragraph inserted after second paragraph, 1953, 352; stricken out, 1954, 296 § 2; last sentence stricken out and three sentences inserted, 1947, 384; section revised, 1955, 772 § 1; first paragraph amended, 1956, 570 § 3.

SECT. 46B added, 1954, 296 § 1 (providing for reimbursement of cities and towns for transportation of certain handicapped children to special schools); revised, 1955, 772 § 2; 1960, 649.

SECTS. 46C and 46D added, 1954, 514 § 6 (relative to joinder of cities and towns for the purpose of conducting special classes for mentally retarded children).

SECT. 46C revised, 1955, 626 § 4; amended, 1956, 535 § 5.

SECTS. 46E and 46F added, 1955, 626 § 2 (providing for reimbursement by the commonwealth of certain costs of conducting special classes approved by the division of special education by certain school districts).

SECT. 46E amended, 1956, 535 § 2.

SECT. 46F amended, 1956, 535 § 3, 570 § 4; revised, 1960, 628.

SECT. 46G added, 1955, 696 (to strengthen the activities of cities and towns in the prevention of juvenile delinquency).

SECTS. 46H and 46I added, 1960, 750 § 1 (providing for the instruction and training of certain emotionally disturbed children, and reimbursing cities and towns and school districts expenses incurred in connection therewith). (See 1960, 750 § 3.)

SECT. 47 revised, 1935, 199; 1950, 658; 1951, 411 § 1; amended, 1952, 316 § 1; revised, 1954, 271; fourth sentence revised, 1959, 113.

SECT. 47A added, 1954, 220 (authorizing school committees to contract for hire of athletic coaches for periods not exceeding three years).

SECT. 48A amended, 1935, 47; revised, 1958, 164.

SECT. 52 amended, 1932, 90.

SECT. 53A, sentence added at end, 1950, 208 § 1. (See 1950, 208 § 2.)

SECT. 54 amended, 1938, 265 § 1; 1945, 133 § 2.

SECT. 55 revised, 1938, 265 § 2; amended, 1952, 89.

SECT. 55A added, 1938, 265 § 3 (relative to the disposition of children showing signs of ill health or of being infected with a dangerous disease).

SECT. 55B added, 1950, 732 § 1 (prohibiting the employment in schools of certain persons suffering from tuberculosis and requiring periodic examinations of school employees); eighth sentence stricken out and two sentences inserted, 1952, 469; eighth sentence revised, 1954, 658; section revised, 1958, 15.

SECT. 56 revised, 1938, 265 § 4.

SECT. 57 revised, 1943, 384; 1951, 502 § 1; second sentence revised, 1955, 684; 1956, 428. (See 1951, 502 § 2.)

SECT. 58 amended, 1932, 127 § 8; revised, 1935, 287; repealed, 1945, 543 § 1.

SECT. 59A added, 1952, 506 (providing for the employment of a superintendent of schools in certain small towns); revised, 1953, 557.

SECT. 61 amended, 1951, 643 § 1; revised, 1952, 108; 1953, 334. (See 1951, 643 §§ 1A-3.)

SECT. 63, paragraph added at end, 1945, 223 § 1. (See 1945, 223 § 2.)

SECT. 64 revised, 1949, 794; 1955, 565; first sentence revised, 1956, 237; section revised, 1956, 448 § 1.

SECT. 65 revised, 1949, 794; 1955, 565; 1956, 448 § 2.

SECT. 66, paragraph added at end, 1937, 281; section repealed, 1958, 241.

SECT. 68 revised, 1934, 97 § 1. (See 1934, 97 § 2.)

SECT. 69 revised, 1935, 258.

SECT. 71 amended, 1935, 193.

SECT. 72. See 1948, 548; 1949, 303.

SECTS. 75-79 added, 1948, 620 § 5 (providing for extended courses of instruction on junior college level in high schools). (See 1948, 620 § 6.)

SECT. 78 revised, 1957, 756.

SECT. 79 revised, 1958, 168.

SECT. 80 added, 1958, 127 § 1 (establishing a lunch period for public school teachers); amended, 1958, 368. (See 1958, 127 § 2.)

SECT. 81 added, 1958, 605 § 2 (providing that no junior college shall be established by a city or town).

#### **Chapter 72. — School Registers and Returns.**

SECT. 3, paragraph in lines 6-10 revised, 1939, 461 § 2.

SECT. 8, first two sentences stricken out and one sentence inserted, 1957, 290; section amended, 1954, 231 § 1; second paragraph added, 1959, 321.

#### **Chapter 73. — State Colleges and Community Colleges (former title, State Teachers Colleges and Community Colleges).**

Title changed, 1932, 127 § 9; 1948, 620 § 1; 1960, 403 § 5.

SECT. 1 amended, 1932, 127 § 10; revised, 1948, 620 § 2; 1952, 585 § 9; amended, 1952, 618 § 1; revised, 1959, 246 § 2; paragraph added at end, 1960, 284; section revised, 1960, 403 § 6. (See 1948, 620 § 6; 1952, 618 §§ 4-12.)

SECT. 1A added, 1952, 499 § 1 (relative to the increase of fees and charges for services rendered by the department of education); amended, 1959, 246 § 3; revised, 1960, 403 § 7.

SECT. 2 amended, 1932, 127 § 11; 1960, 403 § 8.

SECT. 2A added, 1938, 246 § 2 (making the constitutions of the United States and of this commonwealth required subjects of instruction in state teachers colleges); amended, 1960, 403 § 9.

SECT. 3 amended, 1932, 127 § 12; first sentence revised, 1952, 618 § 2; section revised, 1960, 403 § 10. (See 1952, 618 §§ 4-12.)

SECT. 4 amended, 1932, 127 § 13; 1960, 403 § 11.

SECT. 4A amended, 1932, 127 § 14; sentence added at end, 1952, 618 § 3; section revised, 1960, 403 § 12. (See 1952, 618 §§ 4-12.)

SECT. 4B added, 1954, 350 (regulating the dismissal of certain teachers in state teachers colleges); revised, 1956, 480; amended, 1960, 403 § 13.

SECT. 5 amended, 1932, 127 § 15; 1960, 403 § 14. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 6 amended, 1932, 127 § 16; 1960, 403 § 15.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21; 1948, 620 § 3; sentence added at end, 1950, 60; section revised, 1957, 309; 1958, 605 § 3; amended, 1959, 246 § 4, 592; revised, 1960, 403 § 16. (See 1948, 620 § 6; 1959, 477.)

SECTS. 8 and 9 added, 1948, 620 § 4 (relative to the establishment of community colleges by the department of education and providing courses therein). (See 1948, 620 § 6.)

SECT. 8 amended, 1959, 246 § 5; revised, 1960, 403 § 17.

SECT. 9 repealed, 1958, 605 § 4.

#### Chapter 74. — Vocational Education.

SECT. 1 revised, 1938, 446 § 1; amended, 1941, 617 § 1; "State board" defined, 1952, 630 § 2. (See 1938, 446 § 14.)

SECT. 2 amended, 1938, 446 § 2; revised, 1952, 630 § 3; 1957, 599 § 1. (See 1938, 446 § 14.)

SECT. 3 amended, 1938, 446 § 3; revised, 1957, 599 § 2. (See 1938, 446 § 14.)

SECT. 4 amended, 1938, 446 § 4; revised, 1957, 599 § 3. (See 1938, 446 § 14.)

SECT. 5 amended, 1952, 630 § 4.

SECT. 5A added, 1952, 471 § 3 (relative to the establishment of independent distributive occupations, industrial, agricultural and household arts schools by regional school districts). (See 1952, 471 § 2.)

SECT. 6 amended, 1938, 446 § 5; 1952, 630 § 5; revised, 1957, 599 § 4. (See 1938, 446 § 14.)

SECT. 7 amended, 1938, 446 § 6; 1952, 630 § 6; revised, 1957, 599 § 5. (See 1938, 446 § 14.)

SECT. 7A amended, 1952, 630 § 7.

SECT. 8 amended, 1952, 630 § 8.

SECT. 8A revised, 1937, 323; paragraph added at end, 1939, 308; section revised, 1950, 622.

SECT. 9 amended, 1938, 446 § 7; 1952, 471 § 4; revised, 1957, 496 § 1, 599 § 6. (See 1938, 446 § 14.)

SECT. 11 amended, 1933, 102 § 2; 1941, 617 § 2. (See 1933, 102 § 4.)

SECT. 12 amended, 1952, 471 § 5; revised, 1957, 496 § 2.

SECT. 13 amended, 1938, 446 § 8; revised, 1957, 599 § 7. (See 1938, 446 § 14.)

SECT. 14 revised, 1943, 540; paragraph added at end, 1952, 471 § 6.

SECT. 14A added, 1943, 540 (relative to federal funds for vocational education); amended, 1952, 630 § 9.

SECT. 18 amended, 1952, 630 § 10.

SECT. 19 revised, 1938, 446 § 9. (See 1938, 446 § 14); repealed, 1947, 652 § 13.

SECT. 20 revised, 1947, 652 § 9; sentence added at end, 1955, 700 § 2; stricken out, 1956, 602 § 7. (See 1956, 602 §§ 17-20.)

SECT. 21 amended, 1938, 446 § 10; 1946, 552 § 2; revised, 1947, 652 § 10; amended, 1956, 602 § 8. (See 1938, 446 § 14; 1946, 552 §§ 4, 5; 1956, 602 §§ 17-20.)

SECT. 22 amended, 1938, 446 § 11; revised, 1947, 652 § 11; amended, 1956, 602 § 9. (See 1938, 446 § 14; 1956, 602 §§ 17-20.)

SECT. 22A amended, 1938, 446 § 12; revised, 1947, 652 § 12; two sentences added at end, 1955, 700 § 1; section repealed, 1956, 602 § 10. (See 1938, 446 § 14; 1956, 602 §§ 17-20.)

SECT. 22B, first paragraph amended, 1948, 360; section repealed, 1956, 602 § 10. (See 1956, 602 §§ 17-20.)

SECT. 22C added, 1945, 561 (authorizing the division of the blind to use federal funds available in a program of rehabilitation of the blind).

SECT. 22D added, 1946, 552 § 3 (providing for co-operation by the commonwealth with the veterans' administration in the administration of federal laws and regulations relating to the rehabilitation of disabled veterans of World War II). (See 1946, 552 §§ 4, 5.)

SECT. 22E added, 1950, 206 (relative to tenure of teachers elected for vocational education).

SECT. 23 repealed, 1933, 102 § 3.

SECT. 24A added, 1947, 497 (relative to the appointment of veterans as teachers in state aided approved vocational schools); revised, 1958, 154.

SECT. 28 revised, 1939, 501 § 6; amended, 1945, 158 § 6.

SECT. 30 amended, 1937, 41.

SECT. 31A added, 1934, 65 (authorizing the trustees of the Essex county agricultural school to pay transportation costs of certain pupils attending said school); amended, 1943, 42; revised, 1954, 63.

SECT. 31B added, 1960, 481 (relative to athletic and other organizations of county agricultural school pupils).

SECT. 35, second sentence revised, 1956, 455.

SECT. 42, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 1; 1947, 387; amended, 1953, 488 § 1; caption preceding section changed and section revised, 1957, 347 § 1. (See 1953, 488 § 4.)

SECT. 42A added, 1953, 523 (authorizing the Bradford Durfee Technical Institute of Fall River and the New Bedford Institute of Textiles and Technology to grant the honorary degree of master of science); revised, 1957, 347 § 2.

SECT. 42B added, 1957, 410 (authorizing the board of trustees of the New Bedford Institute of Technology to grant certain honorary doctorates); revised, 1958, 243.

SECT. 42C added, 1958, 538 § 2 (providing tenure for certain teachers in the employ of the commonwealth after three years' service).

SECT. 43 amended, 1946, 257 § 2; 1957, 347 § 2A.

SECT. 44 amended, 1946, 257 § 3; 1957, 347 § 2B.

SECT. 45 amended, 1946, 257 § 4; 1957, 347 § 2C.

SECT. 46 amended, 1946, 257 § 5; 1957, 347 § 2D.

SECT. 46A amended, 1946, 257 § 6; 1957, 347 § 2E.

SECT. 46B added, 1957, 409 (authorizing the board of trustees of the New Bedford Institute of Technology to establish and manage the research foundation of said Institute).

SECT. 47E, paragraph added at end, 1935, 22; section revised, 1946, 378; second paragraph amended, 1949, 28; section revised, 1951, 202.

SECT. 47G revised, 1950, 772.

SECTS. 47-48 and caption preceding section 47 stricken out, 1953, 407 § 2. (See 1953, 407 §§ 1, 8.)



SECT. 49, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 5; revised, 1946, 340; 1952, 499 § 2. (See 1942, 1 § 9.)

SECT. 49A added, 1946, 340 (authorizing the board of commissioners of the Massachusetts Maritime Academy to grant degrees).

SECT. 53 revised, 1942, 1 § 6. (See 1942, 1 § 9.)

SECT. 54 added, under caption, 1949, 630 (providing for institutional on-farm training for veterans of World War II); revised, 1955, 680.

SECT. 55 added, under caption, 1953, 581 (establishing a state agency for surplus property).

**Chapter 75. — University of Massachusetts (former title, Massachusetts State College).**

Name changed, 1947, 344 § 1.

SECT. 1 revised, 1947, 344 § 6.

SECT. 2 amended, 1947, 344 § 7.

SECT. 4 amended, 1947, 344 § 8.

SECT. 5 revised, 1935, 288; amended, 1947, 344 § 9.

SECT. 5A added, 1939, 329 (authorizing the trustees of Massachusetts State College to retain and manage in a revolving fund receipts from student activities); amended, 1947, 344 § 10; revised, 1954, 400 § 3.

SECT. 6 amended, 1935, 462 § 2; 1947, 344 § 11. (See 1935, 462 § 1.)

SECT. 7 amended, 1947, 344 § 12.

SECT. 8 amended, 1945, 504; 1947, 344 § 13.

SECT. 9, caption preceding section revised, 1947, 344 § 14; section amended, 1947, 344 § 15.

SECT. 10 amended, 1947, 344 § 16.

SECT. 11 amended, 1947, 344 § 17.

SECT. 13 revised, 1953, 538; 1956, 556; first paragraph amended, 1960, 526.

SECT. 14 amended, 1947, 344 § 18.

SECT. 15 amended, 1947, 344 § 19.

SECT. 16 amended, 1947, 344 § 20.

SECT. 16A added, 1945, 586 (providing for the establishment at the Massachusetts Agricultural Experiment Station of a diagnostic laboratory dealing with the causes, etc., of diseases of domestic animals); amended, 1947, 344 § 21; revised, 1947, 471.

SECT. 22 amended, 1947, 344 § 22.

SECT. 24 amended, 1947, 344 § 23.

SECT. 25 amended, 1947, 344 § 24.

SECT. 26 amended, 1947, 344 § 25.

SECT. 31 added, 1951, 524 (providing for scholarships at the University of Massachusetts).

SECT. 32 added, 1960, 493 (providing that annually a graduate of Kfar Silver Agricultural Training Institute in Israel be admitted to the University of Massachusetts).

**Chapter 75A. — Lowell Technological Institute of Massachusetts.**

New chapter inserted, 1953, 407 § 3. (See 1953, 407 §§ 1, 7, 8.)

SECT. 12 amended, 1958, 538 § 3; sentence added at end, 1955, 730 § 41A; amended, 1960, 563. (See 1955, 730 § 43.)

**Chapter 75B. — Southeastern Massachusetts Technological Institute.**

New chapter inserted, 1960, 543 § 3. (See 1960, 543 §§ 4 - 10.)

**Chapter 76. — School Attendance.**

SECT. 1 revised, 1939, 461 § 3; amended, 1941, 423; 1950, 400.

SECT. 2, two sentences added at end, 1947, 241 § 1. (See 1947, 241 § 2.)

SECTS. 7-10. (See 1939, 454 § 21.)

SECT. 7 amended, 1951, 579.

SECT. 15 revised, 1938, 265 § 5.

**Chapter 77. — School Offenders and County Training Schools.**

SECT. 1 revised, 1933, 295 § 1; amended, 1943, 82.

SECT. 3 revised, 1948, 573 § 1; amended, 1957, 565 § 1.

SECT. 4 revised, 1948, 573 § 2; amended, 1957, 565 § 2. (See 1948, 573 § 7.)

SECT. 5 revised, 1948, 573 § 3; amended, 1957, 565 § 3. (See 1948, 573 § 7.)

SECT. 10 revised, 1949, 593 § 5.

SECT. 11 amended, 1948, 573 § 4. (See 1948, 573 § 7.)

SECT. 12 revised, 1948, 573 § 5. (See 1948, 573 §§ 6, 7.)

SECT. 13 amended, 1954, 231 § 2; revised, 1960, 313 § 1.

SECT. 14 amended, 1949, 594.

**Chapter 78. — Libraries.**

SECT. 4 revised, 1935, 202.

SECT. 9 amended, 1952, 585 § 10.

SECT. 11 revised, 1952, 585 § 16.

SECT. 14, caption preceding section revised, 1952, 585 § 11; section amended, 1952, 585 § 12.

SECT. 15 amended, 1952, 585 § 13.

SECTS. 16, 17 and 18 repealed, 1960, 429 § 5.

SECT. 19 revised, 1952, 585 § 17; 1960, 429 § 6.

SECTS. 19A-19D added, 1960, 760 § 1 (providing state aid for free public libraries). (See 1960, 760 §§ 2, 3.)

SECTS. 22-31 added, under caption, 1948, 320 (providing for the certification of librarians).

SECT. 22 amended, 1952, 585 § 14.

SECT. 24 amended, 1952, 585 § 15.

SECT. 26 revised, 1952, 585 § 18.

**Chapter 79. — Eminent Domain**

SECT. 3, first paragraph amended, 1938, 172 § 6; 1959, 626 § 1; two sentences added at end of first paragraph, 1943, 251 § 1. (See 1943, 251 § 4.)

SECT. 5A added, 1948, 180 (restricting the taking by eminent domain of ancient landmarks and property of historical or antiquarian interest).

SECT. 5B added, 1950, 532 (restricting the taking by eminent domain of property used for agricultural purposes).

SECT. 8 amended, 1936, 187 § 1; first sentence amended, 1960, 49; second sentence revised, 1959, 626 § 2; sentence inserted after second sentence, 1943, 251 § 2. (See 1943, 251 § 4; 1959, 626 § 6.)

SECT. 8A added, 1959, 626 § 3 (relative to land takings and providing that offers in settlement or pro tanto for such takings shall be made within certain periods of time). (See 1959, 626 § 6.)

SECT. 9, last sentence amended, 1938, 172 § 7.

SECT. 12, first sentence amended, 1959, 626 § 4; sentence added at end, 1953, 634 § 1. (See 1953, 634 § 2.)

SECT. 15 repealed, 1936, 385 § 1. (See 1936, 385 § 2.)

SECT. 16 amended, 1936, 187 § 2; 1938, 185; revised, 1943, 95; paragraph added at end, 1943, 251 § 3; sentence added at end, 1950, 230. (See 1943, 251 § 4.)

SECT. 34 amended, 1952, 633.

SECT. 37 amended, 1956, 641; revised, 1960, 298 § 1.

SECT. 39, sentence added at end, 1955, 242; section revised, 1959, 626 § 5. (See 1959, 626 § 6.)

SECT. 44A added, 1935, 189 (relative to certain tax liens upon real estate taken by right of eminent domain); amended, 1936, 137.

#### Chapter 80. — Betterments.

SECT. 1 amended, 1933, 254 § 62. (See 1933, 254 § 66.)

SECT. 4 revised, 1933, 63 § 1.

SECT. 5 amended, 1933, 157 § 2. (See 1933, 157 § 3.)

SECT. 10 revised, 1933, 147.

SECT. 10A added, 1933, 157 § 1 (providing that failure of a board of officers to take action upon a petition for abatement of a betterment assessment shall, for the purposes of appeal, be equivalent to refusal to abate the assessment). (See 1933, 157 § 3.)

SECT. 12 revised, 1943, 252 § 1, 478 § 4; seventh sentence amended, 1955, 194; sentence added at end, 1947, 116; 1953, 344.

SECT. 13 amended, 1933, 63 § 2, 254 § 63; revised, 1934, 315 § 1; last sentence stricken out and new paragraph added, 1938, 489 § 1; first sentence of section amended, 1941, 595; section amended, 1954, 286; third sentence revised, 1956, 311 § 1; 1960, 248; second paragraph revised, 1956, 311 § 2. (See 1933, 254 § 66; 1934, 315 § 3; 1941, 724.)

SECT. 13A added, 1943, 252 § 2 (relative to the time within which certain betterment and other assessments on unimproved land shall be paid).

#### Chapter 81. — State Highways.

For legislation providing for an accelerated highway program, see 1949, 306.

SECT. 3, last sentence stricken out and two sentences inserted, 1952, 401.

SECT. 5 revised, 1937, 218 § 1.

SECT. 7A added, 1937, 344 (granting certain powers to the department of public works with respect to certain ways connecting with state highways); revised, 1948, 448; sentence inserted before last sentence, 1951, 453; revised, 1960, 183.

SECT. 7B added, 1941, 519 (giving the department of public works the power to take a slope easement, so called, in certain cases).

SECT. 7C added, 1943, 397 (relative to limited access ways); sentence

added at end, 1949, 583; 1950, 829; revised, 1957, 700 § 1. (See 1957, 700 § 2.)

SECT. 7D added, 1948, 449 (authorizing the department of public works to grant certain easements within state highway locations).

SECT. 7E added, 1949, 764 (authorizing the department of public works to sell certain land or rights therein which it has acquired for certain purposes); revised, 1957, 530, 761.

SECT. 7F added, 1958, 582 (authorizing agents and employees of the department of public works to enter upon private property for the purpose of making surveys, soundings and drillings).

SECT. 7G added, 1960, 710 (authorizing the department of public works to acquire land or easements therein for the purpose of relocating the facilities of public utility companies).

SECT. 7H added, 1960, 767 (relative to the leasing of land by the department of public works for use as a public parking facility).

SECT. 8 revised, 1936, 371; amended, 1937, 218 § 2; last sentence revised, 1951, 532.

SECT. 13 revised, 1952, 563 § 1; third sentence amended, 1953, 354 § 1; stricken out and two sentences inserted, 1955, 379 § 1. (See 1952, 563 § 2; 1953, 354 § 2; 1955, 379 § 2.)

SECT. 13A added, 1936, 342 (authorizing the department of public works to accept in behalf of the commonwealth gifts of certain easements for the purpose of landscaping along state highways, and to do such landscaping).

SECT. 19, last four sentences stricken out, 1933, 187 § 1. (See 1933, 187 § 2.)

SECT. 20A added, 1945, 539 (providing for the illumination of hazardous locations on state highways).

SECT. 21 amended, 1948, 298; first sentence revised, 1954, 219; two sentences added at end, 1950, 507.

SECT. 25, first sentence amended, 1947, 454.

SECT. 26 amended, 1934, 366; first paragraph amended, 1949, 706 § 1; revised, 1951, 655 § 1; paragraph added at end, 1946, 523; amended, 1949, 706 § 2; revised, 1954, 524. (See 1951, 655 § 3.)

SECT. 27 amended, 1939, 224.

SECT. 29A added, 1943, 416 (authorizing the department of public works to lay out and alter ways other than state highways and facilitating the securing of federal aid in connection therewith).

SECT. 30, first sentence revised, 1951, 520.

SECT. 31 repealed, 1951, 655 § 2.

## **Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs Thereon.**

SECT. 7 amended, 1933, 283 § 2.

SECT. 24, first sentence revised, 1958, 240.

SECT. 32B added, 1933, 283 § 3 (authorizing the taking of easements of slope, so called, by county, city or town officers in connection with the laying out, widening, altering or relocating of public ways).

SECT. 34 amended, 1935, 309; 1941, 533.

SECT. 40 added, 1959, 316 (requiring a contractor making an excavation in a public way to give notice thereof to public utility companies).

**Chapter 83. — Sewers, Drains and Sidewalks.**

SECT. 15A added, 1948, 52 § 1 (authorizing municipalities to redetermine from time to time the fixed uniform rates charged to abutters for the construction of sewers). (See 1948, 52 § 2.)

SECT. 19 revised, 1943, 252 § 4. (See 1943, 252 § 6.)

SECT. 27, last sentence revised, 1943, 252 § 5.

SECT. 29 added, 1943, 252 § 3 (relative to the continuance of liens created under special acts in connection with certain betterment and other assessments).

**Chapter 84. — Repair of Ways and Bridges.**

SECT. 2, paragraph added at end, 1956, 270.

SECT. 5A added, 1945, 319 (authorizing towns to enter into agreements for the removal of snow and ice from public ways in adjoining towns, etc.).

SECT. 18 revised, 1933, 114 § 1.

SECT. 19 amended, 1933, 114 § 2.

SECT. 20 revised, 1933, 114 § 3; amended, 1939, 147.

SECT. 21 amended, 1955, 505.

SECT. 27 added, 1960, 766 § 1 (imposing liability for damages for failure to maintain a barrier around an excavation abutting on a public way).

**Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.**

SECT. 2, second and third sentences amended, 1947, 442 § 2; section revised, 1951, 646 § 1.

SECT. 2A added, 1941, 346 § 2 (authorizing the department of public works to remove vehicles from state highways when said vehicles interfere with the removal of snow and ice); revised, 1957, 338.

SECT. 2B added, 1959, 541 (authorizing the department of public works to make regulations to exclude, govern and restrict the use of limited access and express state highways).

SECT. 8 revised, 1960, 88.

SECT. 9 revised, 1958, 158.

SECT. 11A added, 1941, 710 § 1 (relative to the registration and operation of certain bicycles).

SECTS. 12-14 repealed, 1941, 710 § 2.

SECT. 14B added, 1938, 432 (requiring the use of certain signal lights at locations on unlighted ways where certain vehicles are disabled); first paragraph amended, 1946, 375; 1953, 234 § 1; second paragraph amended, 1953, 234 § 2.

SECT. 17B added, 1933, 43 (prohibiting riding upon the rear or on the side of street railway cars or motor buses without the consent of the persons in charge thereof); revised, 1943, 322 § 2.

SECT. 21A added, 1951, 618 (authorizing cities and towns to erect certain signs on state highways); revised, 1952, 61.

SECT. 25 amended, 1953, 319 § 10. (See 1953, 319 §§ 39, 40.)

SECT. 30 amended, 1935, 30; 1938, 171 § 1; first sentence amended, 1946, 397 § 2; 1951, 568.

SECT. 31 revised, 1938, 171 § 2.

SECT. 35, last sentence revised, 1955, 91.

SECT. 36 added, 1951, 303 (providing that vehicles driven on public ways shall be so constructed or loaded as to prevent the contents from dropping).

#### **Chapter 87. — Shade Trees.**

SECT. 5 amended, 1941, 490 § 18; 1949, 761 § 12.

#### **Chapter 88. — Ferries, Canals and Public Landings.**

SECT. 14 revised, 1956, 262.

SECT. 19 revised, 1945, 442.

#### **Chapter 89. — Law of the Road.**

SECT. 1 revised, 1951, 646 § 2.

SECT. 2 revised, 1933, 301.

SECT. 4 revised, 1949, 301 § 1; 1951, 646 § 3. (See 1949, 301 § 2.)

SECTS. 4A and 4B added, 1952, 461 § 1 (relative to driving vehicles on ways which are divided into lanes).

SECT. 4B, sentence added at end, 1954, 304.

SECT. 5 amended, 1936, 49; 1952, 461 § 2. (See 1938, 149.)

SECT. 7A revised, 1952, 172.

SECT. 7B added, 1934, 382 (relative to the application of traffic laws and regulations to fire apparatus and other emergency vehicles).

SECT. 9 revised, 1948, 416.

#### **Chapter 90. — Motor Vehicles and Aircraft.**

For legislation providing for an accelerated highway program, see 1949, 306.

For legislation exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368.

SECT. 1, "antique motor car" defined, 1948, 432 § 1; definition of "dealer" revised, 1948, 511 § 1; "farmer" defined, 1951, 736 § 1; "farming" defined, 1955, 483 § 2; revised, 1956, 539; "heavy duty platform trailer" defined, 1939, 354 § 1; amended, 1941, 30; revised, 1945, 595 § 1; "manufacturer" defined, 1948, 511 § 2; revised, 1956, 268; definition of "motor cycle" revised, 1950, 321 § 1; definition of "motor vehicles" amended, 1932, 182; 1938, 36; revised, 1948, 93; 1950, 321 § 2; definition of "non-resident" revised, 1952, 266 § 1; amended, 1952, 566 § 1; revised, 1953, 463 § 1; "owner" defined, 1952, 266 § 2; "owner-repairman" defined, 1948, 511 § 3; definition of "register number" revised, 1935, 43; "repairman" defined, 1948, 511 § 4; revised, 1951, 89; 1953, 378; "school bus" defined, 1932, 271 § 1; revised, 1946, 91; amended, 1947, 216 § 1; revised, 1950, 502 § 1; "semi-trailer" and "semi-trailer unit" defined, 1933, 332 § 1; "tractor" defined and definition of "trailer" revised, 1933, 332 § 2; definition of "trailer" amended, 1939, 354 § 2; revised, 1951, 578 § 1; 1956, 267; "transporter" defined, 1948, 511 § 5; revised, 1950, 321 § 3. (See 1932, 271 § 7; 1933, 322 § 5; 1951, 578 § 2; 1951, 736 § 5; 1952, 566 § 2.)

SECT. 1A amended, 1933, 372 § 3; 1934, 264 § 2; last sentence revised, 1948, 572 § 1; section revised, 1950, 471; second sentence revised, 1955, 172; paragraph added at end, 1950, 502 § 5. (See 1948, 572 § 3.)

SECT. 2, first paragraph revised, 1950, 443; amended, 1954, 305; third paragraph revised, 1956, 179; fourth paragraph revised, 1932, 5; amended, 1955, 283 § 1; fifth paragraph amended, 1956, 59; sixth paragraph revised, 1960, 581; seventh paragraph revised, 1939, 436 § 1; 1949, 470, 644 § 3; 1952, 82; amended, 1953, 225; 1955, 458 § 3; 1956, 130, 168; 1957, 417 § 4; revised, 1958, 274; amended, 1959, 205, 495; eighth paragraph revised, 1933, 54; amended, 1948, 94; second sentence of said paragraph stricken out, 1960, 226; paragraph added at end, 1952, 554. (See 1955, 283 § 3.)

SECT. 2A added, 1953, 579 (providing for the registration of motor vehicles or trailers owned by minors).

SECT. 3, first sentence revised, 1933, 188; section revised, 1939, 325; first sentence amended, 1953, 463 § 2; paragraph inserted after second paragraph, 1953, 463 § 3; paragraph added at end, 1941, 282.

SECT. 3A amended, 1952, 125; revised, 1953, 366 § 1; first sentence amended, 1955, 196 § 1.

SECT. 3B revised, 1953, 366 § 2; first sentence amended, 1955, 196 § 2.

SECT. 3C revised, 1937, 387.

SECT. 3D, first sentence revised, 1953, 366 § 3; 1956, 75.

SECT. 3G added, 1945, 590 § 1 (relative to recovery for damage caused by motor vehicles of non-residents); three sentences added at end, 1952, 77. (See 1945, 590 § 2.)

SECT. 5, last sentence amended, 1947, 311; section revised, 1947, 401 § 1; 1948, 511 § 6; 1949, 94; 1951, 736 § 2; 1952, 377 § 1; 1955, 483 § 1. (See 1947, 401 § 3; 1951, 736 § 5.)

SECT. 5A added, 1943, 409 § 2 (relative to the use of a general distinguishing mark or number on all motor vehicles under the control of the military forces); revised, 1948, 304.

SECT. 6, first sentence revised, 1939, 436 § 2.

SECT. 6A added, 1948, 432 § 3 (providing for special registration plates for antique motor cars).

SECT. 6B added, 1953, 2 § 2 (permitting the issuance of one number plate for each motor vehicle). (See 1953, 2 §§ 1, 3.)

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109; two sentences inserted after second sentence, 1959, 618 § 1; sentence added after fourth sentence, 1939, 153; sixth sentence (as appearing in 1933, 51) revised, 1960, 242; ninth sentence revised, 1949, 260; amended, 1951, 235; sentence inserted after ninth sentence, 1951, 370; eleventh sentence revised, 1952, 253; twelfth and thirteenth sentences stricken out and one sentence inserted, 1955, 124; sentence added at end of first paragraph, 1954, 570 § 1; paragraph added at end of section, 1941, 443. (See 1932, 123 § 2; 1954, 570 § 2; 1959, 618 § 2.)

SECT. 7A revised, 1932, 41, 271 § 2. (See 1932, 271 § 7.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus). (See 1932, 271 § 7.)

SECTS. 7A and 7B stricken out, and new sections 7A-7C inserted, 1945, 241 § 1. (See 1945, 241 § 3.)

SECT. 7A, first sentence amended, 1950, 140; first sentence stricken out and two sentences inserted, 1950, 525; first sentence amended, 1951, 416.

SECT. 7B, clause (1) revised, 1950, 502 § 2; clause (6) inserted, 1950, 459 § 1; clause (7) inserted, 1951, 196 § 1. (See 1950, 459 § 2.)

SECT. 7C revised, 1948, 307; first sentence amended, 1951, 419 § 1; sentence added at end, 1950, 502 § 3. (See 1951, 419 § 2.)

SECT. 7D added, 1947, 216 § 2 (making certain provisions of law relating to school buses applicable to certain motor vehicles used for the transportation of school children); revised, 1950, 502 § 4.

SECT. 7E added, 1949, 266 (relative to the display of red lights upon vehicles owned and operated by firemen and certain other persons); first sentence revised, 1954, 306; amended, 1956, 142.

SECT. 7F added, 1957, 136 (providing that the operator or attendant of an ambulance transporting sick or injured persons shall be trained in first aid).

SECT. 8 amended, 1934, 103; 1937, 284; next to last sentence revised, 1948, 399 § 1; sentence contained in lines 19-22 (as appearing in 1937, 284) stricken out, 1948, 619 § 1; first paragraph amended, 1955, 488 § 1; 1956, 388 § 1; 1957, 351; paragraph added at end, 1950, 655; section revised, 1958, 307; fourth sentence revised, 1960, 604; last paragraph stricken out, 1960, 582. (See 1948, 399 § 3, 619 §§ 2, 3; 1955, 488 § 3.)

SECT. 9 amended, 1934, 361; 1941, 283; first sentence revised, 1952, 244; first sentence stricken out and three sentences inserted, 1956, 85; third sentence revised, 1959, 259.

SECT. 9A revised, 1932, 168 § 1; 1935, 393 § 1; 1949, 358; 1952, 100. (See 1932, 168 §§ 2, 3; 1935, 393 § 2.)

SECT. 9B added, 1957, 471 (exempting certain motor vehicles owned by military personnel from registration for a limited period of time).

SECT. 10 amended, 1935, 219; second sentence stricken out and two sentences inserted, 1948, 130; third sentence revised, 1955, 314; paragraph added at end, 1950, 139.

SECT. 10A added, 1952, 126 (requiring operators of trackless trolleys to be licensed to operate motor vehicles); paragraph added at end, 1952, 287 § 1; section repealed, 1953, 276. (See 1952, 287 § 2.)

SECT. 11, first sentence revised, 1952, 377 § 2; sentence added at end, 1954, 446; section revised, 1956, 388 § 2.

SECT. 13, two sentences inserted after second sentence, 1950, 763; sentence added at end, 1949, 707; same sentence revised, 1950, 305.

SECT. 14 amended, 1938, 166; third sentence revised, 1947, 418; section revised, 1948, 324; third sentence revised, 1950, 502 § 6; 1951, 196 § 2; last sentence stricken out and two sentences inserted, 1957, 166.

SECT. 14A added, 1949, 279 (providing for the protection of blind persons while crossing ways).

SECT. 14B added, 1951, 649 (providing that motor vehicle operators give uniform signals on all ways); paragraph added at end, 1952, 321.

SECT. 15 amended, 1932, 271 § 5; 1933, 26 § 1; revised, 1951, 557. (See 1932, 271 § 7.)

SECT. 17, sentence added at end, 1932, 271 § 4; section amended, 1947, 406; revised, 1948, 564 § 1. (See 1932, 271 § 7.)

SECT. 18 amended, 1945, 125; revised, 1948, 564 § 2; first paragraph amended, 1956, 500; revised, 1960, 341; paragraph added at end, 1955, 135.

SECT. 19, last sentence revised, 1933, 332 § 3; 1935, 223 § 1; section revised, 1935, 326 (but see 1935, 465); amended, 1936, 388 § 1; revised,



1941, 314; first sentence amended, 1946, 380; last two sentences amended, 1945, 595 § 4; same sentences stricken out and four sentences inserted, 1946, 341; paragraph added at end, 1948, 394; section revised, 1951, 573; first paragraph amended, 1959, 378. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.) Affected, 1941, 589; 1951, 310.

SECT. 19A added, 1946, 397 § 1 (authorizing certain semi-trailer units and motor vehicles to travel upon public ways without certain permits); first paragraph revised, 1955, 736; paragraph added at end, 1951, 344, 617; third paragraph amended, 1956, 389 § 1; paragraph added at end, 1951, 782; last paragraph revised, 1952, 408; amended, 1956, 389 §§ 2, 61.

SECT. 19B added, 1951, 572 § 1 (relative to the dimensions of motor buses); amended, 1957, 258 § 1; revised, 1958, 190 § 1. (See 1951, 572 § 2; 1957, 258 § 2; 1958, 190 § 2.) Affected, 1951, 310.

SECT. 20, first sentence revised, 1951, 567; amended, 1956, 389 § 3.

SECT. 20A added, 1934, 368 § 1 (providing for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws); revised, 1935, 176; first paragraph revised, 1938, 201; first sentence revised, 1952, 193 § 1; first sentence revised, 1952, 193 § 2; amended, 1949, 425 § 1; third paragraph revised, 1949, 425 § 2; amended, 1952, 98; fifth paragraph revised, 1949, 425 § 3; sentence added at end, 1951, 69; section revised, 1953, 249 § 1; first paragraph amended, 1955, 386 § 1, 751 § 1; 1956, 404; second paragraph amended, 1960, 454; third paragraph amended, 1955, 386 § 2; paragraph added at end, 1954, 302. (See 1934, 368 § 2; 1949, 425 § 4; 1953, 249 §§ 2, 3; 1955, 751 § 2.)

SECT. 20B added, 1960, 810 (relative to the crossing of certain ways by pedestrians).

SECT. 21 amended, 1936, 406; 1954, 669.

SECT. 22, two paragraphs added at end, 1933, 191; first sentence (as appearing in 1933, 191) amended, 1941, 312.

SECT. 22A added, 1932, 304 § 1 (requiring the suspension of licenses to operate motor vehicles issued to persons who do not satisfy judgments in motor vehicle accident cases involving property damage); paragraph added at end, 1960, 327. (See 1932, 304 § 2.)

SECT. 23, first paragraph revised, 1954, 74; paragraph added at end, 1933, 69.

SECT. 24 amended, 1932, 26 § 1; first sentence amended, 1936, 182 § 1; sentence contained in lines 65-97 amended, 1935, 360; paragraph added at end, 1936, 182 § 2; section revised, 1936, 434 § 1; paragraph (1) (a) amended, 1938, 145; paragraph (1) (c) revised, 1939, 82; amended, 1955, 198 § 1; paragraph (1) (d) amended, 1955, 198 § 2; paragraph (2) (a) amended, 1937, 230 § 1; paragraph (2) (c) amended, 1937, 117; 1955, 198 § 3. (See 1937, 230 § 2.)

SECT. 24B added, 1960, 249 (providing a penalty for the altering, forging, or counterfeiting of a license to operate a motor vehicle or of a certificate of registration).

SECT. 26 revised, 1953, 570 § 2; 1956, 225.

SECT. 27 amended, 1949, 115 § 2; revised, 1953, 319 § 11; first sentence amended, 1953, 570 § 3. (See 1953, 319 §§ 39, 40.)

SECT. 28 revised, 1950, 536.

SECT. 29, last sentence amended, 1932, 26 § 2; section amended, 1935, 477 § 1; second sentence revised, 1936, 391; first four sentences revised,

1947, 508; 1949, 557; two sentences inserted after fourth sentence, 1959, 610; sixth sentence amended, 1952, 15; last two sentences revised, 1938, 146.

SECT. 29A added, 1953, 570 § 4 (relative to notice by police officers and certain others of violations of the motor vehicle laws).

SECT. 30, second sentence revised, 1956, 351.

SECT. 31 revised, 1948, 201 § 2. (See 1948, 201 § 4.)

SECT. 31A, last sentence revised, 1956, 387.

SECT. 32, first sentence revised, 1953, 196.

SECT. 32A, first paragraph revised, 1958, 278; paragraph added at end, 1949, 321; first sentence of said paragraph revised, 1954, 392; fifth sentence revised, 1951, 418; 1957, 307.

SECT. 32B repealed, 1934, 209 § 2. (See 1934, 209 § 3.)

SECTS. 32C-32F added, 1934, 209 § 1 (further regulating the business of leasing motor vehicles upon a mileage basis). (See 1934, 209 § 3.)

SECT. 32E, paragraph added at end, 1959, 282 § 1. (See 1959, 282 § 6.)

SECT. 32G added, 1953, 563 (relative to licensing of persons engaged in the business of giving instruction in the driving of motor vehicles); first paragraph amended, 1960, 467; paragraph inserted after first paragraph, 1957, 628; fourth paragraph revised, 1956, 383 § 1; eleventh paragraph revised, 1956, 383 § 2.

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; third paragraph (as appearing in 1932, 249 § 1) revised, 1948, 572 § 2; fourth paragraph (as so appearing) amended, 1933, 183 § 1; revised, 1948, 584 § 2; fifth paragraph (as so appearing) revised, 1947, 666 § 3; paragraph in lines 21-41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332 § 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last sentence revised, 1947, 463; sixth paragraph (inserted by 1935, 409 § 1) revised, 1951, 630 § 1; paragraph inserted after subdivision (6), 1948, 432 § 2; paragraph in lines 69-75 (as appearing in the Ter. Ed.) revised, 1948, 511 § 7; paragraph inserted after "registrar" in line 75 (as appearing in the Ter. Ed.) 1947, 401 § 2; same paragraph revised, 1948, 511 § 7; paragraph in lines 85-87 (as appearing in the Ter. Ed.) revised, 1948, 399 § 2, 619 § 2; paragraph inserted, 1950, 306; last paragraph amended, 1936, 401; paragraph added at end, 1949, 644 § 4; section revised, 1951, 699 § 1; paragraph inserted after paragraph numbered (6), 1952, 173 § 1; fifteenth paragraph revised, 1951, 736 § 3; twenty-fourth paragraph revised, 1952, 459; section revised, 1952, 540; third paragraph revised, 1954, 241; first sentence of fifth paragraph revised, 1953, 304; sentence inserted, 1953, 607; subdivision (3) revised, 1956, 569; eleventh paragraph of subdivision (7) revised, 1959, 414; fourteenth paragraph of subdivision (7) revised, 1955, 488 § 2; section revised, 1959, 571 § 1; eleventh paragraph of subdivision (7) revised, 1960, 580. (See 1932, 249 § 2; 1933, 183 § 2, 332 § 5; 1935, 409 § 2; 1936, 380 § 2; 1947, 401 § 3, 666 § 4; 1948, 368, 399 § 3, 572 § 3, 619 § 3; 1951, 630 § 2, 699 § 5, 736 § 5; 1952, 173 § 2; 1955, 488 § 3; 1959, 571 § 2.)

SECT. 33A added, 1958, 6 § 2 (confirming the validity of the signature on certain certificates of registration and certain licenses to operate motor vehicles).

SECT. 34, four words stricken out, 1933, 197 § 3; first paragraph amended, 1934, 364 § 1; section revised, 1943, 427 § 2. (See 1934, 364 § 3.)

SECT. 34A, paragraph defining "certificate" revised, 1945, 384 § 1; amended, 1949, 571 § 1; new paragraph (defining "guest occupant") added, 1935, 459 § 1; paragraph defining "motor vehicle liability bond" revised, 1935, 459 § 2; amended, 1959, 282 § 2; paragraph defining "motor vehicle liability policy" revised, 1935, 459 § 2; amended, 1959, 282 § 3. (See 1935, 459 § 5; 1945, 384 § 3; 1959, 282 § 6.)

SECT. 34B, second paragraph revised, 1933, 83 § 1; 1935, 302; fourth paragraph revised, 1933, 83 § 2; fifth paragraph revised, 1949, 571 § 2. (See 1933, 83 § 3.)

SECT. 34C amended, 1932, 180 § 13; 1949, 571 § 3.

SECT. 34D revised, 1935, 459 § 3; 1949, 571 § 4; first sentence amended, 1959, 282 § 4; last sentence revised, 1950, 162 § 3; 1954, 126 § 3. (See 1935, 459 § 5.)

SECT. 34E revised, 1949, 571 § 5.

SECT. 34F revised, 1949, 571 § 6.

SECT. 34H, first paragraph amended, 1933, 119 § 4; second paragraph amended, 1948, 39; second paragraph stricken out and two paragraphs inserted, 1960, 332; paragraph inserted after third paragraph, 1933, 119 § 5. (See 1933, 119 § 6.)

SECT. 34I revised, 1949, 571 § 7.

SECT. 34J, sentence added at end, 1959, 282 § 5.

SECT. 34K added, 1960, 360 (relative to the cancellation of compulsory motor vehicle liability insurance).

**Sects. 35-43 and 44-50 inc. (inserted by 1935, 418 § 2, as amended) and sect. 43A (inserted by 1938, 417 § 9) stricken out and new sections 35-52 inserted, 1939, 393 § 3 (further revising the laws relative to aviation). (See 1939, 393 §§ 4-6.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to sections 35 to 52 as so inserted:**

SECT. 35, paragraph defining "Airport" amended, 1941, 537 § 1; paragraph inserted after said paragraph, 1941, 537 § 2; paragraph defining "Landing field" amended, 1941, 537 § 3; two paragraphs added at end, 1941, 537 § 4; section revised, 1946, 507; "Navigable Air Space" defined, 1947, 292.

SECTS. 35A-35D added, 1960, 756 § 1 (limiting the height of certain structures within the approaches to certain airports). (See 1960, 756 § 2.)

SECTS. 36-38 repealed, 1946, 583 § 2. (See G. L. 6 §§ 57-59. See also 1946, 583 §§ 1, 4.)

SECT. 39, first paragraph revised, 1941, 695 § 13; section revised, 1946, 583 § 3; first paragraph revised, 1948, 637 § 10. (See 1946, 583 § 5; 1948, 637 §§ 4-9, 13, 663 § 4.)

- SECTS. 39A-39F added, 1946, 607 § 1 (relative to a state airport plan).  
SECT. 39A, paragraph added at end, 1953, 524 § 1.  
SECT. 39B, paragraph inserted after first paragraph, 1948, 505.  
SECT. 39C revised, 1949, 762 § 1. (See 1949, 762 § 2.)  
SECT. 39D repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)  
SECT. 39F revised, 1947, 593 § 4; paragraph added at end, 1953, 524 § 2. (See 1953, 524 § 3.)  
SECT. 39G added, 1947, 593 § 5 (making certain provisions of law relating to airports in municipalities applicable to airports in counties).  
SECT. 40 revised, 1946, 582 § 1; paragraph added at end, 1949, 60; revised, 1955, 189; two paragraphs added at end, 1956, 337.  
SECTS. 40A-40I inserted, 1941, 537 § 5 (relative to protecting the approaches to publicly owned airports).  
SECT. 40A, fifth sentence amended, 1950, 421.  
SECT. 41 revised, 1946, 582 § 2.  
SECT. 42 amended, 1941, 537 § 6.  
SECT. 43 revised, 1946, 582 § 3.  
SECT. 44 amended, 1941, 537 § 7.  
SECT. 45 amended, 1941, 537 § 8; revised, 1947, 319.  
SECT. 49A added, 1949, 115 § 1 (relative to court records of cases involving violations of aeronautical laws, rules and regulations); amended, 1953, 319 § 12. (See 1953, 319 §§ 39, 40.)  
SECTS. 49B-49T added, 1955, 666 § 1 (requiring owners and operators of aircraft involved in accidents to provide security for payment of damages in certain cases). (See 1955, 666 § 2.)  
SECTS. 50A-50L added, under caption, 1948, 637 § 3 (relative to the management of state-owned airports). (See 1948, 637 §§ 4-9, 13, 663 § 4.)  
SECT. 50C, paragraph added at end, 1951, 672 § 1. (See 1951, 672 §§ 2, 3.)  
SECT. 50D, first sentence amended, 1949, 762 § 3; first paragraph amended, 1955, 452; paragraph inserted after first paragraph, 1958, 275.  
SECT. 50F, sentence added at end, 1948, 663 § 2; third paragraph revised, 1949, 763. (See 1948, 663 §§ 4, 5; 1949, 745 § 2.)  
SECT. 50H, sentence added at end, 1948, 663 § 3. (See 1948, 663 §§ 4, 5.)  
SECT. 51 stricken out, 1946, 613 § 1.  
SECTS. 51A-51B added, 1946, 582 § 4 (relative to the supervision of state airports by airport managers and to the leasing thereof); repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)  
SECTS. 51C-51L added, 1946, 613 § 1 (relating to the acquisition, establishment, maintenance, operation and regulation of airports by the commonwealth and the cities and towns thereof).  
SECT. 51C repealed, 1948, 637 § 11. (See 1948, 637 §§ 4-9, 13.)  
SECT. 51E, sentence inserted after first sentence, 1948, 481; second and third sentences revised, 1947, 70; last sentence stricken out and five sentences inserted, 1947, 593 § 1.  
SECT. 51F revised, 1949, 769 § 1.  
SECT. 51H revised, 1949, 769 § 2.  
SECT. 51I revised, 1947, 593 § 2.  
SECT. 51K revised, 1947, 593 § 3.

SECT. 51M added, 1947, 332 (prohibiting the granting of exclusive franchises for transportation of persons at airports publicly owned or controlled, or constructed wholly or partly with public funds).

SECT. 51N added, 1947, 501 (authorizing municipalities to establish, maintain and operate airports as joint enterprises).

#### **Chapter 90A. — The Highway Safety Act.**

**New chapter inserted, 1953, 570 § 1.**

SECT. 1 revised, 1954, 425; amended, 1960, 522 § 1. (See 1960, 522 § 2.)

Caption preceding section 5 stricken out, 1960, 390.

SECTS. 5 and 6 repealed, 1960, 390.

SECT. 7, first sentence amended, 1956, 646; section repealed, 1960, 390.

SECT. 7A added, 1955, 417 (relative to the assessment of points under highway safety act and merit rating system); repealed, 1960, 390.

SECT. 8 repealed, 1960, 390.

SECT. 8A added, 1956, 178 (providing that no points shall be charged against an owner or licensed operator before final disposition of an appeal in court); repealed, 1960, 390.

SECTS. 9 and 10 repealed, 1960, 390.

SECT. 11 repealed, 1956, 201 § 1. (See 1956, 201 § 2.)

SECTS. 12-15, 17 repealed, 1956, 51 § 1.

SECT. 16 amended, 1956, 51 § 2; repealed, 1960, 390.

#### **Chapter 90B. — Motorboats and Other Vessels.**

**New chapter inserted, 1960, 275 § 2.**

#### **Chapter 91. — Waterways.**

SECT. 9A added, 1938, 407 § 2 (providing a method for the development of waterfront terminal facilities).

SECT. 11, first sentence revised, 1950, 516; 1955, 5; amended, 1955, 448 § 1; sentence inserted after first sentence, 1955, 448 § 2.

SECT. 12A added, 1939, 513 § 6 (licensing and otherwise regulating structures, filling and excavations in certain rivers and streams).

SECT. 16 amended, 1954, 568 § 3.

SECT. 18, second sentence amended, 1956, 528.

SECT. 19A added, 1954, 258 (regulating the lowering of waters of a great pond).

SECT. 27, paragraph added at end, 1937, 372 § 2; sentence added at end, 1950, 768.

SECT. 29 revised, 1950, 524.

SECT. 30A added, 1950, 214 (prohibiting the removal of certain natural barriers which furnish protection against erosion by the sea).

SECT. 46A added, 1935, 362 § 1 (penalizing the unlicensed breaking up or altering of vessels, scows, lighters or certain other structures).

SECT. 49 revised, 1935, 362 § 2.

SECT. 49A added, 1955, 464 (providing for the removal of certain whales or other mammals from tidewaters or shores of the commonwealth).

SECTS. 60-62 added, 1953, 666 § 2 (transferring the control of Salis-

bury Beach Reservation to the division of public beaches in the department of public works).

SECT. 60 amended, 1958, 640 § 7.

SECT. 61, first paragraph amended, 1958, 640 § 8; paragraph added at end, 1954, 533.

SECT. 62 amended, 1958, 640 § 9.

**Chapter 91A. — Port of Boston Commission (formerly entitled Port of Boston Authority).**

**New chapter inserted, 1945, 619 § 3. (See 1945, 619 §§ 4–11.)**

SECT. 1, section and caption preceding it revised, 1953, 608 § 5. (See 1953, 608 §§ 13–16.)

SECT. 2 revised, 1951, 457 § 1. (See 1951, 457 §§ 3, 4.)

SECT. 3 amended, 1951, 457 § 2; revised, 1953, 608 § 6. (See 1951, 457 §§ 3, 4.)

SECT. 4 amended, 1947, 413 § 1; 1953, 608 § 7.

SECT. 5 amended, 1953, 608 § 8.

SECT. 6 amended, 1953, 608 § 9; revised, 1955, 577 § 1. (See 1955, 577 § 2.)

SECT. 7 amended, 1953, 608 § 10.

SECT. 8 amended, 1953, 608 § 11; repealed, 1954, 568 § 4.

SECT. 9 amended, 1953, 608 § 12.

**Chapter 92. — Metropolitan Sewers, Water and Parks.**

For legislation abolishing the Metropolitan District Water Supply Commission and transferring its functions to the Metropolitan District Commission, see 1947, 583.

SECT. 1 amended, 1946, 367 § 1; 1950, 648 § 1; section and caption preceding it stricken out and sections 1 and 1A inserted under the caption "Metropolitan Sewerage District", 1959, 612 § 2. (See 1946, 367 § 2; 1959, 612 §§ 6–10.)

SECTS. 5 and 6 stricken out and sections 5, 5A, 5B and 6 inserted, 1959, 612 § 3. (See 1959, 612 §§ 5–10.)

SECT. 8 amended, 1946, 432 § 5.

SECT. 9A added, under caption, 1952, 559 § 1 (providing for the construction and operation of metropolitan refuse disposal incinerators); first sentence revised, 1954, 495 § 1; 1955, 773 § 1. (See 1952, 559 §§ 2, 3; 1954, 495 § 2; 1955, 773 § 2.)

SECT. 10 revised, 1943, 543 § 1; 1945, 587 § 1; paragraph (2) amended, 1946, 549 § 1; paragraph (3) amended, 1947, 575 § 1; 1949, 385 § 1; paragraph (4) amended, 1946, 549 § 2; paragraph (5), sentence added at end, 1946, 549 § 3; paragraph (6) revised, 1946, 549 § 4; paragraph (10) amended, 1946, 243, 549 § 5; 1953, 373; paragraph (12) revised, 1947, 575 § 2. (See 1943, 543 §§ 1A, 3; 1945, 587 § 5; 1947, 575 §§ 3–6; 1949, 494.)

SECT. 13 amended, 1950, 518 § 2.

SECT. 17, paragraph added at end, 1945, 693 § 1.

SECT. 26, first paragraph revised, 1943, 543 § 2; first two paragraphs revised, 1945, 587 § 2; second paragraph amended, 1946, 432 § 6; first two paragraphs revised, 1946, 549 § 6; first paragraph stricken out and five paragraphs inserted, 1953, 618. (See 1945, 587 §§ 4, 5.)

SECTS. 26A and 26B added, 1945, 587 § 3 (fixing the price for water furnished to municipalities by the metropolitan water district and providing for a state borrowing to ensure the maintenance of the price as fixed and providing for disposition of the excess in the metropolitan water works sinking fund).

SECT. 26A, first two sentences revised, 1946, 549 § 7.

SECT. 43 amended, 1950, 518 § 3.

SECT. 46 revised, 1948, 550 § 7.

SECT. 48 amended, 1934, 266 § 1. (See 1934, 266 § 4.)

SECTS. 55 and 56 stricken out and section 55 inserted, 1949, 554 § 1.

SECT. 56 revised, 1933, 197 § 1; sentence added at end, 1939, 429 § 1; section stricken out, 1949, 554 § 1. (See 1939, 429 §§ 2, 4.)

SECT. 57 amended, 1933, 197 § 2; 1949, 554 § 2.

SECT. 58 amended, 1946, 432 § 7.

SECT. 59 amended, 1949, 554 § 3.

SECT. 59A added, 1945, 637 § 7 (relative to annual assessments upon municipalities of the metropolitan districts for maintenance); sentence added at end, 1946, 432 § 8; section revised, 1959, 612 § 4. (See 1945, 279; 1959, 612 § 10.)

SECT. 60 revised, 1939, 429 § 3; last sentence revised, 1946, 432 § 9. (See 1939, 429 § 4.)

SECT. 60A added, 1937, 352 § 1 (regulating the making and awarding of certain contracts by the metropolitan district commission and metropolitan district water supply commission); repealed, 1941, 547 § 2. (See 1937, 352 § 2; 1941, 547 § 1.)

SECT. 61, first sentence revised, 1954, 162 § 2.

SECT. 62 revised, 1938, 396; amended, 1941, 658 § 1; revised, 1950, 730 § 1. (See 1941, 658 § 2; 1950, 730 § 2.)

SECT. 62A added, 1937, 416 § 1 (providing for a reserve police force for the metropolitan district commission); revised, 1939, 441 § 1. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 62B added, 1951, 612 (relative to compensation for metropolitan district police for overtime service).

SECT. 63 repealed, 1937, 416 § 2. (See 1937, 416 § 5; 1939, 441 § 3.)

SECT. 63B added, 1948, 653 (providing for the reimbursement of metropolitan district police officers for injuries or damages sustained by them in the line of duty).

SECT. 93 amended, 1934, 266 § 2. (See 1934, 266 § 4.)

SECT. 94 amended, 1934, 266 § 3. (See 1934, 266 § 4.)

SECT. 95A added, 1950, 518 § 1 (relative to the granting of permits by the metropolitan district commission for projections over property under its control).

SECT. 99 repealed, 1947, 530.

SECT. 100 revised, 1939, 499 § 7; 1945, 292 § 9. (See 1945, 637 § 8.)

#### Chapter 92A. — Massachusetts Public Building Commission.

New chapter inserted, 1947, 466 § 3. (See 1947, 466 §§ 4-6.)

For prior temporary legislation, see 1933, 365, 368; 1934, 41; 1935, 380; 1937, 338; 1938, 20, 501 § 3; 1939, 417, 418; 1941, 720 § 16; 1943, 517 § 3.

Chapter repealed, 1953, 612 § 8. (See 1953, 612 §§ 10-13.)

**Chapter 93. — Regulation of Trade and Certain Enterprises.**

SECT. 8, sentence added at end, 1938, 410 § 2.

SECTS. 14A–14D added, under caption, 1937, 398 (protecting trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name).

SECT. 14A amended, 1939, 231.

SECT. 14B amended, 1939, 313.

SECT. 14C revised, 1943, 40.

SECTS. 14E–14K added, under caption, 1938, 410 § 1 (defining and prohibiting unfair sales practices, with a view to preventing the advertising or offering for sale, or the selling below cost, of merchandise for the purpose of injuring competitors or destroying competition). (See 1941, 715.)

SECT. 14E, paragraphs (a) and (b) amended, 1939, 189 § 1; paragraph (h) added at end, 1939, 189 § 2.

SECT. 14F revised, 1941, 494.

SECT. 14I revised, 1958, 633 § 4.

SECTS. 14L–14R added, under caption, 1958, 632 § 1 (regulating trading stamp companies). (See 1958, 632 § 2.)

SECT. 18A added, 1953, 211 (requiring laundries and dry cleaning establishments to file their identification markings with the commissioner of public safety).

Caption preceding section 21 amended, 1939, 343 § 3.

SECT. 21 amended, 1939, 343 § 1; 1941, 583 § 1; 1954, 257 § 1; revised, 1955, 371 § 1.

SECTS. 21A–21D added, 1941, 583 § 2 (defining and further regulating private trade schools).

SECT. 21A revised, 1954, 257 § 2; 1955, 371 § 2; paragraph added at end, 1956, 437.

SECT. 21B revised, 1952, 499 § 3; amended, 1954, 257 § 3; revised, 1955, 371 § 3.

SECT. 21C amended and sentence added at end, 1954, 681 § 6. (See 1954, 681 §§ 20, 22.)

SECT. 21D amended, 1954, 257 § 4; revised, 1955, 371 § 4.

SECT. 22 amended, 1939, 343 § 2; 1941, 583 § 3.

SECT. 24 revised, 1949, 711 § 1.

SECT. 24A added, 1949, 711 § 2 (relative to licenses for the conduct of collection agencies).

SECTS. 28A–28D added, under heading “REGULATING CLOSING OUT SALES, SO CALLED, AND SIMILAR TYPES OF SALES”, 1938, 165.

SECT. 28A revised, 1939, 207; 1948, 550 § 8; 1950, 473; 1953, 164 § 1; amended, 1955, 217.

SECT. 28B stricken out, 1953, 164 § 2.

SECT. 28D amended, 1958, 178 § 1.

SECT. 28E added, 1950, 511 (granting to the superior court jurisdiction in equity to restrain certain violations of the law regulating closing out sales); amended, 1958, 178 § 2.

SECT. 28F added, 1958, 178 § 3 (regulating fire sales, so called, and similar types of sales).



SECT. 29, heading and section amended, 1946, 612 § 3; section revised, 1955, 584 § 4; fourth sentence amended, 1958, 143. (See 1946, 612 §§ 5, 6; 1955, 584 §§ 9, 10.)

SECT. 29A added, 1955, 584 § 5 (relative to notice and hearings on objections to applications for certain permits, and on appeals from decisions of the director of the board of outdoor advertising). (See 1955, 584 §§ 8-10.)

SECT. 30 revised, 1945, 233.

SECT. 30A revised, 1946, 612 § 4; 1955, 584 § 6. (See 1955, 584 §§ 8-10.)

SECT. 31 revised, 1955, 584 § 7. (See 1955, 584 §§ 9, 10.)

SECT. 34, sentence added at end, 1959, 202 § 2. For temporary act to enable savings banks and certain other banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

#### Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

SECT. 1, paragraph in lines 128-132 (defining "pasteurized milk") revised, 1932, 158; section amended in part, 1933, 67 §§ 1-5; paragraph (defining "half and half") added, 1955, 757 § 1; paragraph (defining "milk plant" and "manufactory") added, 1933, 338 § 1; paragraph in lines 30-36 (defining "butter" and "cheese") stricken out and new paragraph defining "butter" inserted, 1937, 335 § 1; paragraph in line 40 reading, "cheese", see "butter", stricken out and four new paragraphs inserted, 1937, 335 § 2 (defining cheese and cream cheese); paragraph in lines 41-45 ("Closed package") stricken out, 1959, 528 § 1; paragraph (defining "bakery") amended, 1937, 362 § 1; paragraphs in lines 148-164 (defining "agricultural seeds" or "agricultural seed", "noxious weed seeds" and "weed seeds") revised and definition of "vegetable seeds" added, 1938, 363 § 1; paragraphs in lines 165-169 (defining "Inert matter" and "Lot") stricken out, 1959, 396 § 1; last four definitions stricken out, 1946, 377 § 1; five paragraphs (defining "enriched bread", "enriched flour", "person", "rolls" and "white bread") added, 1948, 444 § 1; paragraph (defining "food") revised, 1949, 334 § 9; 1956, 663 § 1; paragraph (defining "garnetted clippings") added, 1957, 581 § 1; stricken out, 1959, 611 § 1; paragraph in lines 170-173 (defining "Article of bedding") stricken out, 1959, 611 § 1; paragraph (defining "New") revised, 1957, 581 § 2; stricken out, 1959, 611 § 1; paragraph in lines 177-181 revised, 1939, 196 § 1; stricken out, 1959, 611 § 1; paragraph (defining "Used or used material") added, 1957, 581 § 3; stricken out, 1959, 611 § 1; paragraph in lines 182-185 (defining "Article of upholstered furniture") stricken out, 1959, 611 § 1. (See 1937, 362 § 7.)

SECT. 6 amended, 1937, 362 § 2. (See 1937, 362 § 7.)

SECT. 7 amended, 1941, 490 § 19.

SECT. 8 revised, 1937, 53.

SECT. 9 amended, 1939, 261 § 6.

SECTS. 9A-9M added, 1937, 362 § 3 (changing the position in the General Laws of certain provisions of law relative to bakeries). (For prior legislation, see G. L. chap. 111 §§ 34-43, 46-49, repealed by 1937, 362 § 6.) (See 1937, 362 §§ 6, 7.)

SECT. 10 amended, 1937, 362 § 4. (See 1937, 362 § 7.)

SECTS. 10A–10E stricken out, and new sections 10A–10G (regulating the manufacture, bottling and sale of certain non-alcoholic beverages) inserted, 1935, 441.

SECT. 10F amended, 1941, 119.

SECTS. 10H–10K added, under caption, 1948, 444 § 2 (relative to enrichment of bread and flour).

SECTS. 12–48A. For temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see note to G. L. chapter 94A, inserted by 1941, 691 § 2.

SECT. 12 stricken out, and new section 12 (relative to standards for milk and cream) inserted, 1955, 757 § 2.

SECT. 12A added, 1955, 757 § 2 (defining “fortified non-fat milk”).

SECT. 12B added, 1955, 757 § 2 (defining “standardized milk”).

SECTS. 13, 14, 14A and 15 stricken out, and new sections 13–13E (relative to the grading of milk) inserted, 1933, 263 § 1. (See 1933, 263 § 3.)

SECT. 13A revised, 1948, 227.

SECT. 16 stricken out and sections 16–16I (regulating the production, sale and distribution of milk) inserted, 1932, 305 § 3. (See 1932, 305 §§ 5, 6.)

SECT. 16C amended, 1941, 374; revised, 1946, 467.

SECT. 16F revised, 1960, 687.

SECTS. 16J–16L added, 1946, 542 (relative to the regulation of transportation, handling and sale of milk).

SECT. 16K revised, 1947, 379.

SECT. 17A amended, 1933, 124.

SECT. 18 revised, 1933, 263 § 2. (See 1933, 263 § 3.)

SECT. 19, last paragraph revised, 1955, 757 § 3.

SECT. 20 revised, 1939, 212.

SECT. 29A revised, 1933, 253; 1946, 447 § 1.

SECT. 30 revised, 1933, 253; 1946, 447 § 2.

SECT. 31 revised, 1933, 253; 1946, 447 § 3.

SECT. 40 amended, 1941, 298; fourth sentence revised, 1955, 757 § 4.

SECT. 42A stricken out, and new sections 42A–42K (requiring dealers in milk or cream to be licensed and bonded) inserted, 1933, 338 § 2; affected, 1939, 421.

SECT. 42A amended, 1935, 126.

SECT. 42F revised, 1934, 180 § 1.

SECT. 42H, paragraph 2 revised, 1934, 180 § 2.

SECT. 43 revised, 1932, 305 § 4; amended, 1935, 88; first paragraph amended, 1936, 210. (See 1932, 305 §§ 5, 6.)

SECT. 45 revised, 1935, 317; 1948, 550 § 9.

SECT. 46, sentence added at end, 1955, 757 § 5.

SECT. 48 revised, 1955, 757 § 6.

SECT. 48B added, 1935, 259 (requiring institutions supported wholly or in part by funds of the commonwealth to use milk, other than cream and certified milk, produced within the commonwealth).

SECT. 48C added, 1939, 317 (regulating the manufacture, sale and delivery of certain milk beverages, so called); revised, 1955, 757 § 7.

SECT. 48D added, 1955, 757 § 8 (relative to the blending of milk and cream, establishing sanitary and labelling requirements, and providing penalties for violations thereof).

SECT. 48E added, 1960, 43 (regulating the manufacture and sale of cultured milk products).

SECT. 49, sentence added at end, 1948, 453 § 3.

SECT. 50 amended, 1937, 335 § 3.

SECT. 52 amended, 1948, 550 § 10; revised, 1949, 297 § 2; repealed, 1954, 262.

SECT. 54 amended, 1948, 453 § 1.

SECTS. 56 and 57 repealed, 1954, 262.

SECT. 58 amended, 1948, 453 § 2.

SECT. 60 revised, 1934, 373 § 2; amended, 1957, 356 § 1.

SECT. 61A added, 1937, 335 § 4 (relative to the manufacture and sale of certain cheese).

SECTS. 64, 64A, 65, 65A, 65B, 65E and 65F, and the caption of said section 64, stricken out, and sections 65G–65S inserted, under caption “FROZEN DESSERTS AND ICE CREAM MIX”, 1934, 373 § 1; caption stricken out and new caption “FROZEN DESSERTS AND FROZEN DESSERT MIX” inserted, 1957, 356 § 2. (See 1934, 373 § 8.)

SECT. 65G, “Buttermilk powder” defined, 1960, 45 § 2; “Frozen dessert mix” defined, 1957, 356 § 3; definition of “Ice Cream” revised, 1950, 236; “Ice milk mix” defined, 1957, 356 § 4; definition of “Milk product” revised, 1959, 468 § 1; 1960, 45 § 1; definition of “Stabilizer” revised, 1954, 664 § 1; “Sugar” defined, 1954, 664 § 2; “Whey powder” defined, 1959, 468 § 2.

SECT. 65H revised, 1957, 356 § 5.

SECT. 65I revised, 1957, 356 § 6.

SECT. 65J, second paragraph revised, 1937, 341 § 1.

SECT. 65L, subdivision (c) amended, 1937, 341 § 2; section revised, 1957, 356 § 7.

SECT. 65M revised, 1957, 356 § 8.

SECT. 65N revised, 1957, 356 § 9.

SECT. 65O revised, 1957, 356 § 10.

SECT. 65P, paragraph (f) added at end, 1937, 341 § 3; revised, 1957, 356 § 11.

SECT. 65Q revised, 1957, 356 § 12.

SECT. 66A added, 1945, 109 (making certain laws relative to cold storage warehouses inapplicable to locker plants, so called).

SECT. 73A added, under caption, 1959, 423 (regulating the storage and transportation of frozen food).

SECT. 74 revised, 1933, 329 § 5; repealed, 1941, 598 § 2.

SECT. 74A added, 1933, 329 § 6 (definition of “fish”); repealed, 1941, 598 § 2.

SECTS. 75 and 76 repealed, 1933, 329 § 7.

SECT. 77, first sentence stricken out, 1933, 329 § 8; repealed, 1941, 598 § 2.

SECT. 77A added, 1934, 216 (regulating the importation of fresh swordfish).

SECT. 78 revised, 1933, 329 § 9; repealed, 1941, 598 § 2.

SECT. 78A added, 1933, 329 § 10 (prohibiting certain misrepresentations in the sale of lobsters); repealed, 1941, 598 § 2.

SECT. 79 repealed, 1933, 329 § 7.

SECT. 80 repealed, 1941, 598 § 2.

SECT. 81 revised, 1933, 329 § 11; 1939, 491 § 10; repealed, 1941, 598 § 2. (See 1939, 491 § 12.)

SECT. 82 repealed, 1941, 598 § 2.

SECT. 83 revised, 1933, 329 § 12; repealed, 1941, 598 § 2.

SECT. 85 amended, 1939, 261 § 7.

SECT. 86, two sentences added at end, 1955, 415.

SECT. 88A revised, 1933, 329 § 13; repealed, 1941, 598 § 2.

SECT. 88B added, 1936, 176 (requiring that shucked scallops and quahaugs in the shell be sold only by weight).

SECT. 90A added, 1935, 369 (relative to the sale and distribution of eggs).

SECT. 90B added, 1938, 404 (establishing standard sizes in connection with the sale and distribution of eggs); revised, 1951, 266.

SECT. 92B added, under caption, 1935, 97 (requiring the retail sale of meats and poultry to be by weight); section and caption preceding section revised, 1959, 219.

SECT. 98 amended, 1939, 261 § 8.

SECT. 99A amended, 1939, 261 § 9; sentence inserted after fourth sentence, 1952, 121.

SECT. 100 repealed, 1959, 528 § 2.

SECTS. 101-109 stricken out, and new sections 101-109 inserted, 1959, 528 § 3.

SECT. 117A, first sentence amended, 1951, 600 § 1. (See 1951, 600 § 3.)

SECTS. 117G-117L added, under caption, 1951, 600 § 2 (relative to the grading and marking of potatoes). (See 1951, 600 § 3.)

SECT. 118 amended, 1943, 332 § 1.

SECT. 119 amended, 1943, 332 § 2; 1949, 334 § 1.

SECT. 120 amended, 1943, 332 § 3; revised, 1949, 334 § 2.

SECT. 120A amended, 1943, 332 § 4; revised, 1949, 334 § 3.

SECT. 123 amended, 1932, 180 § 15; 1943, 332 § 5.

SECT. 124 revised, 1943, 508 § 1.

SECT. 126 amended, 1946, 213 § 1.

SECT. 128 amended, 1946, 213 § 2.

SECT. 129 revised, 1946, 213 § 3; amended, 1949, 334 § 4.

SECT. 130 amended, 1946, 213 § 4; 1949, 334 § 5.

SECT. 131 revised, 1943, 332 § 6; 1949, 334 § 6; first paragraph amended, 1952, 201; paragraph added at end, 1950, 317.

SECT. 132 amended, 1949, 334 § 7.

SECT. 133 amended, 1943, 332 § 7; 1946, 213 § 5.

SECT. 133A added, 1946, 213 § 6 (further regulating the slaughtering of certain animals).

SECT. 134 amended, 1946, 213 § 7.

SECT. 135 amended, 1943, 332 § 8.

SECT. 137 amended, 1949, 334 § 8.

SECT. 138 amended, 1943, 508 § 2.

SECT. 139 amended, 1946, 213 § 8.

SECT. 139A added, 1945, 679 (relative to the establishment and operation of poultry slaughtering houses); last paragraph revised, 1948, 339; 1955, 289.

SECT. 139B added, 1956, 712 § 1 (to protect the public against the sale of unwholesome poultry). (See 1956, 712 § 2.)

SECTS. 139C-139G added, 1960, 444 § 1 (requiring the humane slaughtering of livestock). (See 1960, 444 §§ 2, 3.)

SECTS. 143B and 143C added, 1956, 693 (permitting the manufacture of sausage contained in colored casings and regulating the sale thereof).

SECT. 146, first paragraph amended, 1934, 340 § 6; 1943, 508 § 3; second paragraph amended, 1952, 387. (See 1934, 340 § 18.)

SECT. 148, second paragraph amended, 1934, 340 § 6A. (See 1934, 340 § 18.)

SECT. 151 revised, 1943, 508 § 4.

SECT. 151A added, 1948, 189 (regulating the sale of horse meat for food in certain places); revised, 1953, 136.

SECTS. 152A-152C added, 1934, 296 (relative to the sale and transportation of poultry).

SECT. 152A amended, 1935, 157 § 1; 1949, 446 § 1; definitions of "poultry sold or used for food" and "producer" inserted, 1955, 515 § 1.

SECT. 152B revised, 1935, 157 § 2.

SECT. 152D added, 1949, 446 § 2 (relative to the bonding of licensees engaged in the business of buying or selling poultry).

SECTS. 152E-152G added, 1955, 515 § 2 (making the protection under the poultry bonding law applicable only to poultry producers).

SECT. 153A added, 1933, 116 (relative to the sale of meat and meat products containing certain preservatives); revised, 1933, 311; 1945, 165.

SECT. 156, second paragraph amended, 1960, 625.

SECT. 172 revised, 1939, 122.

SECT. 174A added, 1945, 92 § 1 (fixing standard weights of containers for certain flours, etc.); revised, 1946, 92.

SECT. 175 repealed, 1945, 92 § 2.

SECT. 177 revised, 1946, 176; amended, 1960, 243.

SECT. 181 amended, 1939, 261 § 10; revised, 1960, 244.

SECT. 182 amended, 1939, 261 § 11.

SECT. 184 amended, 1939, 261 § 12.

SECT. 185A repealed, 1937, 341 § 4.

SECT. 186 revised, 1948, 598 § 1.

SECT. 187 revised, 1948, 598 § 2; paragraph in lines 65-67 revised, 1954, 577 § 1; stricken out and two paragraphs inserted, 1957, 284; definitions of "Oral prescription", "Written prescription" and "Pharmacist" inserted, 1954, 577 § 2.

SECT. 187A added, 1948, 598 § 3 (further regulating the sale of certain harmful drugs); revised, 1954, 577 § 3; first paragraph amended, 1955, 718 § 1; second paragraph amended, 1956, 299 § 1; fourth paragraph amended, 1956, 299 § 2; last paragraph revised, 1960, 200. (See 1954, 577 § 4.)

SECTS. 187B and 187C added, 1955, 610 (relative to the illegal possession of harmful drugs and the reporting of harmful drug intoxication to the department of public health).

SECT. 187D added, 1955, 718 § 2 (providing a penalty for the unauthorized making or altering of a prescription).

SECT. 189, first sentence amended, 1948, 598 § 4.

SECT. 189A added, 1948, 598 § 5 (relative to the adulteration or misbranding of food and drugs).

SECT. 192 revised, 1948, 598 § 6.

SECT. 193 revised, 1948, 598 § 7.

SECT. 196 repealed, 1948, 598 § 8.

**Sects. 197–217, as amended, stricken out, and new sections 197–217D inserted, 1957, 660 § 1. (See 1957, 660 §§ 6, 7.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1959.**

**The following references are to sections 197–217D, as so inserted:**

SECT. 197 amended, 1960, 204 § 4; definition of “Nurse” revised, 1960, 660.

SECT. 199F inserted, 1959, 210 (penalizing the use of certain narcotic preparations except in good faith as a medicine); revised, 1960, 455.

SECT. 205 revised, 1958, 95 § 1.

SECT. 211, paragraphs (a), (b) and (c) revised, 1958, 276; paragraph (c) amended, 1959, 248.

SECT. 212 revised, 1958, 95 § 2.

SECT. 212A revised, 1960, 204 § 1.

SECT. 213 revised, 1958, 181.

SECT. 213A revised, 1960, 204 § 2.

SECTS. 217–217D stricken out and sections 217–217E inserted, 1960, 204 § 3 (further regulating the sale, possession and distribution of narcotic drugs).

SECT. 225, paragraph added at end, 1939, 69.

SECT. 239A amended, 1939, 261 § 13.

SECT. 244 amended, 1941, 155 § 1.

SECT. 245 revised, 1933, 94 § 2; amended, 1939, 261 § 13A; revised, 1941, 155 § 2.

SECT. 246 revised, 1941, 155 § 4.

SECT. 248 amended, 1934, 184; 1939, 261 § 14; revised, 1943, 241 § 1; amended, 1946, 222; revised, 1952, 99.

SECT. 249A amended, 1939, 261 § 15.

SECT. 249B amended, 1939, 261 § 16.

SECT. 249E revised, 1943, 241 § 2.

SECT. 249E½ added, 1943, 241 § 3 (relative to the allowable amount of non-combustible residue of coal and coke).

SECT. 249F amended, 1939, 261 § 17; 1943, 241 § 4.

SECT. 249G added, under caption, 1933, 94 § 1 (authorizing certain officers to direct the weighing of material for road construction); amended, 1939, 261 § 17A; repealed, 1941, 155 § 3.

SECT. 250 revised, 1933, 67 § 6.

SECT. 252 amended, 1933, 67 § 7.

SECT. 254 amended, 1933, 67 § 8.

SECT. 255 amended, 1933, 67 § 9.

SECT. 256 revised, 1933, 67 § 10.

SECT. 257 revised, 1933, 67 § 11.

SECT. 258 revised, 1933, 67 § 12.

**Sects. 261A–261L, as amended, stricken out, and new sections 261A–261K inserted, 1946, 377 § 2.**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**Sects. 261A–261K stricken out and new sections 261A–261K inserted, 1959, 396 § 2.**

Sects. 270-277, as amended, and caption preceding said sections stricken out, and new sections 270-277 inserted under caption "UPHOLSTERED FURNITURE AND BEDDING", 1959, 611 § 2.

For prior changes see Table of Changes contained in Acts and Resolves of 1959.

SECT. 277A added, under caption, 1941, 422 (requiring the marking or labelling of furs, imitation furs and articles made therefrom, and prohibiting misrepresentation in such marks or labels).

SECT. 283 amended, 1939, 261 § 17B.

SECT. 285 revised, 1950, 110 § 1.

SECT. 286 revised, 1950, 110 § 2.

SECT. 287 revised, 1950, 110 § 3.

SECT. 288 revised, 1950, 110 § 4.

SECT. 295A added, under caption, 1933, 228 (relative to prevention of fraud and misrepresentation in the sale of gasoline, lubricating oils and other motor fuels, and to prevention of the adulteration thereof).

SECTS. 295B and 295C added, 1938, 411 (prohibiting and penalizing the use of misleading signs relating to the price of gasoline and other motor fuel).

SECT. 295C revised, 1939, 218.

SECTS. 295A-295C stricken out, and new sections 295A-295O inserted, 1939, 459 § 1 (further regulating the advertising and sale of motor fuel at retail). (See 1939, 459 § 3.)

SECT. 295A amended and paragraph (6) inserted, 1950, 515 § 1; paragraph (2A) inserted, 1960, 234 § 1. (See 1960, 234 § 4.)

SECT. 295B, first paragraph amended, 1950, 497; section revised, 1957, 443.

SECT. 295F amended, 1955, 183; revised, 1960, 234 § 2. (See 1960, 234 § 4.)

SECT. 295G revised, 1941, 311; paragraph added at end, 1950, 496; section revised, 1960, 234 § 3. (See 1960, 234 § 4.)

SECTS. 295P-295W added, 1950, 515 § 2 (to prevent unfair discrimination, competition and destructive trade practices in the retail sale of motor fuel).

SECT. 295X added, 1960, 261 (prohibiting the sale of brake fluid which does not comply with the minimum standards prescribed by the registrar of motor vehicles).

SECT. 298 amended, 1934, 109 § 1.

SECT. 299 amended, 1934, 109 § 2.

SECTS. 303A-303E added, under caption, 1934, 372 § 3 (relative to methyl or wood alcohol and to certain preparations containing such alcohol).

SECT. 303A amended, 1935, 342; 1936, 53.

SECT. 303B amended, 1937, 177 § 1.

SECT. 303C revised, 1937, 177 § 2.

SECT. 303F added, under caption, 1935, 95 (regulating the sale of fuel oils); amended, 1952, 107.

SECT. 305A amended, 1937, 362 § 5. (See 1937, 362 § 7.)

SECT. 305C added, 1956, 663 § 2 (providing for the registration of persons engaged in the processing of food).

SECT. 307 added, 1958, 610 (prohibiting the sale of tobacco products which have been contaminated by fire, smoke or water).

**Chapter 94A. — Milk Control.**

**New chapter inserted, 1941, 691 § 2. (See 1941, 691 §§ 3-6.)**

For prior temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1, 631 § 1; legislation amended, 1937, 428; 1938, 279; 1939, 302.

SECT. 1, paragraph defining "Board" stricken out and definition of "Commission" inserted, 1953, 604 § 2.

SECTS. 2-11 amended, 1953, 604 § 3.

SECT. 2, subsection (3) amended, 1955, 757 § 9.

SECT. 9, paragraphs (a) and (b) revised, 1955, 757 § 10.

SECT. 12 revised, 1950, 756; amended, 1953, 604 § 4.

SECT. 12A added, 1943, 445 (defining the powers and duties of the milk control board in case of a failure to pay the official minimum price for the sale or delivery of milk); amended, 1953, 604 § 3.

SECT. 13, subsections (e) and (f) added at end, 1945, 134 (relative to the furnishing to the milk control board of certain information by licensed milk dealers); first paragraph of subsection (e) revised, 1946, 312; section amended, 1953, 604 § 3. (See 1945, 409.)

SECTS. 14-21 amended, 1953, 604 § 3.

SECT. 21, fourth sentence revised and seventh sentence stricken out, 1954, 681 § 7. (See 1954, 681 §§ 20-22.)

SECT. 22 revised, 1943, 164; amended, 1953, 604 § 5.

SECT. 22A added, under caption, 1943, 147 (in aid of the construction and enforcement of the state milk control law, so called).

SECT. 24 amended, 1953, 604 § 3.

**Chapter 94B. — Hazardous Substances.**

**New chapter inserted, 1960, 727 § 2. (See 1960, 727 § 3.)**

**Chapter 95. — Measuring of Leather.**

SECT. 1 amended, 1939, 261 § 18.

**Chapter 96. — Measurement of Lumber.**

SECT. 11A added, 1945, 145 (adopting the international log rule as standard for determining the board feet content of saw logs).

**Chapter 97. — Surveying of Land.**

SECTS. 3-6 stricken out and section 3 inserted, 1956, 182 § 1. (See 1956, 182 § 2.)

SECTS. 8-13 added, 1941, 47 (defining and authorizing the use of a system of plane co-ordinates for designating and stating positions of points on the surface of the earth within the commonwealth).

**Chapter 98. — Weights and Measures.**

SECT. 1 amended, 1939, 261 § 19.

SECT. 12, second paragraph revised, 1948, 373.

SECT. 14A amended, 1936, 73.



SECT. 15 revised, 1953, 259 § 1. (See 1953, 259 § 2.)

SECT. 20 amended, 1934, 373 § 3; revised, 1957, 356 § 13.

SECT. 21 amended, 1934, 373 § 4; revised, 1957, 356 § 14.

SECT. 22 amended, 1939, 261 § 19A; revised, 1941, 59; amended, 1953, 86.

SECT. 28A added, 1950, 425 (regulating the sealing and testing of meters used for measuring liquefied petroleum gas).

SECT. 29, caption preceding section revised, 1941, 490 § 20; paragraph added at end, 1945, 273.

SECT. 30 repealed, 1935, 60 § 2.

SECT. 32 amended, 1935, 60 § 3; first sentence revised, 1960, 213.

SECT. 34 amended, 1955, 190.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462.

SECT. 42 amended, 1955, 185; revised, 1960, 447 § 1.

SECT. 46A added, 1960, 447 § 2 (providing for the proper calibration and inspection of bulk milk tank containers).

SECT. 56, paragraph ( $b\frac{1}{2}$ ) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ( $b\frac{1}{2}$ ) added, 1937, 305 § 1; section revised, 1949, 34 § 1; paragraph (j) revised, 1955, 184; 1960, 447 § 3. (See 1937, 305 § 2; 1949, 34 § 2.)

SECT. 56A added, 1941, 60 (relative to the location of scales and other weighing devices used in weighing food sold at retail by weight).

#### **Chapter 99. — The Metric System of Weights and Measures.**

SECT. 1 amended, 1939, 261 § 20.

SECT. 3 amended, 1939, 261 § 21.

SECT. 4 amended, 1939, 261 § 22.

#### **Chapter 100. — Auctioneers.**

SECT. 1, paragraph added at end, 1936, 209 § 1.

SECT. 2 revised, 1941, 81; 1948, 550 § 11; 1949, 297 § 3.

SECT. 5 amended, 1932, 156 § 1.

SECT. 6 revised, 1948, 550 § 12; 1949, 297 § 4.

SECT. 14 revised, 1932, 156 § 2; 1948, 550 § 13; 1949, 297 § 5.

SECT. 16 revised, 1932, 156 § 3.

SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).

SECT. 18 revised, 1948, 550 § 14; 1949, 297 § 6.

#### **Chapter 101. — Transient Vendors, Hawkers and Pedlers.**

SECT. 1, paragraph inserted before first paragraph, 1941, 490 § 21; second paragraph revised, 1936, 218; section revised, 1958, 146.

SECT. 2 amended, 1948, 372; 1957, 243; revised, 1959, 218.

SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22; second sentence revised, 1948, 493 § 1. (See 1948, 493 § 5.)

SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)

SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for services of process under authority thereof).

SECT. 15 amended, 1937, 214; revised, 1937, 333; 1955, 757 § 11.

SECT. 16 revised, 1935, 42; amended, 1937, 130.

SECT. 19 amended, 1934, 114; 1937, 73.

SECT. 22, sentence added at end, 1948, 493 § 2. (See 1948, 493 § 5.)

SECT. 23, sentence added at end, 1948, 493 § 3. (See 1948, 493 § 5.)

SECT. 24 amended, 1936, 74; 1945, 493 § 1; 1951, 395; sentence added at end, 1948, 493 § 4; section revised, 1954, 627 § 22; amended, 1955, 214. (See 1945, 493 § 2; 1948, 493 § 5; 1954, 627 §§ 65, 67.)

SECT. 27 amended, 1941, 490 § 23.

SECT. 30 amended, 1934, 77.

SECT. 32 amended, 1941, 490 § 24.

SECT. 33 amended, 1945, 160.

#### **Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.**

SECT. 15 revised, 1932, 232 § 1; repealed, 1960, 275 § 3.

SECT. 15A added, 1932, 232 § 2 (penalty for improper operation of motor and other boats); repealed, 1960, 275 § 3.

SECT. 15B added, 1950, 678 (relative to the regulation of the operation of motor boats upon rivers or inland lakes); repealed, 1960, 275 § 3.

SECT. 16 repealed, 1960, 275 § 3.

SECT. 17 revised, 1932, 57.

#### **Chapter 103. — Pilots.**

SECT. 31 revised, 1953, 41; 1958, 222.

#### **Chapter 104. — Agents, Consignees and Factors.**

SECT. 4, sentence added at end, 1957, 765 § 4. (See 1957, 765 § 21.)

#### **Chapter 105. — Public Warehouses.**

SECT. 1 amended, 1935, 310 § 1; "Public Warehouse" and "Warehouseman" or "public warehouseman" defined, 1957, 765 § 5. (See 1957, 765 § 21.)

SECTS. 2A and 2B added, 1935, 122 § 1 (relative to the termination of liability of sureties on bonds furnished by public warehousemen). (See 1935, 122 § 3.)

SECT. 2C added, 1947, 499 (authorizing the keeping and maintenance of certain public warehouses without a license).

SECT. 6 revised, 1935, 122 § 2. (See 1935, 122 § 3.)

SECT. 9, clause (h) revised, 1935, 310 § 2.

SECT. 26 amended, 1948, 145.

SECT. 33, paragraph added at end, 1946, 172.

SECTS. 7-54, 65, 66 repealed, 1957, 765 § 2; captions preceding sections 7, 15, 42, 65 stricken out, 1959, 580 § 1. (See 1957, 765 § 21.)

SECT. 57 amended, 1959, 580 § 2.

SECT. 59 amended, 1959, 580 § 3.

**Chapter 106. — Uniform Commercial Code.**

**Chapter stricken out and new chapter inserted, 1957, 765 § 1. (See 1957, 765 §§ 17-21.)**

SECT. 1 — 201, subsection (30) revised, 1958, 542 § 1; subsection (33) revised, 1958, 542 § 2.

SECT. 2 — 312, subsection (4) added, 1958, 542 § 3.

SECT. 2 — 603, subsection (1) amended, 1958, 542 § 4.

SECT. 3 — 104, revised, 1958, 542 § 5.

SECT. 3 — 122, subsection (4) amended, 1960, 273.

SECT. 3 — 511, subsection (6) revised, 1958, 542 § 6.

SECT. 3 — 601, subsection (1), subparagraph (d) amended, 1958, 542 § 7; subsection (3), subparagraph (b) amended, 1958, 542 § 8.

SECT. 8 — 304, subsection (2) amended, 1959, 580 § 4.

SECT. 8 — 311 amended, 1958, 542 § 9.

SECT. 8 — 318 amended, 1959, 580 § 5.

SECT. 8 — 402 revised, 1959, 580 § 6.

SECT. 8 — 403 revised, 1959, 580 § 7.

SECT. 9 — 105, subsection (2) amended, 1958, 542 § 10.

SECT. 9 — 207 revised, 1959, 580 § 8.

SECT. 9 — 301, subsection (2) amended, 1959, 580 § 9.

SECT. 9 — 310 amended, 1958, 542 § 11.

SECT. 9 — 312, subsection (3), subparagraph (b) amended, 1958, 542 § 12; subsection (4) amended, 1959, 580 § 10; subsection (5) amended, 1958, 542 § 13.

SECT. 9 — 402, subsection (3) revised, 1958, 542 § 14.

SECT. 9 — 403, subsection (1), revised, 1960, 379 § 1; subsection (3) amended, 1958, 542 § 15; subsection (4) amended, 1959, 580 § 11; 1960, 379 § 2; subsection (5) amended, 1958, 542 § 16; revised, 1960, 379 § 3.

SECT. 9 — 404, subsection (2) revised, 1958, 542 § 17.

SECT. 9 — 405 revised, 1959, 580 § 12.

SECT. 9 — 407, subsection (2) revised, 1958, 542 § 18.

SECT. 9 — 408 added, 1958, 542 § 19 (relative to the destruction of certain old records).

SECT. 9 — 409 added, 1960, 379 § 4 (providing for filings as to fixtures in registries of deeds, duties of registers of deeds, and combined real estate and fixture mortgage).

SECT. 9 — 501 revised, 1959, 580 § 13.

**Chapter 107. — Money and Registration, Issuance and Redemption of Bonds and Other Securities, Facsimile Signatures (former title, Money and Negotiable Instruments).**

**Title changed, 1959, 550 § 14.**

SECT. 5 revised, 1947, 55; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 6 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 9 repealed, 1957, 765 § 2; caption preceding said section stricken out, 1959, 580 § 14. (See 1957, 765 § 21.)

SECT. 11 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13, caption preceding said section stricken out, 1959, 580 § 14.

SECT. 31 amended, 1941, 215.

SECTS. 14-45 repealed, 1957, 765 § 2; captions preceding any of said sections stricken out, 1959, 580 § 14. (See 1957, 765 § 21.)

SECT. 45A added, 1953, 439 (relative to the use of facsimile signatures in the drawing of checks by treasurers of public bodies).

SECT. 107 amended, 1950, 287 § 2.

SECT. 111A added, 1947, 167 (relative to the time for payment by banks of checks and other instruments); repealed, 1950, 287 § 3.

SECTS. 46-212 repealed, 1957, 765 § 2; captions preceding any of said sections stricken out, 1959, 580 § 14. (See 1957, 765 § 21.)

#### **Chapter 107A. — Assignments of Accounts Receivable.**

New chapter inserted, 1945, 141 § 1; repealed, 1957, 765 § 2. (See 1945, 141 § 2; 1957, 765 § 21.)

#### **Chapter 108. — Criminal Offences Relative to Bills of Lading (former title, Bills of Lading).**

Title changed, 1959, 580 § 15.

SECTS. 1-41 repealed, 1957, 765 § 2; captions preceding any of said sections stricken out, 1959, 580 § 15. (See 1957, 765 § 21.)

SECT. 42 revised, 1959, 580 § 16.

SECT. 44 amended, 1959, 580 § 17.

SECTS. 49-51 repealed, 1957, 765 § 2; caption preceding section 49 stricken out, 1959, 580 § 15. (See 1957, 765 § 21.)

#### **Chapter 108A. — Partnerships.**

SECT. 34, first paragraph amended, 1932, 180 § 16.

#### **Chapter 109. — Limited Partnerships.**

SECT. 31 amended, 1957, 698 § 1.

#### **Chapter 110. — Labels, Trade Marks, Names and Registration thereof.**

SECT. 4B added, 1946, 169 § 1 (penalizing the use for trade purposes of the words "Army", "Navy" and other words denoting branches of the United States Government); amended, 1948, 466; sentence added at end, 1956, 350. (See 1946, 169 § 3.)

SECT. 5 revised, 1948, 550 § 15; 1952, 32 § 1; 1959, 63.

SECT. 7A added, 1947, 307 (authorizing injunctive relief in certain cases of trade mark infringement or unfair competition).

SECT. 8, paragraph added at end, 1958, 442 § 1. (See 1958, 442 § 2.)

SECT. 17 revised, 1948, 550 § 16.

SECT. 20 amended, 1953, 319 § 13. (See 1953, 319 §§ 39, 40.)

SECT. 21 amended, 1934, 373 § 5; revised, 1948, 550 § 17; 1957, 356 § 15.

SECT. 25 amended, 1953, 319 § 14. (See 1953, 319 §§ 39, 40.)

SECTS. 25A-25C added, under caption, "REGISTRATION OF CERTAIN TOWELS, GARMENTS, APRONS AND LINENS", 1958, 389 § 1.

SECT. 26 amended, 1946, 169 § 2.

SECT. 29 added, 1958, 389 § 2 (establishing penalties for violations of provisions relative to registration of certain towels, garments, aprons and linens).

**Chapter 110A. — Promotion and Sale of Securities.**

**Chapter stricken out and new chapter 110A inserted, 1932, 290 § 1. (See 1932, 290 §§ 3, 4.)**

**The following references are to chapter 110A as so inserted:**

SECT. 2, paragraph (a) revised, 1939, 442 § 4; paragraph (c) amended, 1936, 316; 1938, 445 § 2; paragraph (f) revised, 1938, 445 § 3.

SECT. 3, paragraph (i½) inserted, 1945, 288 § 1; last paragraph revised, 1945, 288 § 2; section revised, 1954, 558 § 1.

SECT. 4, paragraph (g) revised, 1938, 445 § 4; paragraph (h) stricken out, 1954, 558 § 2; paragraph (j) added, 1938, 445 § 5.

SECT. 5, paragraph inserted before the last paragraph, 1938, 445 § 6; same paragraph amended, 1954, 558 § 3.

SECT. 9, last sentence stricken out, 1938, 445 § 7.

SECT. 10, second sentence revised, 1954, 558 § 4; fourth sentence stricken out and two new sentences inserted, 1938, 445 § 8; three sentences added at end of first paragraph, 1954, 558 § 5.

SECT. 11 amended, 1950, 822 § 2.

SECT. 11A added, 1938, 445 § 9 (regulating the sale by a corporation of its securities to employees). [For prior legislation, see General Laws, chapter 155 § 23A, repealed by 1938, 445 § 13.]

SECT. 11A stricken out and sections 11A–11E inserted, 1950, 822 § 3 (relative to the sale of securities on the installment plan).

SECT. 12 revised, 1938, 445 § 10; last paragraph amended, 1939, 442 § 5.

SECT. 12A added, 1938, 445 § 11 (relative to the modifying or annulling by the commission of orders or findings made by the director of the securities division and to review of such action); repealed, 1939, 442 § 6.

SECT. 13 amended, 1936, 68.

SECT. 18 revised, 1938, 445 § 12.

**Chapter 111. — Public Health.**

For temporary legislation providing for a dental research program for the training of feminine personnel, see 1949, 473; repealed, 1950, 667.

SECT. 1, paragraph added at end, 1938, 265 § 6; “Inland waters” defined, 1951, 448 § 1.

SECTS. 1A and 1B added, 1951, 552 (providing that certain laws relating to pollution or contamination of waters shall apply to governmental agencies).

SECT. 2A added, 1956, 602 § 11 (providing for co-operation by the commissioner with the Massachusetts rehabilitation commission for rehabilitation of handicapped persons).

SECT. 3 revised, 1946, 152.

SECT. 3A added, 1956, 436 § 3 (establishing the board of trustees of the Massachusetts hospital school).

SECTS. 4A–4C added, 1950, 800 (relative to the establishment of alcoholic clinics).

SECT. 4A, two sentences added at end of first paragraph, 1954, 581 § 3; section revised, 1956, 715 § 3; 1959, 418 § 4. (See 1954, 581 §§ 4, 5; 1959, 418 §§ 5–8.)

SECT. 4C amended, 1956, 715 § 4.

SECT. 4D added, 1959, 418 § 3.

SECT. 5, paragraph added at end, 1941, 388; same paragraph revised, 1945, 615; section revised, 1957, 678 § 1; second, third and fourth paragraphs stricken out and three paragraphs inserted, 1959, 522; paragraph inserted after second paragraph, 1960, 172 § 1. (See 1957, 678 § 2.)

SECT. 5A added, 1941, 612 (relative to the preparation and distribution by the department of public health of products applicable to the prevention or cure of diseases of man).

SECT. 5B added, 1955, 335 (authorizing the department of public health to regulate methods of handling and disposing of radioactive materials); revised, 1960, 633.

SECT. 5C added, 1956, 595 (to regulate certain uses of fluoroscopic shoe-fitting machines); repealed, 1958, 79 § 1.

SECT. 5D added, 1959, 501 (authorizing the department of public health to make rules and regulations concerning plastic bags and plastic film and to provide penalties for the violation thereof).

SECT. 5E added, 1960, 677 (providing that persons applying chemicals to certain waters to control algae, weeds and other aquatic nuisances be licensed).

SECT. 6 revised, 1938, 265 § 7; sentence added at end, 1948, 129 § 1.

SECT. 8A added, 1959, 502 (authorizing the department to make rules and regulations concerning the disposal or discard of containers of poisonous substances); amended, 1960, 759.

SECT. 9, two sentences inserted after second sentence, 1957, 593.

SECT. 11 revised, 1934, 328 § 1.

SECT. 12 revised, 1943, 331 § 1.

SECT. 13, last sentence revised, 1943, 331 § 2.

SECT. 14A added, 1960, 678 (providing that the state department of public health furnish drugs for the treatment of certain rheumatic fever patients).

SECT. 15 amended, 1934, 340 § 7. (See 1934, 340 § 18.)

SECT. 16 amended, 1934, 340 § 8. (See 1934, 340 § 18.)

SECT. 17 amended, 1937, 340.

SECT. 20 revised, 1947, 76.

SECT. 24 amended, 1937, 365; revised, 1939, 234; 1945, 292 § 10.

SECT. 24A added, 1960, 624 (authorizing scientific studies to reduce morbidity and mortality within the commonwealth).

SECT. 26 revised, 1946, 268 § 1.

SECTS. 26A-26E added, 1946, 268 § 2 (relative to the replacement of a board of health of a city by a health department).

SECT. 27A revised, 1932, 209.

SECTS. 27B and 27C added, 1953, 600 § 1 (relative to the organization of regional health districts). (See 1953, 600 § 2.)

SECT. 27B, fifth paragraph amended, 1954, 273; sixth paragraph amended, 1954, 681 § 8. (See 1954, 681 §§ 20-22.)

SECT. 31 amended, 1937, 285.

SECT. 31A stricken out, and new sections 31A and 31B inserted, 1937, 282.

SECT. 31A, paragraph added at end, 1945, 423.

SECT. 31C added, 1954, 672 § 4 (relative to the control of atmospheric pollution by local boards of health).

SECTS. 34-43 and 46-49, and the caption preceding section 34, repealed, 1937, 362 § 6. (See 1937, 362 §§ 1-5, 7.)

SECT. 51 revised, 1943, 16 § 1.

SECT. 53 amended, 1943, 16 § 2.

SECT. 54 amended, 1943, 16 § 3.

SECT. 57A added, 1943, 436 § 1 (permitting the department of public health to establish and maintain cancer clinics). (See 1943, 436 § 2.)

SECT. 57B added, 1953, 382 (relative to the establishing and maintenance of muscular dystrophy clinics).

SECT. 57C added, 1954, 538 § 1 (creating facilities for care of the aging).

SECTS. 58-62, and caption preceding section 58, stricken out, and new sections 58-62 inserted under the caption "Agencies giving day care to children", 1950, 205.

SECT. 58 revised, 1959, 457.

SECT. 59, sentence added at end, 1959, 497.

SECTS. 62I-62S added, under caption, 1954, 508 § 1 (establishing the Massachusetts hospital school and hospital for state minor wards). (See 1954, 508 §§ 3-5.)

SECT. 65 revised, 1951, 562 § 1; 1952, 270 § 1; 1957, 460. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 65A amended, 1936, 346 § 1; 1941, 506; revised, 1948, 412; amended, 1952, 492; revised, 1953, 383; 1954, 538 § 2; 1955, 220; 1957, 458. (See 1936, 346 § 2.)

SECT. 65B added, 1945, 453 (providing for the admission of children suffering from rheumatic heart disease to the North Reading state sanatorium); revised, 1958, 258.

SECTS. 65C and 65D added, 1959, 131 (relative to certain funds of patients now or formerly in institutions under the supervision and control of the department of public health).

SECT. 66 amended, 1934, 219; first sentence revised, 1947, 630; section revised, 1951, 562 § 2; 1952, 270 § 2; second sentence stricken out and two sentences inserted, 1957, 461. (See 1936, 346 § 2; 1951, 562 §§ 10, 11; 1952, 270 § 10.)

SECT. 66A added, 1937, 392 (permitting the admission to state sanatoria and county tuberculosis hospitals, for purposes of diagnosis and observation, of certain patients with diseases of the lungs other than recognizable tuberculosis).

SECT. 67 revised, 1956, 345.

SECTS. 67A-67D added, under caption "CARE OF CERTAIN INFANTS PREMATURELY BORN", 1937, 332.

SECT. 67A revised, 1939, 246 § 1; 1949, 601 § 1.

SECT. 67B revised, 1949, 601 § 2.

SECT. 67C revised, 1939, 246 § 2; amended, 1945, 535; revised, 1949, 601 § 3; amended, 1955, 753.

SECT. 69A amended, 1936, 337 § 1; repealed, 1957, 459 § 1.

SECT. 69B revised, 1953, 562; amended, 1955, 585 § 1; repealed, 1957, 459 § 1. (See 1955, 585 § 3.)

SECT. 69C amended, 1936, 337 § 2; revised, 1953, 562; amended, 1955, 585 § 2; repealed, 1957, 459 § 1. (See 1955, 585 § 3.)

SECT. 69D revised, 1953, 562; repealed, 1957, 459 § 1.

SECTS. 69E-69I added, under caption; 1954, 522 (relative to admissions to and charges at the Lemuel Shattuck Hospital).

SECT. 69E revised, 1957, 459 § 2; 1958, 357; 1959, 494.

SECT. 69H revised, 1957, 459 § 3.

SECT. 69I, last sentence revised, 1957, 459 § 4.

SECT. 69J added, 1956, 497 (authorizing the department of public health to make contracts for the operation of concessions in Lemuel Shattuck Hospital); amended, 1958, 268.

SECT. 70 amended, 1941, 194 § 5, 389 § 1; 1945, 291; first sentence revised, 1956, 203; section revised, 1957, 604.

SECTS. 70A-70D added, 1959, 624 § 1 (creating a lien in favor of hospitals for services rendered to persons injured as a result of certain accidents). (See 1959, 624 § 2.)

**Sects. 71-73 stricken out and sections 71-72A and 73 inserted, 1941, 661 § 1. (See 1941, 661 § 2.)**

**Sects. 71-72A and 73 stricken out and new sections 71-72A and 73 inserted, 1952, 602 § 9. (See 1952, 602 § 18.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to sections 71-72A and 73 as so inserted:**

SECT. 71, sentence inserted after first sentence, 1956, 70; fifth sentence stricken out and three sentences inserted, 1955, 662 § 8; eighth sentence revised, 1955, 662 § 7; tenth sentence revised, 1954, 538 § 3; section revised, 1957, 545 § 1.

SECT. 71A added, 1955, 449 (to require hospitals to determine blood type of patients).

SECT. 71B added, 1955, 662 § 9 (providing for an appeal in certain cases of refusal to grant licenses to maintain certain homes for the aged).

SECT. 72, paragraph added at end, 1956, 439; section amended, 1957, 545 § 2.

SECT. 72A amended, 1957, 545 § 3.

SECT. 72B added, 1960, 482 § 1 (establishing an advisory council to consult with the department of public health relative to the hospital survey and construction act of the federal government).. (See 1960, 482 § 2.)

SECT. 73 amended, 1957, 545 § 4.

SECT. 74 amended, 1941, 72.

SECT. 76 revised, 1951, 562 § 3; 1952, 270 § 3. (See 1951, 562 § 11; 1952, 270 § 10.)

SECT. 77 revised, 1951, 562 § 4; 1952, 270 § 4; 1959, 413. (See 1951, 562 § 11; 1952, 270 § 10.)

SECTS. 78-90 affected (as to district of Chelsea, Revere and Winthrop), 1934, 78.

SECT. 78 revised, 1946, 310 § 1; 1951, 562 § 5; 1952, 270 § 5. (See 1945, 505; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 78A added, 1959, 529 (providing that county tuberculosis hospitals may under certain conditions admit persons suffering with chronic diseases as patients).

SECT. 79 revised, 1936, 343; first paragraph amended, 1954, 538 § 4.

SECT. 80 revised, 1951, 562 § 6; 1952, 270 § 6. (See 1951, 562 § 11; 1952, 270 § 10.)



SECT. 83A added, 1933, 318 § 6 (relative to the indemnification or protection of officers and employees of tuberculosis hospital districts in connection with actions for personal injuries arising out of the operation of vehicles owned by such districts); amended, 1934, 291 § 5; revised, 1955, 316 § 2. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 85, first sentence revised, 1943, 414 § 1; section revised, 1943, 500 § 1; 1951, 562 § 7; 1952, 270 § 7. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 85A revised, 1932, 65; paragraph added at end, 1959, 223.

SECT. 87 amended, 1945, 398 § 1.

SECT. 87A added, 1945, 398 § 2 (providing that trustees of Bristol county tuberculosis hospital shall be appointed by the governor). (See 1945, 398 §§ 4, 5.)

SECT. 88 revised, 1943, 500 § 2; 1946, 310 § 2; 1951, 562 § 8; 1952, 270 § 8. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10.)

SECT. 88A added, 1943, 500 § 2 (relative to charges for the support of patients in county tuberculosis hospitals); revised, 1946, 310 § 3; repealed, 1951, 562 § 9. (See 1943, 500 § 3; 1951, 562 § 11.)

SECT. 88B added, 1952, 270 § 9 (providing for admission of persons afflicted with pulmonary tuberculosis to certain hospitals in cases of emergency). (See 1952, 270 § 10.)

SECT. 91 amended, 1954, 538 § 5; paragraph added at end, 1955, 559 § 1.

SECTS. 91A and 91B added, 1954, 538 § 6 (relative to the conversion of certain tuberculosis hospitals or facilities into homes for the care and treatment of aging persons).

(SECT. 91C added, 1959, 462 (enabling the use of certain facilities for the care of diseases of the chest).)

SECT. 92 revised, 1955, 559 § 2.

SECTS. 94A-94H added, 1956, 615 § 1 (relative to hospitalization of certain tuberculosis patients and to the establishment of a state sanatorium treatment center for such patients). (See 1956, 615 § 2.)

SECT. 96 revised, 1938, 265 § 8.

SECT. 96A added, 1938, 265 § 9 (regulating the transportation to another town of a person infected with a disease dangerous to public health).

SECT. 97 revised, 1938, 265 § 10.

SECT. 104 revised, 1938, 265 § 11.

SECT. 107 revised, 1938, 265 § 12.

SECT. 109 revised, 1938, 265 § 13.

SECT. 109A added, 1936, 115 (relative to the treatment of infants' eyes at time of birth); amended, 1943, 46.

SECT. 110, second sentence amended, 1932, 180 § 17.

SECT. 111 revised, 1938, 265 § 14; second paragraph revised, 1948, 129 § 2.

SECT. 112 amended, 1938, 265 § 15.

SECT. 113 revised, 1938, 265 § 16.

SECT. 116, sentence in lines 24-32 amended, 1943, 275 § 1.

SECT. 116A added, under caption, 1937, 393 (providing for the hospitalization of patients with chronic rheumatism).

SECT. 117 revised, 1935, 155; 1937, 391; amended, 1948, 129 § 3; paragraph added at end, 1954, 44.

SECT. 118 amended, 1933, 44; 1948, 129 § 4.

SECT. 119 amended, 1948, 129 § 5.

SECT. 120 repealed, 1948, 120.

SECT. 121 revised, 1945, 555; first two sentences revised, 1948, 129 § 6.

SECT. 121A added, 1939, 407 (requiring a serological test for syphilis of pregnant women).

SECT. 122A added, 1947, 148 (increasing the powers of boards of health with respect to the supplying of water for domestic purposes in places of habitation and in places where the public is furnished food or drink).

SECT. 124, first sentence revised, 1949, 280.

SECT. 125A added, 1958, 469 (providing for the right of appeal from an order of a board of health which adjudges the operation of a farm to be a nuisance).

SECT. 127 revised, 1937, 339.

SECT. 128, two paragraphs added at end, 1943, 468; first of said paragraphs amended, 1947, 631 § 2; paragraph inserted after same paragraph, 1947, 631 § 2; section repealed, 1954, 209 § 1.

SECT. 128A added, 1949, 156 § 1 (relative to the filling and levelling of sites of demolished or removed buildings).

SECTS. 128B-128E added, 1954, 209 § 2 (establishing minimum housing standards and defining the powers of local boards of health relative to dwelling places).

SECT. 128D, last sentence stricken out, 1954, 447 § 1; section revised, 1960, 172 § 2.

SECT. 128E, sentence added at end, 1960, 172 § 3.

SECT. 128F added, 1954, 447 § 2 (providing penalties for violations of the law establishing minimum housing standards and rules and regulations relative thereto).

SECT. 141 revised, 1937, 278.

SECT. 142A added, 1954, 672 § 3 (relative to the control of atmospheric pollution); revised, 1959, 422. (See 1954, 672 §§ 2, 5, 6.)

SECTS. 142B and 142C added, 1960, 676 § 1 (relative to control of air pollution in the city of Boston and vicinity). (See 1960, 676 §§ 2, 3.)

SECT. 143 revised, 1933, 269 § 2; 1948, 480 § 1; amended, 1956, 275 § 1.

SECT. 147 amended, 1948, 480 § 2.

SECT. 150A added, 1955, 310 § 1 (concerning the assignment of places for public and private dumps). (See 1955, 310 §§ 2, 3.)

SECT. 151 amended, 1943, 332 § 9; revised, 1956, 275 § 2.

SECT. 154 amended, 1934, 340 § 9. (See 1934, 340 § 18.)

SECT. 159 amended, 1951, 448 § 2.

SECT. 160 amended, 1951, 448 § 3.

SECT. 160A added, 1960, 613 (regulating cross connections between public water supplies and other water supplies).

SECT. 162 amended, 1951, 448 § 4.

SECT. 163 amended, 1951, 448 § 5.

SECT. 173A added, 1938, 293 (extending the jurisdiction of certain police officers employed to protect public sources of water supply from pollution).

SECT. 173B added, 1943, 84 (authorizing water commissioners and others to enter premises within the watersheds of certain sources of supply).

SECT. 175 revised, 1941, 353.

SECTS. 176-180 repealed, 1938, 265 § 17.

SECT. 184A added, 1939, 344 (authorizing the state department of public health to issue certificates of approval relative to bacteriological laboratories); second paragraph amended, 1946, 155 § 1; paragraph added at end, 1946, 155 § 2.

SECT. 184B added, 1950, 431 (restricting the establishment and maintenance of blood banks).

SECT. 185A added, 1945, 543 § 2 (relative to the furnishing of certain material for use in determining and recording the physical condition of school children).

SECT. 186A added, 1958, 79 § 2 (regulating the use of shoe-fitting machines employing fluoroscopic, X-ray or radiation principles).

### Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2, second sentence revised, 1933, 171 § 1; 1936, 247 § 1; three paragraphs added at end of section, 1936, 247 § 2; section amended, 1938, 210; paragraph added at end, 1939, 415 § 1; section revised, 1939, 451 § 37; amended, 1941, 722 § 9; second sentence stricken out and four sentences inserted, 1945, 396 § 1; sentence inserted after second sentence, 1955, 622; revised, 1957, 329; third sentence (as appearing in 1945, 396 § 1) amended, 1952, 585 § 21; fourth sentence (as appearing in 1945, 396 § 1) revised, 1954, 519 § 1; fifth and sixth sentences (as appearing in 1939, 451 § 37) revised, 1948, 28; third paragraph revised, 1945, 396 § 2; paragraph inserted after fourth paragraph, 1948, 413; paragraph added at end, 1946, 365; section revised, 1959, 344 § 1; third sentence stricken out and three sentences inserted, 1960, 177; same three sentences stricken out and four sentences inserted, 1960, 367. Affected, 1938, 259; 1948, 221. (See 1933, 171 § 2; 1936, 247 §§ 3-6; 1939, 415 §§ 3, 4; 1959, 344 § 3.)

SECT. 2A amended, 1945, 396 § 3; 1954, 519 § 2; 1959, 344 § 2. (See 1959, 344 § 3.)

SECT. 2B added, 1955, 759 § 1 (relative to schools for the training of medical laboratory technologists). (See 1955, 759 § 2.)

SECT. 2C added, 1957, 655 § 1 (requiring schools for the training of medical X-ray technicians to be approved by the board of registration in medicine). (See 1957, 655 § 2.)

SECT. 5 revised, 1937, 425 § 12. (See 1937, 425 § 15.)

SECT. 8 revised, 1948, 550 § 18.

SECT. 9 revised, 1933, 152; 1945, 186; amended, 1955, 526; revised, 1960, 483.

SECT. 12 amended, 1948, 129 § 7.

SECT. 12A amended, 1943, 41.

SECT. 13 amended, 1937, 425 § 2; revised, 1956, 344. (See 1937, 425 § 15.)

SECT. 14 amended, 1937, 425 § 3. (See 1937, 425 § 15.)

SECT. 15 amended, 1937, 425 § 4. (See 1937, 425 § 15.)

SECT. 16 revised, 1937, 425 § 5; 1948, 557; 1950, 363 § 1; first paragraph amended, 1955, 676 § 1; fourth paragraph amended, 1952, 585 § 22. (See 1937, 425 § 15; 1950, 363 § 2; 1951, 767; 1955, 676 §§ 2, 3.)

SECT. 17 revised, 1937, 425 § 6. (See 1937, 425 § 15.)

SECT. 17A added, 1937, 425 § 7 [defining certain duties of the board of registration in chiropractic (podiatry)]. (See 1937, 425 § 15.)

SECT. 18 amended, 1937, 425 § 8. (See 1937, 425 § 15.)

SECT. 19 amended, 1937, 425 § 9; revised, 1951, 105. (See 1937, 425 § 15.)

SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)

SECT. 21 amended, 1937, 425 § 11; revised, 1948, 550 § 19. (See 1937, 425 § 15.)

SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 23A-23P added, under caption, 1951, 656 § 1 (relative to the practice of physical therapy by registered physical therapists). (See 1951, 656 § 2.)

SECT. 23G, first sentence revised, 1955, 493 § 1. (See 1955, 493 § 3.)

SECT. 23I, fourth sentence revised, 1955, 493 § 2. (See 1955, 493 § 3.)

SECTS. 23A-23P stricken out and sections 23A-23Q inserted, 1958, 585 § 1. (See 1958, 585 §§ 2-4.)

SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1; 1952, 585 § 23; revised, 1957, 463. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4.) Temporarily affected, 1948, 631; 1952, 361.

SECT. 24A added, 1945, 502 § 3 (relative to registrations and renewal of registrations as pharmacists and assistant pharmacists); revised, 1955, 429; 1956, 575. (See 1945, 502 § 4.)

SECT. 24B added, 1946, 194 (relative to standards for schools and colleges of pharmacy); revised, 1947, 503.

SECT. 27 revised, 1934, 328 § 2; amended, 1937, 343 § 2; second sentence amended, 1960, 634 § 1.

SECT. 30 amended, 1937, 343 § 3.

SECT. 32 amended, 1934, 328 § 3.

SECT. 34 amended, 1934, 328 § 4.

SECT. 35 amended, 1934, 328 § 5; 1935, 306; 1937, 343 § 4; revised, 1948, 539 § 1.

SECT. 36 revised, 1934, 328 § 6.

SECTS. 36A-36D added, under caption, 1948, 539 § 2 (relative to the licensing of persons engaged in the sale, distribution or delivery, at wholesale, of drugs and medicines).

SECT. 38 revised, 1934, 236.

SECT. 39 amended, 1939, 138; 1951, 410; 1953, 281.

SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.

SECT. 42A added, 1937, 343 § 6 (relative to the retail drug business and pharmacy); paragraph added at end, 1960, 634 § 2.

SECTS. 43-53 temporarily affected, 1949, 473. (See 1950, 667.)

SECT. 45, second sentence amended, 1932, 180 § 18; paragraph added at end, 1939, 415 § 2; section revised, 1949, 564 § 1. (See 1939, 415 § 3; 1948, 221.)

SECT. 45A amended, 1949, 564 § 2.

SECT. 46, clause Third amended, 1934, 108.

SECT. 49 revised, 1948, 270.

SECT. 50 amended, 1935, 344; revised, 1949, 333; 1954, 408 § 1.

SECT. 51 revised, 1949, 576.

SECT. 52 revised, 1948, 123; 1952, 117.

SECTS. 52A and 52B added, 1934, 281 (relative to methods and practices of dentists and dental hygienists).

SECT. 52A revised, 1937, 253; 1954, 408 § 2.

SECT. 52C added, 1954, 408 § 3 (restricting advertising by dental technicians).

SECT. 53 amended, 1949, 564 § 3.

SECT. 54 revised, 1958, 533 § 3.

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; stricken out and two paragraphs inserted, 1957, 492; same two paragraphs stricken out and one paragraph inserted, 1958, 533 § 4; paragraph inserted, 1951, 433 § 1. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 § 2; 1952, 585 §§ 25, 26.)

SECT. 56 revised, 1958, 533 § 5.

SECT. 59 revised, 1948, 224; 1958, 533 § 6.

SECTS. 60A–60J added under caption “REGISTRATION OF ARCHITECTS”, 1941, 696 § 2. (See 1941, 696 §§ 3, 4.)

SECT. 60A, preliminary paragraph amended, 1945, 265 § 2; definition of “Practice of Architecture” revised, 1957, 679 § 1. (See 1957, 679 §§ 4, 5.)

SECT. 60B, second paragraph revised, 1953, 558 § 1.

SECT. 60C, clause (c) revised, 1943, 167.

SECT. 60D revised, 1953, 558 § 2. (See 1953, 558 § 4.)

SECT. 60E, paragraph added at end, 1953, 558 § 3.

SECT. 60F revised, 1957, 679 § 2. (See 1957, 679 §§ 4, 5.)

SECTS. 60K–60M added, 1945, 265 § 1 (further regulating the practice of architecture); stricken out and sections 60K–60O inserted, 1957, 679 § 3. (See 1957, 679 §§ 4, 5.)

SECT. 64 amended, 1954, 681 § 9. (See 1954, 681 §§ 20, 22.)

SECTS. 66–73 stricken out, and new sections 66–73 inserted, 1934, 339 § 2.

SECT. 69 revised, 1949, 463.

SECT. 70 revised, 1948, 550 § 20.

SECT. 72 amended, 1938, 434 § 1. (See 1938, 434 § 4.)

SECT. 73 amended, 1938, 434 § 2. (See 1938, 434 § 4.)

SECT. 73A added, 1937, 287 § 1 (regulating advertising in connection with the sale of eyeglasses, lenses or eyeglass frames). (See 1937, 287 § 2.)

SECT. 73B added, 1938, 434 § 3 (further regulating optometrists with respect to premises where practice may be carried on and to the sharing of their fees). (See 1938, 434 § 4.)

SECTS. 73C–73L added, under caption, 1955, 688 § 2 (relative to registering and licensing dispensing opticians).

SECT. 73G amended, 1956, 164.

SECTS. 74–81 stricken out, and new sections 74–81C added, 1941, 620 § 3. (See 1941, 620 §§ 1, 4–12.)

SECT. 74, third sentence amended, 1948, 108; 1953, 350 § 4; section revised, 1959, 415 § 1; amended, 1960, 693 § 8. (See 1959, 415 § 5.)

SECT. 74A, third sentence amended, 1951, 87; section revised, 1953, 350 § 5; 1959, 415 § 2; amended, 1960, 693 § 9. Affected, 1956, 371; 1957, 539, 595 §§ 6, 7. (See 1953, 350 §§ 13, 14; 1959, 415 § 5.)

SECT. 74B revised, 1953, 350 § 6.

SECT. 75 revised, 1953, 350 § 7; amended, 1960, 693 § 10.

SECT. 76 revised, 1953, 350 § 8.

SECT. 77 amended, 1957, 595 § 1. (See 1957, 595 § 8.)

SECT. 80 revised, 1957, 595 § 2. (See 1957, 595 § 8.)

SECT. 80A revised, 1953, 350 § 9; 1957, 595 § 3. (See 1957, 595 §§ 7, 8; 1958, 354 §§ 1-4.)

SECT. 80B added, 1957, 595 § 4 (defining "Professional Nursing"). (See 1957, 595 § 8.)

SECT. 81 revised, 1953, 350 § 10; 1957, 595 § 5. (See 1957, 595 §§ 6, 7, 8; 1958, 354 §§ 1-4.)

SECT. 81A revised, 1953, 350 § 11; amended, 1960, 693 § 11.

SECT. 81B revised, 1953, 350 § 12; amended, 1960, 693 § 12.

SECT. 81C amended, 1960, 693 § 13.

SECTS. 81A-81Q inserted under caption "REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A, as so inserted, amended and renumbered 81D, 1941, 722 § 9A.

SECT. 81D revised, 1958, 584 § 2.

SECT. 81L amended, 1941, 722 § 9B.

SECTS. 81B-81Q, inclusive, inserted by 1941, 643 § 2, renumbered 81E-81T, inclusive, 1941, 722 § 9C.

SECT. 81E revised, 1958, 584 § 3.

SECT. 81J revised, 1958, 584 § 4. (See 1958, 584 §§ 11-13.)

SECT. 81K revised, 1958, 584 § 5.

SECT. 81L, paragraph inserted after first paragraph, 1958, 584 § 6.

SECT. 81M revised, 1958, 584 § 7. (See 1958, 584 §§ 11-13.)

SECT. 81N revised, 1960, 472 § 1. (See 1960, 472 § 2.)

SECT. 81P, paragraph inserted after second paragraph, 1958, 584 § 8.

SECT. 81R revised, 1958, 584 § 9.

SECT. 81T revised, 1958, 584 § 10. (See 1958, 584 §§ 11-13.)

SECTS. 82-87, and caption before said section 82, stricken out, and new sections 82-87 inserted, under caption "REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS", 1936, 407 § 3. (See 1936, 407 §§ 5-8.)

SECT. 82, definition of "Apprentice" inserted, 1945, 596 § 1; definition of "Funeral directing", revised, 1939, 160 § 1.

SECT. 83, third paragraph amended, 1939, 160 § 4; section revised, 1945, 596 § 2; 1948, 491.

SECT. 85 amended, 1941, 232.

SECT. 87 amended, 1937, 13; 1939, 160 § 2.

SECTS. 82-87, stricken out and sections 82-84, 84A, 85-87 inserted, 1954, 653 § 2. (See 1954, 653 §§ 3, 5, 6, 7.)

SECT. 83, seventh paragraph revised, 1956, 295.

SECT. 85A added, 1958, 528 (authorizing the board of registration in embalming and funeral directing to enter into reciprocal agreements with other states).

SECT. 87B amended, 1953, 510 § 2; 1960, 721.

SECTS. 87F-87S. See 1937, 184.

SECT. 87F, paragraph contained in lines 4-9 revised, 1934, 260 § 1; "Instructor" and "Apprentice" defined, 1948, 579 § 1.

SECT. 87H, four sentences added at end, 1934, 260 § 2; section amended, 1936, 314 § 1; second paragraph amended, 1937, 94; same paragraph revised, 1941, 619 § 1; 1950, 319; amended, 1954, 355; section revised, 1958, 295. (See 1941, 619 § 2.)

SECT. 87I amended, 1936, 314 § 2; revised, 1948, 579 § 2; sixth and seventh sentences stricken out and four sentences inserted, 1958, 292.

SECT. 87K, paragraph added at end, 1936, 314 § 3.

SECT. 87M amended, 1936, 314 § 4.

SECT. 87O amended, 1933, 149 § 2. (See 1933, 149 § 3.)

SECT. 87P amended, 1934, 260 § 3; sentence inserted after second sentence, 1958, 287; two sentences added at end, 1950, 61; paragraph added at end, 1950, 440 § 1. (See 1950, 440 § 2.)

SECT. 87R amended, 1936, 314 § 5.

SECT. 87S, sentence added at end, 1952, 362.

SECTS. 87T-87JJ added, under caption "REGISTRATION OF HAIRDRESSERS", 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

SECT. 87T, definition of "Apprentice" stricken out and definition of "Instructor" added, 1941, 626 § 1; definition of "shop" revised, 1941, 626 § 2; section revised, 1943, 565 § 1.

SECT. 87U amended, 1937, 385 § 2; revised, 1941, 626 § 3; amended, 1949, 345; 1958, 85.

SECT. 87V amended, 1937, 385 § 3; revised, 1941, 626 § 4; 1943, 565 § 2; 1950, 540 § 1; second sentence revised, 1957, 503 § 1. (See 1950, 540 § 3; 1953, 307; 1957, 503 § 3.)

SECT. 87W amended, 1937, 385 § 4; revised, 1941, 626 § 5; 1943, 565 § 3; first paragraph revised, 1950, 540 § 2; 1959, 343; sentence added at end of second paragraph, 1946, 550 § 2; 1951, 253. (See 1950, 540 § 3; 1953, 307.)

SECT. 87X revised, 1941, 626 § 6; 1943, 565 § 4; 1951, 273.

SECT. 87Y revised, 1949, 579.

SECT. 87Z amended, 1937, 385 § 5; revised, 1943, 565 § 5; paragraph added at end, 1953, 274; revised, 1955, 435; paragraph added at end, 1955, 333.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6; paragraph added at end, 1953, 537 § 1; 1960, 462.

SECT. 87BB amended, 1937, 385 § 6; revised, 1943, 565 § 7; first paragraph amended, 1960, 442 § 1; second paragraph revised, 1960, 442 § 2.

SECT. 87CC revised, 1941, 626 § 8; 1943, 565 § 8; schedule revised, 1951, 427; sentence added, 1953, 537 § 2; schedule revised, 1954, 501; amended, 1959, 388 § 1; revised, 1960, 717; first paragraph amended, 1948, 347; fourth paragraph amended, 1960, 716.

SECT. 87DD revised, 1943, 565 § 9.

SECT. 87EE revised, 1937, 385 § 7.

SECT. 87GG revised, 1941, 626 § 9; 1943, 565 § 10; third sentence stricken out and two sentences inserted, 1953, 291; same sentences stricken out and four sentences inserted, 1955, 434; sentences added at end, 1946, 550 § 3.

SECT. 87II amended, 1937, 385 § 8; revised, 1941, 626 § 10; 1943, 565 § 11.

SECT. 87JJ revised, 1941, 626 § 11; 1943, 565 § 12.

SECT. 87KK added, 1951, 509 (relative to notification of examination dates to applicants for registration); amended, 1955, 193; two sentences added at end, 1957, 503 § 2.

SECTS. 87LL-87OO added, under caption, 1957, 673 § 2 (relative to the registration of sanitarians). (See 1957, 673 § 3.)

SECTS. 87PP-87DDD added, under caption, 1957, 726 § 2 (relative to the registration of real estate brokers and salesmen). (See 1957, 726 §§ 3, 5, 7.)

SECT. 87ZZ, paragraphs (a), (b) and (c) revised, 1960, 658; paragraph (d) revised, 1959, 455.

SECTS. 87EEE-87000 added, under caption, 1958, 625 § 2 (regulating the practice of electrolysis). (See 1958, 625 §§ 3, 5; 1960, 814.)

SECT. 88, clause (3) amended, 1941, 626 § 13; 1956, 410.

### **Chapter 113. — Promotion of Anatomical Science.**

SECT. 1 amended, 1941, 351 § 7; 1958, 613 § 2E.

SECT. 2 revised, 1954, 627 § 25. (See 1954, 627 §§ 65, 67.)

### **Chapter 114. — Cemeteries and Burials.**

SECT. 1 amended, 1936, 319 § 1. (See 1936, 319 § 7.)

SECT. 5A added, 1959, 256 § 2 (further regulating cemetery corporations).

SECT. 6 amended, 1936, 319 § 2. (See 1936, 319 § 7.)

SECT. 7 revised, 1936, 319 § 3. (See 1936, 319 § 7.)

SECT. 8 revised, 1936, 319 § 4. (See 1936, 319 § 7.)

SECT. 9 amended, 1936, 319 § 5. (See 1936, 319 § 7.)

SECT. 19 revised, 1948, 550 § 48. (See 1948, 550 § 51.)

SECT. 20, sentence added at end, 1948, 550 § 49. (See 1948, 550 § 51.)

SECT. 24 revised, 1948, 550 § 50. (See 1948, 550 § 51.)

SECT. 25 amended, 1934, 85 § 1. (See 1934, 85 § 2.)

SECTS. 43A-43N added, under caption, 1936, 319 § 6 (relative to the ownership, maintenance and operation of cemeteries and crematories and to the disposal of dead human bodies). (See 1936, 319 § 7.)

SECT. 43O added, 1948, 497 (prohibiting the sale of monuments for cemetery lots by certain corporations).

SECT. 45 amended, 1954, 627 § 26. (See 1954, 627 §§ 65, 67.)

SECT. 45A added, 1954, 438 (relative to the use of the name of funeral directors in connection with death certificates or burial permits).

SECT. 46 amended, 1954, 627 § 27; revised, 1958, 465. (See 1954, 627 §§ 65, 67.)

SECT. 46A added, 1949, 604 (relative to permits for the burial or other disposition of the bodies of deceased veterans); sentence added at end, 1957, 86.

SECT. 47 amended, 1954, 627 § 28. (See 1954, 627 §§ 65, 67.)

SECT. 49 revised, 1936, 407 § 4; last paragraph amended, 1939, 160 § 3. (See 1936, 407 §§ 5-8.)

SECT. 51 added, under caption "EMBALMING FLUIDS", 1955, 472; amended, 1958, 148.

### **Chapter 115. — Veterans' Benefits (former title, State and Military Aid, Soldiers' Relief, etc.).**

For legislation providing for payments for the benefit of certain soldiers and sailors, see 1942, 11; 1943, 211; 1945, 366; 1946, 584; 1948, 549; 1954, 627 §§ 39, 65, 67, 688; 1955, 708; 1957, 744.

**Chapter stricken out, and new chapter 115 (with new title) inserted, 1946, 584 § 1. (See 1946, 584 §§ 2, 21, 22.)**

For prior changes see Table of Changes contained in Acts and Resolves of 1952.



**The following references are to chapter 115 as so inserted:**

SECT. 1, paragraph 6 revised, 1948, 510; paragraph 7 added, 1947, 444; paragraph inserted, 1951, 526 § 2; definition of "Veteran" revised, 1951, 590 § 1; paragraph added at end, 1951, 590 § 2; section revised, 1954, 627 § 35; definition of "Veteran" amended, 1954, 688 § 4; 1956, 692 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 1A added, 1954, 627 § 36 (relative to the requirements for hospital benefits available to veterans); repealed, 1956, 692 § 2. (See 1954, 627 §§ 65, 67.)

SECT. 2, second and third paragraphs revised, 1951, 590 § 3; third paragraph amended, 1957, 749; seventh paragraph revised, 1948, 535 § 1; 1956, 395 § 1; amended, 1957, 158; eighth paragraph amended, 1952, 597; last paragraph stricken out and two paragraphs inserted, 1951, 546. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 2A added, 1960, 648 (providing for the enforcement of certain decisions of the commissioner of veterans' services).

SECT. 3A added, 1948, 96 § 1 (providing for the use of photostatic copies of discharge papers of veterans in certain cases). (See 1947, 96 § 2.)

SECT. 5 revised, 1948, 535 § 2; first paragraph revised, 1950, 493 § 1; 1951, 590 § 4; amended, 1955, 305 § 1; second paragraph revised, 1951, 590 § 4; amended, 1955, 305 § 2; third paragraph amended, 1955, 305 § 3; revised, 1956, 394; fourth paragraph amended, 1954, 493; last paragraph revised, 1949, 599; paragraph added at end, 1951, 753 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 5A added, 1958, 487 (creating a lien upon the real estate of certain recipients of veterans' benefits).

SECTS. 6A-6C added, under caption, 1949, 660 (providing for payment of annuities to certain paraplegic veterans).

SECT. 6A revised, 1954, 627 § 37. (See 1954, 627 §§ 65, 67.)

SECT. 6B revised, 1953, 530; 1956, 567 § 1.

SECT. 6C amended, 1956, 567 § 2.

SECT. 7, first sentence revised, 1948, 535 § 3; sentence added at end, 1949, 500.

SECT. 8, last sentence revised, 1948, 535 § 4; section revised, 1948, 648; first two sentences revised, 1956, 395 § 2; sentence added at end, 1951, 590 § 5. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 38, 65, 67.)

SECT. 9 revised, 1957, 143.

SECTS. 10-14 added, under caption, 1946, 599 § 1 (relative to local departments of veterans' services). (See 1946, 599 §§ 2, 3; 1947, 1.)

SECT. 10, second paragraph revised, 1948, 229.

SECT. 11 amended, 1956, 104.

SECT. 15 added, 1948, 415 (providing for audit of accounts of districts formed to establish departments of veterans' services).

#### **Chapter 115A. — Soldiers' Homes.**

**New chapter inserted, 1954, 627 § 42. (See 1954, 627 §§ 65, 67.)**

SECT. 6 added, 1959, 236 § 1 (regarding the disposition of certain unclaimed funds of former patients or members of the Soldiers' Homes).

SECT. 7 added, 1960, 387 § 1 (relative to the disposition of certain unclaimed funds of former patients of Soldiers' Homes).

**Chapter 116. — Settlement.**

SECT. 1, clause Fifth amended, 1943, 455 § 13; revised, 1951, 590 § 6; amended, 1954, 627 §§ 45, 46; 1955, 403 § 5; revised, 1955, 740 § 1. (See 1951, 590 §§ 7, 8; 1954, 627 §§ 65, 67; 1955, 403 § 14, 740 § 2.)

SECT. 2 revised, 1933, 213; amended, 1943, 379; 1946, 584 § 4; first sentence revised, 1955, 740 § 3. (See 1946, 584 § 22; 1955, 740 § 2.)

SECT. 4 revised, 1946, 584 § 5; 1950, 493 § 2. (See 1946, 584 § 22.)

SECT. 5 amended, 1943, 455 § 14; revised, 1946, 584 § 6; amended, 1948, 624 § 1. (See 1946, 584 § 22; 1948, 624 § 2.)

**Chapter 117. — Support by Cities and Towns.**

SECT. 1 amended, 1934, 124.

SECT. 2, paragraph added at end, 1954, 516.

SECT. 2A added, 1933, 181 (authorizing local boards of public welfare to aid needy persons in the cultivation of vegetable gardens).

SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support).

SECT. 3B added, 1939, 127 (prohibiting local boards of public welfare from making the institution of ejectment proceedings prerequisite to the payment by them of rent owed for dwellings by certain persons on welfare relief).

SECT. 5 amended, 1937, 125; revised, 1948, 581 § 1; paragraph added at end, 1958, 395.

SECT. 6 revised, 1936, 108.

SECT. 6A added, 1938, 211 (preventing discrimination against certain persons with respect to the payment of welfare relief).

SECT. 7 amended, 1950, 485 § 1; revised, 1956, 156.

SECT. 13, new sentence added at end, 1941, 608.

SECT. 14 revised, 1937, 113; amended, 1938, 275; 1939, 39 § 1. (See 1939, 39 § 2.)

SECT. 16 repealed, 1936, 328.

SECT. 17 amended, 1939, 370; 1941, 351 § 8; sentence inserted after second sentence, 1956, 40; last sentence revised, 1945, 668 § 2. (See 1939, 454 § 21.)

SECT. 18 amended, 1934, 45; 1938, 425; revised, 1941, 351 § 9; first sentence revised, 1954, 394; second sentence revised, 1958, 613 § 3. (See 1939, 454 § 21.)

SECT. 18A added, 1938, 465 (relative to the payment by cities and towns of the expense of the funeral and burial of certain poor and indigent persons); paragraph added at end, 1945, 668 § 1.

SECT. 19, paragraph added at end, 1937, 86.

SECT. 21 amended, 1941, 196.

SECT. 24 revised, 1935, 164; sentence added at end, 1943, 481; section stricken out and sections 24 and 24A inserted, 1959, 584.

SECT. 30, first sentence revised, 1948, 581 § 2; section repealed, 1956, 317 § 2.

SECT. 33 revised, 1952, 411 § 1; repealed, 1960, 313 § 2.

SECT. 34 repealed, 1952, 411 § 2.

SECT. 35 amended, 1932, 180 § 19; repealed, 1952, 411 § 2.

SECTS. 44-46 added, 1938, 476 (authorizing the establishment of public welfare districts in cities and towns).

SECT. 44, first sentence amended, 1952, 353 § 1; revised, 1960, 343 § 1; second sentence amended, 1950, 793 § 5; third sentence stricken out and two sentences inserted, 1956, 312; sentence inserted after fifth sentence, 1950, 293 § 1; sentence added at end, 1950, 793 § 6. (See 1952, 353 § 10.)

SECT. 44A added, 1953, 205 § 1 (relative to the auditing of welfare districts). (See 1953, 205 § 2.)

SECT. 45, sentence added at end, 1950, 293 § 2; section revised, 1952, 353 § 2. (See 1952, 353 § 10.)

**Chapter 118. — Aid to Dependent Children (former title, Aid to Mothers with Dependent Children).**

**Chapter stricken out and new chapter 118 (with new title) inserted, 1936, 413 § 1. (See 1936, 413 § 2.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 118 as so inserted:**

SECT. 1 amended, 1939, 487; revised, 1952, 463; 1957, 430.

SECT. 2 amended, 1941, 593 § 1; 1943, 97; 1945, 412; sentence inserted after fourth sentence, 1945, 532 § 1; section revised, 1946, 415; 1948, 418; first sentence revised, 1951, 390; amended, 1958, 349; 1959, 385; last five sentences stricken out and four sentences inserted, 1951, 525 § 1; third sentence revised, 1953, 325.

SECT. 2A added, 1945, 567 (relative to certain persons in families receiving aid under the law providing aid to dependent children).

SECT. 4A added, 1943, 117 (permitting recipients of aid to dependent children, so called, to leave the commonwealth without suspension of such aid); paragraph added at end, 1945, 458 § 1.

SECT. 5 revised, 1941, 593 § 2; two sentences added at end, 1949, 613 § 1; stricken out and one sentence inserted, 1953, 323.

SECT. 6 revised, 1941, 405; first sentence amended, 1960, 781 § 12; two sentences added at end, 1943, 491. (See 1939, 454 § 21.)

SECT. 7 revised, 1950, 657.

SECT. 8 revised, 1939, 248.

SECT. 9 amended, 1946, 584 § 7. (See 1946, 584 § 22.)

**Chapter 118A. — Old Age Assistance and Medical Assistance for the Aged (former Title, Adequate Assistance to Certain Aged Citizens).**

**Chapter stricken out and new chapter 118A inserted, 1936, 436 § 1. (See 1936, 436 § 4.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 118A, as so inserted:**

**Title changed, 1960, 781 § 2.**

For legislation establishing a minimum weekly rate for the care of recipients of old age assistance who are inmates of boarding homes, see 1955, 603.

Caption inserted, 1960, 781 § 3.

SECT. 1 amended, 1937, 440 § 1; last sentence amended, 1938, 274; section revised, 1941, 729 § 1; 1943, 489 § 1; third sentence amended, 1950, 519 § 1; fourth sentence amended, 1948, 433; last sentence of first paragraph amended, 1945, 683 § 1; first paragraph revised, 1950, 799; first

sentence revised, 1956, 653; third sentence stricken out and three sentences inserted, 1960, 781 § 4; sixth and seventh sentences revised, 1951, 801 § 1; paragraph inserted after first paragraph, 1948, 638; paragraph inserted after second paragraph, 1949, 796 § 1; second and third paragraphs revised, 1951, 801 § 2; third paragraph amended, 1955, 728 § 1; revised, 1960, 695; paragraph added at end, 1943, 506; same paragraph revised, 1945, 532 § 2; 1950, 343; 1951, 525 § 2; amended, 1954, 525; same paragraph stricken out and two paragraphs inserted, 1960, 781 § 5; paragraph inserted before said paragraph, 1945, 441; amended, 1956, 721; 1957, 464. (See 1941, 729 § 15; 1945, 683 § 4; 1949, 796 §§ 2, 3; 1951, 801 §§ 6, 7; 1955, 728 § 2; 1960, 781 § 14.)

SECT. 1A added, 1950, 519 § 2 (authorizing old age assistance to persons being cared for under contract in certain homes for the aged); revised, 1954, 521; amended, 1960, 781 § 6.

SECTS. 1B and 1C added, 1951, 475 (extending the benefits of the old age assistance law to patients in public medical institutions).

SECT. 1B. See 1954, 469 § 2; revised, 1955, 367; section repealed, 1960, 781 § 7.

SECT. 1C amended, 1958, 613 § 3A; repealed, 1960, 781 § 7.

SECT. 2 revised, 1937, 440 § 2; amended, 1941, 597 § 1; revised, 1941, 729 § 2; 1943, 489 § 2; 1945, 683 § 2. (See 1941, 729 § 15; 1945, 683 § 4.)

SECT. 2A added, 1941, 729 § 3 (relative to the liability of children to contribute to the support of aged parents); revised, 1943, 489 § 3; 1945, 683 § 3; paragraphs 1, 3 and 4 revised, 1951, 801 § 3; section revised, 1957, 614. (See 1941, 729 § 15; 1945, 683 § 4; 1951, 801 §§ 6, 7.)

SECT. 3 revised, 1937, 440 § 3; last sentence revised, 1938, 285; section revised, 1939, 481.

SECT. 4 amended, 1938, 467; 1941, 729 § 4; revised, 1943, 512; amended, 1950, 626; revised, 1951, 801 § 4; second paragraph amended, 1957, 304; 1956, 637. (See 1941, 729 §§ 14, 15; 1951, 801 §§ 4A, 4B, 6, 7.)

SECT. 4A added, 1941, 729 § 5 (making a recipient of old age assistance liable to repay the same in certain cases); revised, 1948, 581 § 3; sentence added at end, 1951, 801 § 5. (See 1941, 729 § 15; 1951, 801 §§ 4B, 6, 7.)

SECT. 5 revised, 1938, 408; amended, 1941, 729 § 6; revised, 1946, 460; amended, 1949, 486. (See 1941, 729 § 15.)

SECT. 5A added, 1949, 622 (increasing the amount of bank deposits allowable to applicants for old age assistance); revised, 1951, 536.

SECT. 6, see 1952, 621.

SECT. 6A added, 1937, 165 (permitting recipients of old age assistance, so called, to leave the commonwealth without suspension of such assistance); amended, 1941, 729 § 7; revised, 1943, 470; paragraph added at end, 1945, 458 § 2; 1949, 627. (See 1941, 729 § 15.)

SECT. 7 revised, 1951, 533.

SECT. 8 amended, 1941, 729 § 8; first sentence revised, 1960, 781 § 13; two sentences inserted after third sentence, 1943, 490; sentence added at end, 1951, 539; stricken out and four sentences inserted, 1953, 462 § 1. (See 1939, 454 § 21; 1941, 729 § 15; 1953, 462 § 2; 1960, 781 § 14.)

SECT. 9 revised, 1945, 541 § 3; amended, 1946, 584 § 8. (See 1946, 584 § 22.)

SECT. 10 revised, 1941, 597 § 2; two sentences added at end, 1949, 613

§ 2; section revised, 1952, 602 § 10; amended, 1954, 340. (See 1952, 602 §§ 15-18.)

SECT. 11 added, 1941, 729 § 10 (establishing the old age assistance fund); amended, 1945, 684; revised, 1955, 540 § 1. (See 1941, 729 §§ 9, 9A, 15; 1955, 540 §§ 5-7.)

SECT. 12 added, 1953, 571 § 1 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

SECTS. 13-32 added, under caption "Medical Assistance for the Aged", 1960, 781 § 8. (See 1960, 781 §§ 9-11.)

**Chapter 118B. — The Merit System in the Administration of Aid to Dependent Children and Old Age Assistance.**

**New chapter inserted, 1950, 793 § 7.**

SECT. 2, first sentence revised, 1952, 353 § 3; amended, 1959, 141 § 2. (See 1952, 353 § 10.)

SECT. 3, first sentence amended, 1952, 353 § 4; revised, 1960, 343 § 2. (See 1952, 353 § 10.)

SECT. 4, second and third sentences revised, 1960, 343 § 3.

SECT. 5 amended, 1952, 353 § 5. (See 1952, 353 § 10.)

SECT. 6 amended, 1952, 353 § 6. (See 1952, 353 § 10.)

SECT. 8, paragraph added at end, 1956, 515.

SECT. 9 amended, 1952, 353 § 7. (See 1952, 353 § 10.)

SECT. 10 amended, 1952, 353 § 8. (See 1952, 353 § 10.)

**Chapter 118C. — Coverage of Certain Employees under the Federal Social Security Act.**

**New chapter inserted, 1951, 658.**

**Chapter 118D. — Assistance to Persons who are Disabled.**

**New chapter inserted, 1951, 741 § 2. (See 1951, 741 §§ 1, 4.)**

SECT. 3 amended, 1958, 613 § 3B.

SECT. 4, sentence added at end, 1960, 659 § 1. (See 1960, 659 § 2.)

SECT. 5, last sentence revised, 1953, 461.

SECT. 7 amended, 1957, 659 § 1.

SECT. 8, first sentence revised, 1957, 493; paragraph (a) amended, 1955, 492 § 1; paragraph (c) amended, 1955, 492 § 2; paragraph (d) amended, 1955, 492 § 3; paragraphs (a)-(g) stricken out and paragraphs 1-7 inserted, 1957, 659 § 2.

SECT. 15 amended, 1956, 602 § 12. (See 1956, 602 §§ 17-20.)

SECT. 20, first sentence revised, 1952, 353 § 9. (See 1952, 353 § 10.)

SECT. 21 added, 1953, 571 § 2 (relative to the appointment of guardians and conservators for certain applicants for public assistance).

**Chapter 119. — Protection and Care of Children, and Proceedings against Them.**

**Sects. 1-51 stricken out and sections 1-39 inserted, 1954, 646 § 1.**

**For prior changes see Table of Changes contained in Acts and Resolves of 1954.**

**The following references are to sections 1-39, as so inserted:**

SECT. 4 amended, 1960, 378 § 1.

SECT. 6 revised, 1960, 378 § 2.

SECT. 23, subsection C revised, 1960, 325.

SECT. 23A added, 1958, 588 § 2 (providing for the care and custody of children born to inmates of the Massachusetts Correctional Institution at Framingham or whose mothers are committed thereto). (See 1958, 588 § 3.)

SECT. 52, definition of "Delinquent child" amended, 1948, 310 § 3; revised, 1960, 353 § 1.\*

SECT. 55, last paragraph revised, 1949, 593 § 6; section revised, 1952, 605 § 3. (See 1952, 605 §§ 19-21.)

SECT. 56 revised, 1943, 244 § 1.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1; section revised, 1948, 310 § 4\*; paragraph added at end, 1948, 385.

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.\*

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of non-criminal fines upon juveniles for violation of the motor vehicle laws). (See 1957, 194 § 2.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.\*

SECT. 61 amended, 1948, 310 § 7.\*

SECT. 63 revised, 1932, 95 § 1.

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2; amended, 1960, 353 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2; 1955, 609 § 1.

SECT. 68 revised, 1943, 244 § 2; 1948, 310 § 8\*; 1955, 609 § 2; amended, 1956, 269.

SECTS. 68A-68C added, 1955, 609 § 3 (relating to the detention of wayward and delinquent children and juvenile offenders).

SECT. 69 revised, 1943, 244 § 2.

SECT. 69A added, 1948, 310 § 9 (providing that courts and certain public officers and authorities shall make available to the youth service board information relative to cases committed to said board).\*

SECT. 72 amended, 1947, 235; revised, 1948, 310 § 10\*; amended, 1949, 595.

SECT. 73 revised, 1945, 202; amended, 1948, 310 § 11.\*

SECT. 74 amended, 1933, 196 § 1; revised, 1948, 310 § 12; amended, 1960, 353 § 3.\*

SECT. 75 amended, 1933, 196 § 2; revised, 1948, 310 § 13; amended, 1960, 353 § 4.\*

SECT. 76 revised, 1948, 310 § 14.\*

SECT. 77 revised, 1948, 310 § 15.\*

SECT. 79 amended, 1948, 310 § 16\*; 1953, 319 § 15. (See 1953, 319 §§ 39, 40.)

SECT. 80 revised, 1948, 310 § 17.\*

SECT. 81 amended, 1948, 310 § 18.\*

SECT. 82 amended, 1948, 310 § 19.\*

SECT. 83 revised, 1948, 310 § 20.\*

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\* See 1948, 310 §§ 30, 31.

**Chapter 120. — Youth Service Board and Massachusetts Training Schools  
(former title, Massachusetts Training Schools).**

**Chapter stricken out, and new chapter 120 (with new title) inserted, 1948,  
310 § 22. (See 1948, 310 §§ 30, 31.)**

**For prior changes see Table of Changes contained in Acts and Resolves of  
1952.**

**The following references are to chapter 120 as so inserted:**

SECT. 1 revised, 1952, 605 § 4. (See 1952, 605 §§ 19-21.)

SECT. 2 revised, 1952, 605 § 5; amended, 1955, 770 § 4. (See 1952, 605  
§§ 19-21; 1955, 770 §§ 117, 123.)

SECT. 3 revised, 1952, 605 § 6. (See 1952, 605 §§ 19-21.)

SECT. 4 revised, 1952, 605 § 7. (See 1952, 605 §§ 19-21.)

SECT. 4A added, 1952, 605 § 8 (establishing a division of youth service  
in the department of education). (See 1952, 605 §§ 15, 19-21.)

SECT. 6, paragraph (e) revised, 1949, 593 § 1.

SECT. 7 amended, 1952, 605 § 9. (See 1952, 605 §§ 15, 19-21.)

SECT. 8, fourth and fifth sentences revised, 1952, 605 § 10. (See 1952,  
605 §§ 15, 19-21.)

SECT. 9 amended, 1952, 605 § 11. (See 1952, 605 §§ 15, 19-21.)

SECT. 10, subsection (a) amended, 1950, 545; section revised, 1952, 605  
§ 12. (See 1952, 605 §§ 15, 19-21.)

SECT. 10A repealed, 1949, 593 § 2.

SECT. 11 revised, 1952, 605 § 13; amended, 1955, 766 § 5; 1957, 532.  
(See 1952, 605 §§ 15, 19-21.)

SECT. 12 amended, 1949, 593 § 3; revised, 1952, 605 § 14. (See 1952,  
605 §§ 15, 19-21.)

SECT. 13 amended, 1949, 593 § 4.

SECT. 13A added, 1953, 619 § 1 (relative to payments by the common-  
wealth for damages to property caused by acts of certain inmates of in-  
stitutions under management of the Youth Service Board). (See 1953,  
619 § 2.)

SECT. 14 amended, 1954, 685 § 2.

SECT. 22 amended, 1956, 731 § 3.

**Chapter 121. — Powers and Duties of the Department of Public Welfare,  
and the Massachusetts Hospital School.**

SECT. 3 revised, 1952, 602 § 11.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning  
recipients of old age assistance and aid to dependent children); revised,  
1945, 240 § 2.

SECT. 6 amended, 1941, 351 § 11; 1948, 310 § 25; 1956, 436 § 1; re-  
pealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404; amended, 1948,  
310 § 26; revised, 1952, 602 § 12; second sentence stricken out, 1958, 613  
§ 5. (See 1948, 310 §§ 30, 31.)

SECT. 8 repealed, 1960, 313 § 3.

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the direc-  
tor of the division of aid and relief for the benefit of persons under the  
care and supervision of the department); revised, 1941, 523; amended,  
1950, 162 § 4; revised, 1954, 126 § 4.

SECT. 8B added, 1941, 618 (relative to the disposition of certain unclaimed moneys held by the division of child guardianship for the benefit of certain wards thereof).

SECT. 9 amended, 1941, 351 § 13; last two sentences stricken out, 1956, 715 § 5; section revised, 1958, 613 § 6.

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added at end, 1945, 458 § 3.

SECT. 10 repealed, 1958, 613 § 4.

SECT. 11 repealed, 1958, 613 § 4.

SECT. 12 amended, 1941, 351 § 14; repealed, 1958, 613 § 4.

SECT. 13 amended, 1941, 351 § 15; repealed, 1958, 613 § 4.

SECT. 15 amended, 1941, 351 § 16; repealed, 1948, 310 § 27. (See 1948, 310 §§ 30, 31.)

SECT. 16 repealed, 1960, 313 § 3.

SECT. 22A repealed, 1948, 618 § 2. (See 1948, 618 § 3.)

SECTS. 22B-22E added, under caption, 1960, 776 § 1 (establishing a division of urban and industrial renewal). (See 1960, 776 § 12.)

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3. (See 1933, 364 § 8.)

SECT. 24A added, 1935, 449 § 2A (authorizing the acceptance and use by the state board of housing of grants of federal funds).

SECT. 24B added, 1935, 485 § 1 (authorizing the state board of housing to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECT. 25 revised, 1933, 364 § 4. (See 1933, 364 § 8.)

SECT. 26 amended, 1933, 364 § 5; revised, 1935, 475 § 4; amended, 1936, 211 § 6; 1947, 340 § 6; two paragraphs added at end, 1954, 643 § 2; same paragraphs stricken out, 1955, 654 § 1. (See 1933, 364 § 8; 1936, 211 § 7; 1955, 654 § 5.)

SECTS. 26A-26H added, 1933, 364 § 6 (relative to the powers and duties of the state board of housing, and to limited dividend corporations under its control). (See 1933, 364 § 8.)

SECT. 26H revised, 1935, 449 § 3.

SECTS. 26A-26H repealed, 1945, 654 § 2.

SECTS. 26I-26BB added, under caption, 1935, 449 § 5 (relative to the establishment, powers and duties, and discontinuance, of local housing authorities).

Sects. 26I-26BB stricken out and new sections 26I-26II inserted, 1938, 484 § 1 (to relate the Massachusetts Housing Authority Law to the United States Housing Act of 1937). (See 1938, 484 § 2; 1941, 269 § 2; 1941, 317.)

Sects. 26I-26II stricken out and new sections 26I-26NN inserted, 1946, 574 § 1. (See 1946, 574 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to sections 26I to 26NN as so inserted:

SECT. 26I amended, 1948, 200 § 1; 1952, 617 § 1; 1953, 668 § 2; revised, 1955, 654 § 2. (See 1955, 654 § 5.)

SECT. 26J amended, 1953, 668 § 3; 1955, 654 § 3; definition of "Housing authority" or "Authority" stricken out and definition of "Housing authority" inserted, 1952, 617 § 2; definition of "Division of urban and



industrial renewal" or "division" inserted, 1960, 776 § 2; definition of "Housing board" or "board" revised, 1948, 260 § 4; definition of "Federal legislation" revised, 1953, 647 § 10; definition of "Low-rent housing" amended, 1953, 668 § 4; definition of "Elderly persons of low income" inserted, 1953, 668 § 3; definition of "Blighted open area" inserted, 1953, 647 § 12; amended, 1957, 613 § 1; revised, 1960, 776 § 3; definition of "Sub-standard area" revised, 1960, 776 § 5; definition of "Decadent area" revised, 1953, 647 § 11; 1960, 776 § 4; definition of "Land assembly and redevelopment project" revised, 1953, 647 § 13; 1958, 198; definition of "Land assembly and redevelopment plan" amended, 1953, 647 § 14; definition of "Mayor" inserted, 1951, 322; revised, 1954, 71 § 1; definitions of "Redevelopment authority" and "Relocation project" inserted, 1952, 617 § 3; definition of "Veterans" revised, 1948, 200 § 2; definitions of "Servicemen" and "Veterans" stricken out and definitions of "Serviceman" and "Veteran" inserted, 1949, 760 § 1; definition of "Veteran" revised, 1950, 624 § 1; 1951, 441 § 1; 1952, 616 § 1; 1955, 403 § 6. (See 1950, 624 § 2; 1951, 441 § 2; 1952, 616 § 2; 1955, 403 § 14, 654 § 5.)

SECT. 26K, first paragraph amended, 1954, 72 § 1; second paragraph amended, 1953, 647 § 15; 1953, 668 § 5; paragraph added, 1954, 72 § 2.

SECT. 26L, sentence inserted after second sentence, 1954, 428 § 1; sentence inserted, 1955, 128 § 1; fourth sentence revised, 1949, 688. (See 1954, 428 §§ 3, 4; 1955, 128 § 3.)

SECT. 26M, sentence added at end, 1954, 428 § 2; 1955, 128 § 2. (See 1954, 428 §§ 3, 4; 1955, 128 § 3.)

SECT. 26O, first paragraph revised, 1960, 780.

SECT. 26P, paragraph (b) amended, 1952, 617 § 5; 1953, 647 § 16, 668 § 6; 1955, 640 § 2.

SECT. 26Q, last sentence revised, 1950, 105 § 2.

SECT. 26S, second paragraph amended, 1958, 571.

SECT. 26T, first paragraph revised, 1960, 491.

SECT. 26U revised, 1955, 327.

SECT. 26V, paragraph added at end, 1957, 140.

SECT. 26BB amended, 1953, 647 § 17.

SECT. 26CC revised, 1950, 486; amended, 1957, 106; revised, 1957, 613 § 2.

SECT. 26DD amended, 1953, 654 § 94.

SECT. 26FF, sentence inserted after first sentence, 1955, 685; first four sentences stricken out and three sentences inserted, 1959, 512; clause (c) revised, 1949, 760 § 2; clause (d) revised, 1954, 625; amended, 1957, 77; clause (e) amended, 1948, 51; 1950, 479 § 5; clause (f) revised, 1949, 760 § 3; paragraph added at end, 1950, 631; sentence added at end, 1951, 313; 1954, 629.

SECT. 26GG revised, 1949, 760 § 4.

SECT. 26JJ revised, 1953, 647 § 18; amended, 1957, 613 § 3.

SECT. 26KK, second paragraph revised, 1947, 486; amended, 1953, 409 § 8, section revised, 1953, 647 § 18; second paragraph amended, 1957, 613 § 4; section revised, 1960, 776 § 6.

SECT. 26MM amended, 1953, 647 § 19.

SECT. 26NN stricken out and sections 26NN-26QQ inserted, 1948, 200 § 3 (relative to state-aided projects).

SECT. 26NN, sentence inserted after first sentence, 1949, 742 § 1; last

sentence of first paragraph revised, 1951, 456; amended, 1952, 550 § 4; revised, 1954, 507 § 1, 667 § 2; first paragraph amended, 1955, 489, 641; first sentence of third paragraph revised, 1954, 676; 1957, 537; last sentence of fourth paragraph revised, 1957, 372 § 2; last sentence of fifth paragraph revised, 1952, 550 § 2; subdivision (a), first paragraph revised, 1949, 742 § 2; amended, 1954, 507 § 2; subdivision (a), second paragraph amended, 1952, 550 § 1; subdivision (a), third paragraph amended, 1949, 742 § 3; 1954, 507 § 3; subdivision (b), first sentence revised, 1952, 550 § 3; subdivision (b), first paragraph, sentence added at end, 1949, 713; subdivision (b), second paragraph amended, 1949, 742 § 4; 1950, 753; 1957, 372 § 3; subdivision (d) added, 1949, 682 § 1; subdivision (e) added, 1950, 386; revised, 1952, 550 § 5; subdivision (f) added, 1953, 508; subdivision (g) added, 1954, 116. (See 1949, 682 § 2; 1952, 550 §§ 6, 7; 1954, 507 § 4; 1957, 372 § 5.)

SECT. 26QQ and caption preceding it stricken out and new section and caption inserted, 1952, 617 § 4 (relative to creating redevelopment authorities); first two paragraphs revised, 1957, 150 § 1; paragraph inserted after second paragraph, 1958, 199; three paragraphs added at end, 1958, 299.

SECT. 26RR added, 1952, 617 § 6 (relative to contracts for state financial assistance for housing); first paragraph amended, 1958, 572 § 1; second paragraph amended, 1955, 640 § 3; third paragraph amended, 1953, 647 § 20; 1958, 572 § 2; paragraph (b) (2) revised, 1955, 640 § 4; paragraph (b) (3) amended, 1955, 640 § 5; paragraph added at end, 1955, 640 § 6.

SECT. 26SS added, 1952, 617 § 7 (providing a severability clause in case of a finding of invalidity or unconstitutionality of any part of this act); stricken out and sections 26SS-26WW inserted, under caption, 1953, 668 § 1 (to provide for the housing of elderly persons).

SECTS. 26SS-26VV revised, 1954, 667 § 1.

SECT. 26VV amended, 1956, 466; revised, 1957, 168; first sentence amended, 1957, 705 § 2; section revised, 1957, 767; 1958, 591; 1960, 542. (See 1957, 705 §§ 1, 3, 4.)

SECT. 26WW stricken out and sections 26WW-26CCC inserted, under captions, 1955, 654 § 4 (relative to urban renewal projects). (See 1955, 654 § 5.)

SECT. 26ZZ, second paragraph amended, 1957, 613 § 5; section revised, 1960, 776 § 7.

SECTS. 26DDD-26FFF added, under caption, 1960, 776 § 8 (providing financial assistance for urban redevelopment and urban renewal projects). (See 1960, 776 § 10.)

SECTS. 26GGG and 26HHH added, under caption, 1960, 776 § 9 (providing financial assistance for non-federally aided commercial or industrial redevelopment projects).

SECT. 27 repealed, 1933, 364 § 7.

SECTS. 28-37 repealed, 1954, 508 § 2. (See 1954, 508 §§ 3-5.)

SECT. 31 amended, 1948, 559.

SECT. 39 amended, 1941, 351 § 17; repealed, 1958, 613 § 4.

SECT. 40 amended, 1941, 656 § 13. (See 1941, 656 § 17.)

SECT. 41 revised, 1958, 179.

SECT. 42 amended, 1932, 180 § 22; 1941, 406; 1958, 613 § 7; two sentences added at end, 1952, 303.

**Chapter 121A. — Urban Redevelopment Corporations.****New chapter inserted, 1945, 654 § 1.**

SECT. 1, definition of "Decadent area" amended, 1947, 15; section revised, 1953, 647 § 1; definition of "Project" amended, 1954, 73 § 1; paragraph added at end, 1954, 73 § 2; section revised, 1960, 652 § 1. (See 1960, 652 §§ 12-15.)

SECT. 2 revised, 1953, 647 § 1; 1960, 652 § 2. (See 1960, 652 §§ 12-15.)

SECT. 3 revised, 1953, 647 § 1; first sentence revised, 1960, 652 § 3. (See 1960, 652 §§ 12-15.)

SECT. 5, first sentence amended, 1960, 652 § 4.

SECT. 6, first two paragraphs stricken out and four paragraphs inserted, 1953, 647 § 2; paragraph added at end, 1956, 640 § 1.

SECT. 6A added, 1960, 652 § 5.

SECT. 7, first two paragraphs revised, 1947, 487 § 1; first paragraph amended, 1956, 640 § 2.

SECT. 7A added, 1946, 574 § 3 (relative to acquisition from housing authorities of sites for urban redevelopment); first sentence revised, 1955, 654 § 4A. (See 1955, 654 § 5.)

SECT. 8 revised, 1960, 652 § 6.

SECT. 9 revised, 1956, 640 § 3.

SECT. 10, two paragraphs added at end, 1953, 647 § 3; section revised, 1956, 640 § 4.

SECT. 12, paragraph added at end, 1947, 487 § 2.

SECT. 15, first paragraph revised, 1953, 647 § 4.

SECT. 16 stricken out and sections 16 and 16A inserted, 1953, 647 § 5.

SECT. 17 repealed, 1953, 647 § 6.

SECT. 18 amended, 1960, 652 § 7; paragraph (a) revised, 1953, 647 § 7; paragraph (e) revised, 1953, 647 § 8; amended, 1960, 652 § 8; paragraph (f) amended, 1960, 652 § 9; paragraph (g) amended, 1960, 652 § 10; paragraphs (h), (i) and (j) stricken out and paragraphs (h), (i), (j) and (k) inserted, 1960, 652 § 11. (See 1960, 652 §§ 12-15.)

SECT. 18A added, 1946, 129 (authorizing savings banks to invest in urban redevelopment projects).

SECT. 18B added, 1953, 647 § 9 (relative to the forming of urban redevelopment corporations).

**Chapter 122. — Tewksbury Hospital (former titles, Tewksbury State Hospital and Infirmary and State Infirmary).**

Chapter stricken out and new chapter 122 inserted, 1958, 613 § 8. (See 1958, 613 §§ 9-14.)

For prior changes see Table of Changes contained in Acts and Resolves of 1956.

The following references are to chapter 122, as so inserted:

SECT. 20, seventh sentence stricken out, 1960, 539.

**Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.**

For legislation relative to the establishment of the Norfolk state hospital for the care of the criminal insane, see 1935, 421; 1939, 485; 1941, 194 §§ 20, 21, 722 §§ 12, 13.

SECT. 1, definition of "commissioner" and "department" revised, 1938, 486 § 7; "mentally ill" and "mentally deficient" defined, 1955, 637 § 1.

SECT. 2 revised, 1956, 715 § 7.

SECT. 3, first sentence stricken out and two sentences inserted, 1956, 715 § 8.

SECT. 3A amended, 1956, 715 § 9.

SECT. 4 revised, 1938, 486 § 8.

SECT. 5 revised, 1956, 602 § 13. (See 1956, 602 §§ 17-20.)

SECT. 6A added, 1957, 638 (authorizing the department of mental health to lease land at institutions under its control for the erection of chapels thereon).

SECT. 7, two sentences added at end, 1954, 598 § 1.

SECT. 8, second sentence stricken out, 1953, 612 § 9.

SECT. 8A added, 1935, 301 (providing for co-operation between the departments of mental diseases and public works relative to roads at state hospitals).

SECT. 10 amended, 1941, 490 § 25; 1955, 637 § 2.

SECT. 11, paragraph added at end, 1955, 637 § 3.

SECT. 13 revised, 1936, 286.

SECT. 13A, two sentences added at end, 1955, 637 § 4.

SECT. 13B added, 1957, 608 (providing for the establishment of community clinics for retarded children of pre-school age).

SECT. 15 amended, 1941, 656 § 14. (See 1941, 656 § 17.)

SECT. 16 revised, 1938, 486 § 9; amended, 1939, 500 § 1; 1947, 429 § 1; 1951, 497; 1954, 189; second sentence revised, 1954, 598 § 2. (See 1946, 324; 1947, 429 § 2.)

SECT. 16A amended, 1938, 486 § 10.

SECT. 19 repealed, 1935, 163.

SECT. 20 revised, 1955, 637 § 5.

SECT. 20A added, 1945, 311 (relative to commitment to the Veterans Administration or other agencies of the United States of certain war veterans for care and treatment).

SECT. 21 repealed, 1956, 589 § 1.

SECT. 22 revised, 1941, 351 § 40, 706; repealed, 1950, 441 § 2.

SECT. 22A amended, 1941, 194 § 7; revised, 1958, 635.

SECT. 25 amended, 1935, 314 § 3, 421 § 4; 1950, 684 § 3; 1954, 469 § 4; 1956, 63 § 2; 1959, 215 § 3. (See 1935, 421 § 6; 1950, 684 §§ 11, 12; 1954, 469 § 5; 1956, 63 § 3; 1959, 215 §§ 11, 12.)

SECT. 26 repealed, 1938, 486 § 11.

SECT. 28 revised, 1938, 486 § 12; 1945, 638; 1954, 598 § 3; sentence inserted after fifth sentence, 1957, 482 § 4. (See 1957, 482 §§ 5, 6.)

SECT. 29 revised, 1938, 486 § 13; clause (f) added, 1954, 598 § 5.

SECT. 30 revised, 1938, 486 § 14.

SECT. 31 revised, 1938, 486 § 15.

SECT. 32 revised, 1933, 115; 1938, 486 § 16.

SECT. 35 revised, 1946, 33 § 1.

SECT. 36 revised, 1939, 500 § 12.

SECT. 37 revised, 1946, 33 § 2.

SECT. 39, sentence added at end, 1936, 291 § 1; section revised, 1950, 162 § 6; 1954, 126 § 6.

SECT. 39A amended, 1936, 291 § 2; first sentence amended, 1954, 455.

SECT. 39B added, 1932, 204 (relative to the disposition of unclaimed belongings at certain state hospitals, known as "patients' valuables"); revised, 1936, 291 § 3.

SECT. 39C added, 1933, 256 (relative to the disposition of moneys represented by certain bank books belonging to former patients of certain state hospitals); revised, 1936, 291 § 4; 1960, 387 § 2.

SECT. 39D added, 1960, 475 (establishing a work program for certain patients at Monson State Hospital, and authorizing payment for work performed thereunder).

SECT. 40 amended, 1939, 500 § 13.

SECT. 43 repealed, 1939, 500 § 2.

SECT. 45 amended, 1938, 486 § 17; 1950, 684 § 4; first sentence amended, 1959, 215 § 4; two sentences inserted after first sentence, 1957, 594; sentence added at end, 1955, 637 § 6. (See 1938, 486 §§ 21, 22; 1950, 684 §§ 11, 12.)

SECT. 46 amended, 1938, 486 § 18; 1950, 684 § 5; 1959, 215 § 5. (See 1938, 486 §§ 21, 22; 1950, 684 §§ 11, 12.)

SECT. 47 revised, 1938, 486 § 19; 1945, 467. (See 1938, 486 §§ 21, 22.)

SECT. 48 repealed, 1952, 307.

SECT. 49 amended, 1945, 451; repealed, 1952, 307.

SECT. 50 revised, 1935, 314 § 4; amended, 1955, 637 § 7.

SECT. 51 amended, 1950, 684 § 6; revised, 1955, 637 § 8; first paragraph amended, 1959, 215 § 6; second paragraph revised, 1956, 589 § 2. (See 1950, 684 §§ 11, 12.)

SECT. 52 amended, 1932, 85; 1955, 637 § 9.

SECT. 53 revised, 1941, 645 § 1; amended, 1955, 637 § 10; revised, 1956, 589 § 3.

SECT. 54 amended, 1955, 637 § 11.

SECT. 55 amended, 1955, 637 § 12.

SECT. 56 repealed, 1939, 500 § 4.

SECTS. 57-61 repealed, 1955, 637 § 13.

SECT. 62 amended, 1941, 655 § 1; first sentence revised, 1956, 715 § 10.

SECT. 63 amended, 1956, 715 § 11.

SECT. 66, paragraph added at end, 1939, 500 § 6; first sentence amended, 1945, 24; 1950, 684 § 7; 1959, 215 § 7; sentence inserted after first sentence, 1954, 218. (See 1950, 684 §§ 11, 12.)

SECT. 66A amended, 1941, 194 § 8; revised, 1954, 685 § 3.

SECT. 67A added, 1950, 684 § 8 (relative to the disposition of certain inmates at Myles Standish state school); amended, 1959, 215 § 8.

SECT. 68 amended, 1956, 715 § 12.

SECT. 69, sentence added at end, 1945, 227.

SECT. 73 revised, 1947, 194.

SECT. 77, first sentence amended, 1935, 314 § 5; section revised, 1939, 500 § 5; 1955, 637 § 14; third and fourth sentences revised, 1956, 589 § 4.

SECT. 78, first sentence revised, 1935, 314 § 6.

SECT. 79, first sentence revised, 1935, 314 § 7; section revised, 1939, 500 § 7; amended, 1941, 216 § 1; revised, 1941, 645 § 2; sentence inserted after fifth sentence, 1956, 589 § 5.

SECT. 80 amended, 1939, 500 § 8; revised, 1956, 715 § 13.

SECT. 82 amended, 1939, 500 § 9.

SECT. 84 revised, 1941, 481; amended, 1941, 490 § 26; revised, 1941, 722 § 10.

SECT. 86 amended, 1935, 314 § 8; revised, 1939, 500 § 10; 1955, 637 § 15.

SECT. 86A added, 1947, 517 (providing for the reception in certain state institutions under the department of mental health of certain mentally ill children); first paragraph revised, 1956, 589 § 6.

SECT. 87 amended, 1939, 500 § 11; revised, 1945, 454.

SECT. 88A revised, 1945, 25.

SECT. 89 revised, 1941, 216 § 3; amended, 1956, 715 § 14; last sentence revised, 1950, 571; 1954, 685 § 4.

SECT. 89A amended, 1941, 194 § 9.

SECT. 89B amended, 1938, 254 § 1; 1941, 194 § 10; 1950, 733.

SECT. 90, first sentence amended, 1932, 180 § 23.

SECT. 91 amended, 1950, 684 § 9; 1959, 215 § 9. (See 1950, 684 §§ 11, 12.)

SECT. 93 amended, 1950, 684 § 10; 1959, 215 § 10. (See 1950, 684 §§ 11, 12; 1959, 215 §§ 11, 12.)

SECT. 94A added, 1947, 681 (providing for the adjudication of restoration of soundness of mind); third sentence stricken out and three sentences inserted, 1952, 535; section revised, 1959, 293.

SECT. 96 amended, 1941, 351 § 41; first paragraph revised, 1954, 598 § 4; amended, 1958, 613 § 8A; second paragraph amended, 1950, 485 § 2; third paragraph revised, 1941, 398.

SECT. 100 revised, 1956, 589 § 7.

SECT. 100A amended, 1941, 194 § 11; 1953, 319 § 17; sentence inserted after third sentence, 1957, 236. (See 1953, 319 §§ 39, 40.)

SECT. 102 revised, 1934, 15; first paragraph amended, 1941, 344 § 3; 1955, 770 § 5; paragraph added at end, 1938, 226; amended, 1947, 459; 1952, 396. (See 1955, 770 §§ 117, 123.)

SECT. 105 revised, 1936, 130; first paragraph amended, 1945, 50; last paragraph amended, 1939, 54; 1941, 216 § 2.

SECT. 110 amended, 1937, 136.

SECT. 113 amended, 1941, 194 § 12; revised, 1943, 185 § 1; amended, 1947, 684 § 1; first sentence amended, 1948, 310 § 28; section revised, 1952, 608 § 1; second paragraph amended, 1954, 404 § 2; last paragraph amended, 1954, 404 § 3; section revised, 1954, 685 § 1. (See 1948, 310 §§ 30-31; 1953, 645; 1954, 404 § 1.)

SECT. 114 revised, 1943, 185 § 2; 1948, 310 § 29; repealed, 1952, 608 § 2. (See 1948, 310 §§ 30-31.)

SECT. 115 revised, 1943, 185 § 3; 1946, 557 § 1; 1947, 684 § 2.

SECT. 116 revised, 1943, 185 § 4; repealed, 1952, 608 § 2.

SECT. 117 amended, 1941, 655 § 2; 1955, 770 § 6. (See 1955, 770 §§ 117, 123.)

SECT. 117A added, 1936, 32 (providing in certain cases for the return to penal institutions of prisoners removed therefrom to departments for defective delinquents); revised, 1943, 185 § 5.

SECT. 118 revised, 1938, 254 § 2; 1943, 185 § 6; amended, 1945, 150; revised, 1946, 557 § 2; 1947, 684 § 3.

SECT. 118A added, 1947, 684 § 3 (relative to the parole of defective delinquents).

SECT. 119 revised, 1938, 254 § 3.

**Chapter 123A. — Care, Treatment and Rehabilitation of Sexually Dangerous Persons (former title, Care, Treatment and Rehabilitation of Sexual Offenders and Victims of such Offenders).**

New chapter inserted, 1947, 683.

Chapter stricken out and new chapter 123A (with new title) inserted, 1954, 686 § 1. (See 1954, 686 § 2; 1957, 772 § 7.)

Chapter stricken out and new chapter 123A (with new title) inserted, 1958, 646 § 1. (See 1958, 646 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1959.

The following references are to chapter 123A, as so inserted:

SECT. 2 revised, 1959, 615.

SECT. 9 amended, 1960, 347.

**Chapter 124. — Powers and Duties of the Department of Correction.**

SECT. 1 amended, 1939, 451 § 38; 1941, 344 § 4; revised, 1955, 770 § 7; paragraph (e) revised, 1956, 731 § 4. (See 1955, 770 §§ 144-123; 1956, 731 §§ 29-33.)

SECT. 2 revised, 1955, 770 § 8. (See 1955, 770 §§ 114, 117, 118, 123.)

SECTS. 3 and 4 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 5 amended, 1941, 344 § 5; 1955, 770 § 9. (See 1955, 770 §§ 117, 123.)

SECT. 6 amended, 1936, 23 § 2; 1939, 451 § 39; 1955, 770 § 10. (See 1955, 770 §§ 117, 123.)

SECT. 7 amended, 1939, 451 § 40; repealed, 1954, 567 § 3. (See 1954, 567 § 10.)

SECT. 8 amended, 1935, 48 § 1; 1953, 319 § 18. (See 1935, 48 § 2; 1953, 319 §§ 39, 40.)

**Chapter 125. — Correctional Institutions of the Commonwealth (former title, Penal and Reformatory Institutions of the Commonwealth).**

Chapter stricken out and new chapter 125 (with new title) inserted, 1955, 770 § 11. (See 1955, 770 §§ 114-123.)

For prior changes see Table of Changes contained in Acts and Resolves of 1955.

The following references are to chapter 125, as so inserted:

SECT. 1 amended, 1956, 731 § 5. (See 1956, 731 §§ 29-33.)

SECT. 2, first sentence amended, 1956, 16 § 2; section revised, 1957, 777 § 1.

SECT. 4 revised, 1957, 50 § 1. (See 1957, 50 § 2.)

SECT. 5 revised, 1957, 777 § 2.

SECT. 7 amended, 1957, 777 § 3.

SECT. 9, second sentence revised, 1957, 494; two paragraphs inserted after first paragraph, 1960, 201.

SECT. 13 amended, 1957, 777 § 4.

SECT. 14 amended, 1957, 777 § 5.

SECT. 15 amended, 1957, 777 § 6.

SECT. 16, paragraph added at end, 1956, 715 § 15.

SECT. 19, paragraph inserted before first paragraph, 1956, 715 § 16.

**Chapter 126. — Jails, Houses of Correction and Reformation, and County Industrial Farms.**

SECT. 4, sentence added at end, 1957, 192.

SECT. 9A added, 1948, 469 (relative to the wearing of uniforms by certain officers and employees of county penal institutions).

SECT. 16 revised, 1937, 219 § 6.

SECT. 18A added, 1953, 355 (relative to indemnification by counties of certain officers sustaining expenses or damages by reason of wilful acts of inmates).

SECT. 24, last sentence revised, 1955, 770 § 12. (See 1955, 770 §§ 117, 118, 123.)

SECT. 37 amended, 1936, 228.

SECT. 38 revised, 1957, 28 § 1. (See 1957, 28 § 2.)

**Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.**

SECT. 1 revised, 1941, 490 § 27.

SECT. 2 amended, 1941, 344 § 10; revised, 1955, 770 § 13; amended, 1957, 777 § 7. (See 1955, 770 §§ 117, 118, 123.)

SECT. 4 amended, 1955, 770 § 14. (See 1955, 770 §§ 117, 118, 123.)

SECT. 6 amended, 1955, 770 § 15; revised, 1957, 777 § 8. (See 1955, 770 §§ 117, 118, 123.)

SECT. 10 amended, 1936, 23 § 3; 1941, 656 § 15; revised, 1955, 770 § 16. (See 1941, 656 § 17; 1955, 770 §§ 116–118, 123.)

SECT. 11 revised, 1941, 344 § 11; repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 12 amended, 1941, 344 § 12; revised, 1955, 770 § 17. (See 1955, 770 §§ 116–118, 123.)

SECT. 14 amended, 1939, 200.

SECT. 15 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 16, last sentence stricken out, 1933, 77 § 1; section amended, 1941, 344 § 13; revised, 1948, 129 § 8; first sentence revised, 1955, 770 § 18; section revised, 1957, 777 § 9. (See 1955, 770 §§ 117, 123.)

SECT. 17 revised, 1933, 77 § 2; last sentence revised, 1955, 770 § 19. (See 1955, 770 §§ 117, 123.)

SECT. 18 amended, 1933, 77 § 3.

SECT. 20 revised, 1955, 770 § 20; amended, 1956, 731 § 6. (See 1955, 770 §§ 117, 123; 1956, 731 §§ 29–33.)

SECT. 21 revised, 1955, 770 § 21. (See 1955, 770 §§ 117, 123.)

SECT. 23 amended, 1941, 69.

SECT. 27 amended, 1955, 770 § 22. (See 1955, 770 §§ 117, 123.)

SECT. 28 revised, 1955, 770 § 23; amended, 1957, 777 § 10. (See 1955, 770 §§ 117, 123.)

SECT. 32 revised, 1955, 770 § 24; amended, 1957, 777 § 11.

SECT. 33 revised, 1955, 770 § 25; amended, 1957, 777 § 12. (See 1955, 770 §§ 117, 123.)

SECT. 34 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 35 amended, 1941, 344 § 14; repealed, 1955, 770 § 122. (See 1955, 770 §§ 117–123.)

SECT. 36 revised, 1941, 237 § 1; first sentence revised, 1955, 770 § 26; section revised, 1957, 777 § 13. (See 1955, 770 §§ 117, 123.)



SECT. 36A added, 1955, 770 § 27 (relative to the right of an inmate to confer with an attorney at law designated by him); amended, 1957, 777 § 14. (See 1955, 770 §§ 116, 117, 123.)

SECT. 37 revised, 1941, 237 § 2; 1955, 770 § 28; amended, 1957, 777 § 15. (See 1955, 770 §§ 117, 123.)

SECT. 38A added, 1953, 295 (penalizing prisoners in certain correctional institutions who hold persons as hostages).

SECT. 38B added, 1959, 445 § 1 (establishing a penalty for assault or assault and battery by certain prisoners on their custodians or guards).

SECT. 38C added, 1960, 807 (providing that the superintendent of a correctional institution notify the district attorney of each felony committed therein).

SECT. 39 amended, 1955, 357; revised, 1955, 770 § 29; amended, 1957, 777 § 16. (See 1955, 770 §§ 117, 123.)

SECT. 40 revised, 1955, 770 § 30; amended, 1957, 777 § 17. (See 1955, 770 §§ 117, 123.)

SECT. 41 revised, 1955, 770 § 31. (See 1955, 770 §§ 117, 123.)

SECTS. 42-47 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 48 revised, 1955, 770 § 32. (See 1955, 770 §§ 117, 123.)

SECT. 48A revised, 1946, 461 § 1; 1955, 770 § 33; amended, 1957, 777 § 18; second paragraph revised, 1960, 590. (See 1955, 770 §§ 117, 123.)

SECT. 49 revised, 1955, 770 § 34. (See 1955, 770 §§ 117, 123.)

SECT. 50 revised, 1941, 344 § 15; repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 51 amended, 1941, 344 § 16; revised, 1955, 770 § 35; amended, 1957, 777 § 19. (See 1955, 770 §§ 117, 119, 123.)

SECT. 52 revised, 1955, 770 § 36. (See 1955, 770 §§ 117, 123.)

SECT. 54 amended, 1955, 770 § 37. (See 1955, 770 §§ 117, 119, 123.)

SECT. 59 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 61 revised, 1955, 770 § 38. (See 1955, 770 §§ 117, 123.)

SECTS. 62-65 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 66 revised, 1955, 770 § 39; amended, 1957, 777 § 20. (See 1955, 770 §§ 117, 123.)

SECT. 66A added, 1955, 770 § 40 (relative to the purchase of tools, implements and materials required for use in prison industries). (See 1955, 770 §§ 117, 123.)

SECT. 67 amended, 1955, 770 § 41; revised, 1957, 777 § 21. (See 1955, 770 §§ 117, 123.)

SECT. 67A added, 1932, 252 § 1 (regulating the sale of prison made goods). (See 1932, 252 § 2.)

SECT. 68 revised, 1955, 770 § 42. (See 1955, 770 §§ 117, 123.)

SECT. 69 amended, 1955, 770 § 43; revised, 1957, 777 § 22. (See 1955, 770 §§ 117, 123.)

SECT. 70 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 71 revised, 1941, 344 § 17; 1946, 461 § 2; first paragraph revised, 1955, 770 § 44; section revised, 1957, 777 § 23. (See 1955, 770 §§ 117, 119, 123.)

SECT. 72 amended, 1941, 344 § 18; revised, 1941, 436 § 1; first and third sentences revised, 1955, 770 § 45; section revised, 1957, 777 § 24. (See 1941, 436 § 2; 1955, 770 §§ 117, 123.)

SECT. 73 revised, 1955, 770 § 46; amended, 1957, 777 § 25. (See 1955, 770 §§ 117, 120, 123.)

SECTS. 74-77 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 78 and sections 79–82 (and heading preceding said section 79) repealed, 1941, 344 § 19.

SECTS. 83A–83D added, 1951, 755 (relative to the establishment of prison camps in state forests). (See 1955, 770 §§ 117, 120, 123.)

SECT. 83A revised, 1956, 667.

SECT. 83B amended, 1955, 770 § 47. (See 1955, 770 §§ 117, 123.)

SECT. 83E added, 1956, 731 § 7 (relative to the establishment of camps for certain prisoners prior to their release or parole); amended, 1957, 363.

SECT. 84 amended, 1941, 490 § 28.

SECT. 85, caption preceding section revised, 1956, 715 § 17; section revised, 1950, 727 § 1; amended, 1955, 770 § 48; revised, 1957, 777 § 26. (See 1955, 770 §§ 117, 123.)

SECT. 86 revised, 1950, 727 § 2; amended, 1955, 770 § 49. (See 1955, 770 §§ 117, 123.)

SECTS. 86A–86C added, 1956, 715 § 18 (relative to the employment of prisoners in day-work).

SECT. 86B amended, 1960, 399.

SECT. 86C revised, 1960, 312.

SECT. 87 amended, 1941, 344 § 20; revised, 1955, 770 § 50; amended, 1957, 777 § 27. (See 1955, 770 §§ 117, 123.)

SECT. 88 amended, 1955, 770 § 51; revised, 1957, 777 § 28. (See 1955, 770 §§ 117, 123.)

SECT. 89 revised, 1955, 770 § 52; amended, 1957, 777 § 29. (See 1955, 770 §§ 117, 123.)

SECT. 90 amended, 1955, 770 § 53. (See 1955, 770 §§ 117, 123.)

SECT. 90A revised, 1938, 65; 1951, 394; amended, 1952, 299.

SECT. 91 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 92 revised, 1955, 770 § 54. (See 1955, 770 §§ 117, 123.)

SECT. 93 revised, 1955, 770 § 55. (See 1955, 770 §§ 117, 123.)

SECT. 95 repealed, 1958, 588 § 1.

SECT. 96 amended, 1941, 351 § 42; repealed, 1958, 588 § 1; amended, 1958, 613 § 8B (effective date subsequent to effective date of 1958, 588 § 1 and therefore of no effect).

SECTS. 96A and 96B added, 1936, 383 (providing for the disposition of unclaimed money and property of former prisoners).

SECT. 96A amended, 1945, 290; revised, 1955, 770 § 56; amended, 1957, 777 § 30. (See 1955, 770 §§ 117, 123.)

SECT. 96B revised, 1955, 770 § 57; amended, 1957, 777 § 31. (See 1955, 770 §§ 117, 123.)

SECT. 97 revised, 1943, 113; 1955, 770 § 58; amended, 1956, 731 § 8; revised, 1958, 634. (See 1955, 770 §§ 117, 123.)

SECTS. 98–108 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 109 repealed, 1941, 344 § 21.

SECT. 109A repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 109B added, 1935, 113 § 1 (relative to the transfer of certain prisoners from the Massachusetts Reformatory to the State Prison); repealed, 1955, 770 § 122. (See 1935, 113 § 2; 1955, 770 §§ 117, 123.)

SECTS. 110 and 111 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 111A added, 1933, 169 (relative to transfers of defective delinquents and drug addicts from one institution to another under the department of correction).

SECT. 113 revised, 1955, 770 § 59. (See 1955, 770 §§ 117, 123.)

SECT. 114 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 117 revised, 1941, 510 § 1; 1943, 120.

SECT. 118 revised, 1938, 456; amended, 1941, 351 § 43; revised, 1941, 510 § 2; amended, 1958, 613 § 8C.

SECT. 122 amended, 1955, 770 § 60. (See 1955, 770 §§ 117, 123.)

SECT. 123 amended, 1941, 510 § 3; second sentence revised, 1955, 770 § 61. (See 1955, 770 §§ 117, 123.)

SECT. 124 revised, 1955, 770 § 62. (See 1955, 770 §§ 117, 123.)

SECT. 125 amended, 1946, 148; revised, 1955, 770 § 63. (See 1955, 770 §§ 117, 123.)

SECT. 126 revised, 1955, 770 § 64. (See 1955, 770 §§ 117, 123.)

SECT. 127 amended, 1938, 71; 1941, 70, 690 § 5A; sentence added at end, 1945, 449 § 2; amended, 1953, 215 § 1; last two sentences stricken out, 1955, 770 § 65. (See 1941, 690 §§ 8-10; 1953, 215 § 2; 1955, 770 §§ 117, 123.)

SECT. 128 amended, 1939, 451 § 41; revised, 1941, 690 § 1; 1960, 765 § 3. (See 1941, 690 §§ 8-10.)

**Sects. 129-139 stricken out and new sections 129-136A inserted, 1941, 690 § 2. (See 1941, 690 §§ 8-10.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to sections 129-136A, as so inserted:**

SECT. 129, third sentence amended, 1945, 49 § 1; section revised, 1946, 543 § 1; sentence added at end, 1947, 131 § 1; section revised, 1948, 450 § 1; third, fourth and fifth paragraphs revised, 1954, 567 § 4; section revised, 1955, 770 § 66; last sentence of second paragraph revised, 1960, 524, 765 § 4; paragraph added at end, 1959, 445 § 2. (See 1945, 49 § 2; 1946, 543 § 6; 1947, 131 § 2; 1948, 450 § 3; 1954, 567 § 10; 1955, 770 §§ 117, 123.)

SECT. 129A added, 1959, 224 (providing for a reduction in sentence for prisoners who donate blood for certain causes); revised, 1959, 382 § 1; sentence inserted after first sentence, 1960, 794. (See 1959, 382 § 2.)

SECT. 129B added, 1960, 350 (providing for the reduction of sentences of prisoners in correctional institutions by the number of days such prisoners were confined while awaiting trial).

SECT. 130 revised, 1946, 543 § 2; 1948, 450 § 2; 1955, 770 § 67. (See 1946, 543 § 6; 1948, 450 § 3; 1955, 770 §§ 117, 123.)

SECT. 130A added, 1955, 770 § 68 (relative to the issuance of certificates of termination by the parole board). (See 1955, 770 §§ 117, 123.)

SECT. 132 revised, 1946, 543 § 3; last sentence revised, 1954, 567 § 5; repealed, 1955, 770 § 122. (See 1946, 543 § 6; 1954, 567 § 10; 1955, 770 §§ 117, 123.)

SECT. 133 amended, 1946, 254; revised, 1955, 770 § 69. (See 1955, 770 §§ 117, 123.)

SECTS. 133A and 133B added, 1955, 770 § 70 (relative to the parole of certain prisoners). (See 1955, 770 §§ 117, 123.)

SECT. 133A, first sentence revised, 1956, 731 § 9.

SECT. 134 revised, 1946, 543 § 4; 1955, 770 § 71; 1960, 765 § 5. (See 1946, 543 § 6; 1955, 770 §§ 117, 123.)

SECT. 135, last sentence revised, 1954, 567 § 6; section revised, 1960, 765 § 6. (See 1954, 567 § 10.)

SECT. 136 revised, 1946, 543 § 5; amended, 1955, 770 § 73. (See 1946, 543 § 6; 1955, 770 §§ 117, 123.)

SECT. 136A amended, 1951, 33; revised, 1956, 715 § 19.

SECT. 141 amended, 1941, 174 § 1; revised, 1947, 578; first sentence amended, 1956, 731 § 10; revised, 1960, 765 § 7.

SECT. 144 amended, 1950, 460.

SECT. 145 amended, 1953, 319 § 19. (See 1953, 319 §§ 39, 40.)

SECT. 146 revised, 1932, 221 § 1.

SECT. 149 amended, 1939, 451 § 51; revised, 1941, 174 § 2; amended, 1941, 690 § 3; revised, 1946, 424 § 1. (See 1941, 690 §§ 8-10; 1946, 424 § 2.)

SECT. 151, last sentence amended, 1932, 180 § 25; section revised, 1956, 731 § 11; amended, 1958, 613 § 8D.

SECTS. 151A-151G added, under caption, 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offences who are on probation or parole). (See 1937, 307 § 2.)

SECT. 151F revised, 1957, 229 § 2.

SECT. 151G revised, 1957, 229 § 3.

SECTS. 151H and 151I added, 1956, 229 (authorizing contracts with other states for the joint return of parole and probation violators).

SECT. 151J added, 1957, 229 § 1 (authorizing the retaking and temporary detention of parolees under the out-of-state probationer and parolee supervision law).

SECT. 151K added, 1958, 363 (extending the power of the commonwealth further to enter into interstate compacts for the supervision of probationers and parolees).

SECT. 152 revised, 1939, 479; sentence inserted after second sentence, 1948, 310 § 21; second paragraph revised, 1951, 42; 1952, 256; paragraph inserted after third paragraph, 1951, 773; sentence added at end of fourth paragraph, 1941, 297; same sentence stricken out, 1945, 38 § 8; section revised, 1954, 567 § 7. See 1945, 180. (See 1948, 310 §§ 30, 31; 1954, 567 § 10.)

SECT. 153. See 1945, 180.

SECT. 154 amended, 1939, 451 § 52; revised, 1941, 690 § 4; 1954, 567 § 8. See 1945, 180. (See 1941, 690 §§ 8-10; 1954, 567 § 10.)

SECT. 154A added, 1935, 225 (requiring consideration by the advisory board of pardons of the cases of certain life prisoners on the question of extending clemency); amended, 1939, 451 § 53; 1955, 770 § 72. (See 1955, 770 §§ 117, 123.)

SECT. 155 revised, 1954, 567 § 9. (See 1954, 567 § 10.)

SECT. 158 revised, 1941, 344 § 24; 1955, 770 § 74. (See 1955, 770 §§ 117, 123.)

SECT. 159 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 160 revised, 1941, 344 § 25; 1943, 433; last sentence stricken out, 1945, 512; section revised, 1955, 770 § 75. (See 1955, 770 §§ 117, 123.)

SECT. 162 revised, 1951, 467; 1955, 770 § 76; amended, 1957, 777 § 32. (See 1955, 770 §§ 117, 123.)

SECTS. 166-169 added, 1939, 484 (regulating the payment or receipt of money or other rewards or gratuities for the purpose of obtaining the

granting of any pardon, parole, or commutation of or respite from sentence).

SECTS. 166 and 167 revised, 1941, 690 § 5. (See 1941, 690 §§ 8-10.)

#### Chapter 128. — Agriculture.

SECT. 1 amended, 1941, 490 § 29.

SECT. 1A added, 1952, 386 (defining "agriculture" and "farming"); revised, 1960, 181.

SECT. 2, paragraph (a) revised, 1941, 490 § 30; paragraph (d) revised, 1957, 428; paragraph (f) amended, 1937, 415 § 1; 1938, 230; 1956, 694; paragraph (g) added, 1933, 291 § 1; same paragraph repealed, 1941, 598 § 3.

SECT. 6 amended, 1933, 291 § 2; 1941, 598 § 4.

SECT. 8A added, 1943, 495 (relative to the control or destruction of certain rodents by the commissioner of agriculture); amended, 1946, 366.

SECT. 10 amended, 1934, 340 § 10. (See 1934, 340 § 18.)

SECT. 13 amended, 1934, 340 § 11. (See 1934, 340 § 18.)

SECTS. 16-31A affected, 1939, 405.

SECT. 16, caption preceding section revised, 1941, 490 § 31; section amended, 1941, 490 § 32.

SECT. 20A added, 1953, 91 (relative to the control of water chestnut).

SECT. 21 revised, 1948, 303 § 1.

SECT. 22 amended, 1941, 490 § 33; repealed, 1952, 480 § 2. (See 1952, 480 § 3.)

SECT. 23 amended, 1941, 490 § 34.

SECT. 24A added, 1939, 136 (providing for the control of the Dutch elm disease); repealed, 1949, 761 § 13.

SECT. 27 revised, 1938, 309; 1948, 303 § 2.

SECT. 31A revised, 1943, 144.

SECTS. 32-38 revised, 1951, 506.

SECT. 39 repealed, 1933, 74 § 2.

SECT. 41 revised, 1957, 319 § 1. (See 1957, 319 § 2.)

SECT. 42 revised, 1932, 166; paragraph added at end, 1947, 180.

#### Chapter 128A. — Horse and Dog Racing Meetings.

New chapter inserted, 1934, 374 § 3.

SECT. 1, definition of "State or county fair" added at end, 1958, 208 § 1.

SECT. 2, subsection (5) amended, 1946, 575 § 1; revised, 1958, 229 § 1; second paragraph revised, 1950, 716; 1959, 295 § 1.

SECT. 3, first paragraph revised, 1935, 454 § 2; 1943, 269; 1958, 208 § 2; 1959, 295 § 2; clause (b) revised, 1946, 575 § 2; 1958, 229 § 2; clause (c) amended, 1941, 382; clause (d) revised, 1946, 575 § 3; 1953, 663; clause (e) revised, 1939, 505 § 1; 1958, 116; clause (f) amended, 1935, 454 § 3; clause (h) amended, 1935, 454 § 4; clause (i) revised, 1939, 505 § 2; clause (j) revised, 1946, 575 § 4; clause (n) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the pari-mutuel system of betting, on publicly owned premises); clause (n) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (n) to (o), 1936, 405 § 3. (See 1935, 471 § 2; 1939, 505 § 3; 1958, 208 § 3.)

SECT. 4, second paragraph amended, 1947, 567; revised, 1949, 521; last paragraph revised, 1939, 356.

SECT. 5, first paragraph revised, 1935, 454 § 1; paragraph inserted after first paragraph, 1946, 252; second paragraph, as appearing in 1934, 374 § 3, revised, 1936, 351; 1946, 575 § 5; second sentence of same paragraph amended, 1953, 311 § 1; third paragraph, as so appearing, revised, 1936, 351; 1939, 473; first sentence of same paragraph revised, 1946, 381 § 1, 575 § 7; 1949, 294 § 1; amended, 1953, 311 § 2; second sentence of same paragraph revised, 1946, 381 § 2; 1949, 294 § 3; third sentence of same paragraph amended, 1953, 311 § 3; paragraph inserted after fourth paragraph, 1947, 390 § 1; last paragraph, as appearing in 1934, 374 § 3, amended, 1939, 497; paragraph added at end, 1946, 575 § 6; revised, 1949, 294 § 2. Temporarily affected, 1948, 220; 1949, 294 § 4; 1951, 178; 1953, 246 § 14, 499; 1955, 276; 1957, 280; 1959, 32.

SECT. 5A added, 1946, 445 § 1 (relative to the disposition of money held for payment of unclaimed winnings upon wagers made at horse and dog racing meetings). (See 1946, 445 § 2.)

SECT. 9, last paragraph revised, 1935, 454 § 5.

SECT. 9A added, 1935, 454 § 6 (relative to rules, regulations and conditions to be prescribed by the state racing commission); revised, 1956, 454.

SECT. 10 revised, 1936, 268.

SECT. 10A added, 1960, 102 (prohibiting certain persons from entering, while a racing meeting is being conducted, the premises of a licensee).

SECT. 13 amended, 1935, 454 § 7.

SECT. 13A added, 1935, 454 § 8 (relative to the application of certain laws as to betting and certain local requirements as to race tracks and public amusements, in the case of racing meetings under this chapter); revised, 1939, 159; amended, 1941, 295; first paragraph amended, 1951, 777 § 2; paragraph added at end, 1948, 437. (See 1935, 471 § 2.)

SECT. 13B added, 1937, 322 (prohibiting and penalizing the use of drugs for the purpose of affecting the speed of horses at horse racing meetings); revised, 1958, 86.

SECT. 13C added, 1950, 111 (penalizing attempts to influence persons connected with horse or dog racing to affect the result of a race).

SECT. 14 revised, 1935, 279 § 2; 1936, 253 § 2; amended, 1938, 282; revised, 1947, 138 § 2. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14A added, 1935, 279 § 1 (providing for the resubmission to the voters of the several counties of the question of licensing dog races at which the pari-mutuel system of betting shall be permitted); repealed, 1936, 253 § 1. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14B added, 1953, 389 (providing for the submission to the voters of Berkshire County of the question of licensing horse races at county fairs at which the pari-mutuel system of betting shall be permitted).

SECT. 14C added, 1955, 406 (providing for the submission to the voters of Hampshire County of the question of licensing horse races at county fairs at which the pari-mutuel system of betting shall be permitted).

SECT. 15 revised, 1936, 436 § 2; 1941, 729 § 12; amended, 1947, 390 § 2; revised, 1948, 319; 1955, 540 § 2. (See 1936, 436 § 4; 1941, 729 § 15; 1955, 540 §§ 5-7.)

**Chapter 128B. — Conservation of Soil and Soil Resources and Prevention and Control of Erosion.**

**New chapter inserted, 1945, 531.**

SECT. 2, paragraph (2) revised, 1947, 73 § 1.

SECT. 3, first paragraph revised, 1955, 307 § 1; third paragraph, subdivision 1 revised, 1956, 513 § 1; subdivision 5 revised, 1949, 517; subdivision 9 added, 1956, 513 § 2. (See 1955, 307 § 2.)

SECT. 5 revised, 1947, 73 § 2; 1954, 244.

SECT. 7, subdivision 1 revised, 1956, 513 § 3; subdivisions 3 and 4 revised, 1956, 513 § 4; subdivision 6 revised, 1956, 513 § 5.

**Chapter 129. — Livestock Disease Control (former title, Animal Industry).**

**Title changed, 1941, 491 § 35.**

SECT. 1 revised, 1934, 340 § 12; paragraph (defining "Domestic animals") added, 1935, 70. (See 1934, 340 § 18.)

SECT. 8A added, 1941, 375 (establishing a scale of fees for the inoculation of swine against hog cholera).

SECT. 9 amended, 1943, 332 § 10.

SECT. 10 amended, 1934, 340 § 13. (See 1934, 340 § 18.)

SECT. 14A added, 1953, 19 § 1 (providing for co-operation with the federal government in the eradication of certain animal diseases). (See 1953, 19 § 2); section stricken out and sections 14A and 14B inserted, 1953, 655 § 2 (providing for the eradication of certain animal diseases). (See 1953, 655 § 1.)

SECT. 15 revised, 1941, 162.

SECT. 26A revised, 1938, 168; amended, 1941, 173.

SECT. 26B added, 1957, 337 (relative to the control of disease in the purchase, sale and transportation of live poultry and hatching eggs).

SECT. 29 amended, 1938, 308.

SECT. 32 amended, 1939, 451 § 54.

SECT. 33 amended, 1934, 272; 1946, 417; revised, 1952, 519.

SECT. 33B revised, 1934, 96; 1954, 647 § 1. (See 1954, 647 § 4.)

SECT. 33B stricken out and sections 33B-33D inserted, 1956, 527 § 1 (relative to the control and eradication of brucellosis in bovine animals). (See 1956, 527 § 5.)

SECT. 36A added, 1935, 426 (providing for the licensing of certain dealers in bovine animals); repealed, 1941, 607 § 2.

SECT. 36B added, 1938, 314 (providing for the vaccination of certain cattle to curtail the spread of Bang's disease, so called); revised, 1943, 56; 1952, 518; 1954, 647 § 2; 1956, 527 § 2. (See 1956, 527 § 5.)

SECT. 36C added, 1938, 386 (regulating the transportation of neat cattle); repealed, 1941, 607 § 2.

SECTS. 36D and 36E added, 1954, 647 § 3 (prohibiting the importation or transportation of certain cattle unless tested and vaccinated for brucellosis). (See 1954, 647 § 4; 1956, 527 §§ 5, 6.)

SECT. 36D revised, 1956, 527 § 3; amended, 1960, 371.

SECT. 36E revised, 1956, 527 § 3.

SECTS. 36F and 36G added, 1956, 527 § 4 (relative to the testing of cattle for brucellosis).

SECT. 36F revised, 1958, 449.

SECT. 38 revised, 1934, 340 § 14. (See 1934, 340 § 18.)

SECTS. 39-43 added, 1941, 607 § 1 (to further regulate the dealing in and transportation of bovine animals and to prevent the spread of disease among such animals).

SECT. 40 revised, 1946, 416 § 1.

SECT. 43 revised, 1946, 416 § 2.

**Chapter 129A. — Marine Fish and Fisheries, Inland Fish and Fisheries, Birds and Mammals, General Provisions.**

**New chapter inserted, 1933, 329 § 1.**

SECT. 1, definition of "Warden" revised, 1937, 413 § 2; definitions of "Coastal Warden", "Deputy Coastal Warden" and "Supervisor", revised, 1939, 491 § 11. (See 1937, 413 §§ 3, 4; 1939, 491 § 12.)

SECT. 10, sentence added at end, 1941, 171.

Chapter 129A repealed in part, 1941, 598 § 7; entirely repealed, 1941, 599 § 1. (See 1941, 598 § 9, 599 § 7.)

**Chapter 130. — Marine Fish and Fisheries (former title, Marine Fish and Fisheries, including Crustacea and Shellfish).**

**Chapter stricken out, and new chapter 130 (with new title) inserted, 1933, 329 § 2.**

**Chapter stricken out, and new chapter 130 (with new title) inserted, 1941, 598 § 1. (See 1941, 598 § 9.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 130, as so inserted:**

SECT. 1, definition of "Canned lobster meat or crab meat" inserted, 1956, 512; definition of "Fish" amended, 1945, 98 § 1; last paragraph revised, 1945, 98 § 2.

SECT. 2, second paragraph revised, 1949, 566 § 1; amended, 1950, 628 § 1; revised, 1951, 360; last paragraph revised, 1945, 98 § 3.

SECT. 13, third paragraph revised, 1949, 566 § 2.

SECT. 15A added, 1945, 281 (providing for reciprocal enforcement of laws relating to marine fisheries).

SECT. 20, two paragraphs added at end, 1948, 430 § 1. (See 1948, 430 §§ 2, 3.)

SECT. 22 revised, 1952, 501 § 1.

SECT. 31 amended, 1945, 98 § 4; revised, 1960, 233.

SECT. 33 amended, 1945, 98 § 5.

SECT. 37, paragraph contained in lines 10 and 11 amended, 1943, 149; same paragraph revised, 1943, 533 § 1; 1948, 76 § 1; section revised, 1960, 152. (See 1943, 533 § 2.)

SECT. 37A added, 1958, 281 (relative to the taking of green crabs).

SECT. 38 revised, 1960, 642.

SECT. 39 amended, 1959, 150.

SECT. 40 revised, 1951, 194; amended, 1954, 248.

SECT. 42, last sentence amended, 1945, 242 § 15.

SECT. 43, second and third sentences revised, 1949, 566 § 3; last sentence amended, 1945, 242 § 16; section revised, 1959, 153.

SECT. 44 revised, 1950, 423 § 1, 628 § 2; 1951, 408 § 1; 1953, 156; amended, 1959, 151. (See 1951, 408 § 2.)

SECT. 55 amended, 1951, 281; 1952, 182.



SECT. 69 amended, 1945, 98 § 6; revised, 1959, 201.

SECT. 74, first paragraph amended, 1948, 463; sentence added at end, 1945, 99 § 1; section revised, 1954, 243 § 1; paragraph inserted after paragraph (5), 1960, 324. (See 1954, 243 § 2.)

SECT. 74A added, 1956, 288 § 1 (authorizing the department of public health immediately to designate shellfish areas as contaminated in the event of emergencies).

SECT. 75 amended, 1956, 288 § 2.

SECT. 76, paragraph inserted after third paragraph, 1948, 365.

SECT. 80, third paragraph amended, 1945, 98 § 7.

SECT. 81, first sentence amended and sentence inserted after first sentence, 1955, 711; sentence added at end, 1945, 99 § 2.

SECT. 82, sentence added at end, 1945, 99 § 3.

SECT. 87 amended, 1954, 186.

SECT. 96 revised, 1954, 167.

SECT. 100 amended, 1945, 264 § 1.

SECTS. 100A and 100B added, 1945, 264 § 2 (making permanent the law protecting striped bass). For prior temporary legislation see 1941, 421.

SECT. 100B revised, 1947, 515.

SECT. 100C added, 1959, 206 (regulating the methods of taking shad).

### **Chapter 131. — Powers and Duties of the Division of Fisheries and Game (former title, Games and Inland Fisheries).**

**Chapter stricken out, and new chapter 131 (with new title) inserted, 1941, 599 § 2. (See 1941, 599 §§ 5-7.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 131, as so inserted:**

SECT. 1, definition of "Birds" revised, 1941, 663 § 1; definition of "Coastal waters" inserted, 1954, 92; definition of "Green pelt" inserted, 1948, 615 § 1; definition of "Loaded shotgun or rifle" inserted, 1945, 83; definition of "Mammals" revised, 1941, 663 § 2; definition of "Trap" inserted, 1948, 615 § 2; revised, 1950, 136. (See 1941, 663 § 3.)

SECT. 3A added, 1945, 548 § 1 (establishing the inland fisheries and game fund). (See 1945, 548 § 3.)

SECT. 5 amended, 1947, 245 § 1; first paragraph amended, 1957, 688 § 1A; revised, 1959, 498; paragraph added at end, 1947, 245 § 2.

SECT. 6 revised, 1948, 302 § 1; first sentence amended, 1949, 545; fourth sentence stricken out, 1955, 209; next to last sentence revised, 1953, 218 § 1. (See 1953, 218 § 2.)

SECT. 7 revised, 1954, 457 § 1; first paragraph revised, 1957, 688 § 1B; fourth paragraph amended, 1957, 688 § 1C. (See 1954, 457 § 2.)

SECT. 8, last paragraph of clause (1) revised, 1943, 265; amended, 1950, 233; section revised, 1951, 405 § 1; eighth paragraph of clause (1) revised, 1952, 454 § 1; sixth paragraph of clause (2) revised, 1952, 305 § 1; section revised, 1959, 333 § 1; last paragraph of clause (1) revised, 1959, 466. (See 1951, 405 § 2; 1952, 454 § 2, 305 § 2; 1959, 333 § 2.)

SECT. 8A added, 1949, 516 (authorizing the granting of fishing licenses to certain aliens); revised, 1955, 292.

SECT. 14, paragraph inserted after fifth paragraph, 1948, 400; same

paragraph revised, 1951, 399; paragraph contained in lines 65-73 amended, 1943, 216 § 1; paragraph contained in lines 74-86 amended, 1943, 216 § 2.

SECT. 16 revised, 1947, 193; first sentence revised, 1954, 88; two sentences added at end, 1948, 302 § 2; next to last sentence revised, 1950, 259.

SECT. 16A added, 1955, 647 (relative to the revocation of hunting, fishing and trapping licenses); revised, 1959, 175.

SECT. 25 revised, 1951, 535.

SECT. 26, sentence added at end, 1948, 443.

SECT. 28 revised, 1952, 501 § 2.

SECT. 34 revised, 1945, 693 § 2.

SECT. 40A added, 1946, 79 (penalizing the use of artificial bait in ice fishing elsewhere than in the Connecticut river); repealed, 1953, 224.

SECT. 41, last sentence amended, 1957, 116.

SECT. 41A added, 1956, 420 (relative to permits for the netting of certain fish in the inland waters of the commonwealth).

SECT. 45, table amended, 1948, 109 § 1; revised, 1952, 378 § 1; next to last paragraph amended, 1948, 109 § 2; 1952, 378 § 2; section revised, 1953, 478 § 1. (See 1953, 478 § 2.)

SECT. 45A added, 1954, 99 (regulating the taking of trout in coastal waters).

SECT. 48 amended, 1948, 110; first sentence revised, 1948, 343; amended, 1957, 264.

SECT. 51, first paragraph revised, 1957, 688 § 2; 1960, 419.

SECT. 52 amended, 1957, 688 § 3.

SECT. 53 amended, 1947, 172; revised, 1958, 440.

SECT. 53A added, 1948, 249 (providing for a close season on all birds and mammals during certain periods); revised, 1950, 234; amended, 1959, 41; section repealed, 1960, 146.

SECT. 57 revised, 1953, 21.

SECT. 59, third paragraph amended, 1957, 105.

SECT. 61A added, 1945, 232 (protecting the wood duck); repealed, 1951, 217.

SECT. 64 revised, 1953, 481 § 1. (See 1953, 481 § 2.)

SECT. 65 amended, 1951, 254; sentence added at end, 1952, 171; section revised, 1953, 481 § 1. (See 1953, 481 § 2.)

SECT. 68 amended, 1943, 90; revised, 1948, 615 § 3; 1949, 758 § 1; first sentence revised, 1951, 294 § 1; clause (b) revised, 1950, 107; 1951, 294 § 2; clause (c) revised, 1951, 294 § 3; clause (k) amended, 1951, 294 § 4; clause (l) amended, 1950, 138; section revised, 1953, 482 § 1; paragraph added at end, 1960, 362. (See 1953, 482 § 2.)

SECT. 68A added, 1948, 615 § 4 (relative to the registration and identification of animal traps); revised, 1949, 758 § 2.

SECT. 70 amended, 1948, 615 § 5.

SECT. 72 repealed, 1949, 758 § 3.

SECT. 76 repealed, 1949, 758 § 3.

SECT. 78, first sentence amended, 1947, 275; first paragraph revised, 1949, 304.

SECT. 78 stricken out and sections 78-78F inserted, 1950, 438 (further regulating the taking and hunting of birds and mammals).

SECT. 79 revised, 1949, 282.

- SECT. 80 revised, 1953, 480 § 1. (See 1953, 480 § 2.)
- SECT. 80A added, 1953, 241 § 1 (requiring the tagging of deer taken). (See 1953, 241 § 2.)
- SECT. 81 revised, 1952, 284.
- SECT. 81A added, 1960, 425 (requiring persons hunting deer during the exclusive archery season to obtain a certain stamp therefor).
- SECT. 82, sentence added at end, 1953, 115.
- SECT. 83, paragraph added at end, 1949, 751; section revised, 1955, 509.
- SECTS. 85A-85C added, 1951, 353 (relative to the use of firearms).
- SECT. 85C amended, 1957, 40; 1960, 101.
- SECT. 86 revised, 1956, 254 § 1.
- SECT. 88, sentence added at end, 1959, 265 § 1.
- SECT. 88A added, 1959, 265 § 2 (relative to the molesting, attacking or killing of deer by dogs in Berkshire County).
- SECT. 89 amended, 1947, 363.
- SECT. 92 revised, 1957, 320.
- SECT. 97 repealed, 1945, 12.
- SECT. 97A added, 1943, 463 (relative to the disposition by counties of revenue received from the federal government by reason of federal wild-life refuges situated therein); repealed, 1945, 12.
- SECT. 98 revised, 1956, 254 § 2.
- SECT. 101 revised, 1943, 100.
- SECT. 101A added, 1946, 334 (penalizing the use of certain firearms for hunting purposes).
- SECT. 103, paragraph (2) amended, 1946, 333; tenth paragraph revised, 1951, 429.
- SECT. 105, first paragraph amended, 1959, 243.
- SECT. 105A added, 1950, 424 (relative to the breeding and raising of mink).
- SECT. 107, fifth paragraph amended, 1957, 350 § 1; next to last paragraph revised, 1948, 327; amended, 1957, 350 § 2; last paragraph revised, 1957, 350 § 3.
- SECT. 109 revised, 1959, 244.
- SECT. 111, paragraph added at end, 1946, 412; section revised, 1947, 397; first sentence revised, 1952, 349.
- SECT. 112, last sentence revised, 1950, 235; sentence added at end, 1955, 524 § 1.
- SECT. 112A added, 1955, 524 § 2 (authorizing the director of the division of fisheries and game to issue permits to certain licensed organizations to shoot game birds at certain field trials without licenses).
- SECT. 117A added, 1949, 507 (relative to the draining of certain ponds, reservoirs and other bodies of water).

#### Chapter 132. — Forestry.

For temporary legislation relative to suppression of the gypsy moth, see 1952, 622.

SECT. 1 amended, 1937, 415 § 2; 1941, 490 § 36; 1947, 344 § 26; 1948, 660 § 2. (See 1948, 660 § 26.)

SECT. 1A added, 1948, 660 § 3 (relative to the duties of the chief moth superintendent); amended, 1949, 761 § 1.

SECT. 4 revised, 1948, 660 § 4; amended, 1949, 761 § 2.

SECT. 5 repealed, 1932, 180 § 27.

SECT. 6 revised, 1941, 455; amended, 1952, 363.

SECT. 8 revised, 1948, 660 § 5; 1949, 761 § 3; 1956, 657 § 2.

SECT. 9 revised, 1952, 308 § 1.

SECT. 11 revised, 1937, 415 § 3; 1948, 660 § 6; first sentence amended, 1949, 761 § 4; 1950, 422; 1955, 340; section revised, 1956, 657 § 3.

SECT. 11A added, 1952, 480 § 1 (relative to elimination of white pine blister rust by department of conservation); revised, 1956, 657 § 4. (See 1952, 480 § 3.)

SECT. 12 amended, 1937, 415 § 4; revised, 1948, 660 § 7; 1956, 657 § 5.

SECT. 12A added, 1945, 401 (relative to suppression of gypsy moths, etc., on land of the commonwealth); revised, 1948, 660 § 8; 1949, 761 § 5; 1956, 657 § 6.

SECT. 13 revised, 1935, 87; amended, 1937, 415 § 5; revised, 1948, 660 § 9; last sentence stricken out and two sentences inserted, 1949, 761 § 6; last sentence revised, 1950, 694 § 1; section revised, 1956, 657 § 7.

SECT. 14 revised, 1937, 415 § 6; revised, 1948, 660 § 10; third paragraph revised, 1949, 761 § 7; amended, 1950, 694 § 2; revised, 1951, 488; sixth paragraph revised, 1949, 761 § 8; section revised, 1956, 657 § 8.

SECT. 15 revised, 1948, 660 § 11; 1956, 657 § 9.

SECT. 16 revised, 1948, 660 § 12; 1956, 657 § 10.

SECT. 17 amended, 1937, 415 § 6A; last sentence revised, 1946, 432 § 10; section revised, 1948, 660 § 13; 1956, 657 § 11.

SECT. 18 amended, 1937, 415 § 6B; revised, 1948, 660 § 14; repealed, 1956, 657 § 12.

SECT. 18A added, 1949, 174 (authorizing municipalities to form districts and pool expenditures for the suppression of certain insect pests); first paragraph revised, 1952, 489 § 1; section repealed, 1956, 657 § 12.

SECT. 18B added, 1949, 211 (authorizing counties to engage in the work of suppression of certain insect pests); revised, 1952, 489 § 2; repealed, 1956, 657 § 12.

SECT. 19 revised, 1948, 660 § 15; repealed, 1956, 657 § 12.

SECT. 20 repealed, 1956, 657 § 12.

SECT. 21 repealed, 1956, 657 § 12.

SECT. 22 amended, 1937, 415 § 7; revised, 1948, 660 § 16; repealed, 1956, 657 § 12.

SECT. 23 revised, 1948, 660 § 17; repealed, 1956, 657 § 12.

SECT. 24 revised, 1948, 660 § 18; repealed, 1956, 657 § 12.

SECT. 25 revised, 1937, 415 § 8; 1948, 660 § 19; amended, 1949, 761 § 9; revised, 1956, 657 § 13.

SECT. 26 amended, 1937, 415 § 9; revised, 1948, 660 § 20; sentence added at end, 1954, 118; section repealed, 1956, 657 § 14.

SECTS. 26A-26D added, 1949, 761 § 10 (relative to the eradication of the Dutch elm disease).

SECT. 26A revised, 1956, 657 § 15.

SECT. 26B repealed, 1956, 657 § 16.

SECT. 26C amended, 1950, 694 § 3; repealed, 1956, 657 § 16.

SECT. 26D revised, 1952, 489 § 3; 1956, 657 § 17.

SECTS. 26E-26G added, 1956, 657 § 18 (relative to the condemnation, removal and destruction of trees infected with Dutch elm disease).

SECT. 27 amended, 1937, 415 § 10; revised, 1948, 660 § 21; repealed, 1956, 657 § 19.

SECT. 28 amended, 1937, 415 § 11; revised, 1948, 660 § 22; repealed, 1956, 657 § 19.

SECT. 29 repealed, 1948, 660 § 23.

SECT. 30, last sentence revised, 1945, 514.

SECT. 33 amended, 1935, 373; 1936, 415 § 1.

SECT. 34, new paragraph added at end, 1935, 233.

SECT. 34A, first paragraph revised, 1950, 574; paragraph added at end, 1947, 366.

SECT. 35 amended, 1952, 308 § 2.

SECT. 36 revised, 1936, 415 § 2.

SECT. 36A added, 1945, 27 (relative to the acquisition by prescription or adverse possession of title to lands of the commonwealth under control of the department of conservation).

SECTS. 40-45 added, under caption "FOREST CUTTING PRACTICES", 1943, 539.

SECTS. 42, 43 and 44 revised, 1952, 427.

SECT. 46 added, 1957, 652 (requiring a license for the harvesting of timber or other forest products for hire or profit on land devoted to forest purposes).

#### **Chapter 132A. — State Recreation Areas outside of the Metropolitan Parks District (former title, State Parks and Reservations outside of the Metropolitan Parks District).**

**Title changed, 1954, 419 § 1.**

SECT. 1 amended, 1954, 419 § 2. (See 1954, 419 § 6.)

SECT. 2 amended, 1941, 490 § 37; 1954, 419 § 3. (See 1954, 419 § 6.)

SECTS. 2A-2D added, 1958, 656 § 1 (providing for the development of state parks, state forest recreation areas and state reservations by the department of natural resources).

SECT. 3, first sentence revised, 1955, 672; 1958, 656 § 2.

SECT. 3A added, 1958, 656 § 3 (relative to the taking of certain lands by the department of natural resources).

SECT. 4 amended, 1954, 419 § 4; 1958, 640 § 10. (See 1954, 419 § 6.)

SECT. 5 amended, 1946, 432 § 11.

SECT. 7 revised, 1941, 722 § 11.

SECT. 9 amended, 1933, 75 § 4.

SECT. 10 added, 1954, 419 § 5 (establishing the State Recreation Areas Fund). (See 1954, 419 § 6.)

SECT. 11 added, 1960, 517 (establishing a conservation program for cities and towns).

#### **Chapter 135. — Unclaimed and Abandoned Property.**

SECT. 1 revised, 1947, 441 § 1.

SECTS. 2-4 repealed, 1947, 441 § 2.

SECT. 8 amended, 1938, 98 § 1.

SECT. 9 amended, 1938, 98 § 3.

SECT. 11 amended, 1938, 98 § 2.

**Chapter 136. — Observance of the Lord's Day and Legal Holidays (former title, Observance of the Lord's Day).**

**Title changed, 1960, 812 § 2.**

SECT. 2 amended, 1933, 150 § 1; 1934, 63; 1935, 78; 1946, 207 § 1; 1955, 255 § 1; amended, 1956, 11; revised, 1956, 212, 256.

SECT. 3 revised, 1955, 255 § 2.

SECT. 4 amended, 1945, 575; revised, 1953, 596; 1954, 303; amended, 1956, 157; first sentence revised, 1957, 300; sentence added at end, 1955, 742.

SECT. 4A added, 1933, 150 § 2 (relative to the licensing of certain enterprises to be held on the Lord's day at amusement parks and beach resorts); revised, 1933, 309 § 1; sentence added at end, 1946, 207 § 2. (See 1933, 309 § 2.)

SECT. 4B added, 1946, 207 § 3 (relative to the licensed operation on the Lord's day of bowling alleys).

SECT. 6, second and third paragraphs amended, 1934, 328 § 7; fourth paragraph amended, 1932, 96; 1934, 354; paragraph added at end, 1933, 150 § 3; section revised, 1934, 373 § 6; second paragraph amended, 1955, 304; revised, 1957, 356 § 16; third paragraph amended, 1936, 129; 1937, 286; 1950, 256 § 1; fourth paragraph amended, 1938, 143; same paragraph revised, 1943, 473; 1950, 681; 1951, 504; 1954, 217; 1957, 356 § 17; last paragraph revised, 1946, 207 § 4; paragraph added at end, 1949, 190; 1950, 322.

SECT. 7 amended, 1934, 328 § 8; revised, 1934, 373 § 7; 1957, 356 § 18.

SECT. 8 amended, 1937, 124.

SECT. 9 amended, 1953, 108.

SECT. 13 amended, 1932, 105.

SECT. 17, sentence added at end, 1933, 150 § 4; section amended, 1934, 55; revised, 1938, 60; last sentence revised, 1955, 524 § 3.

SECT. 19 repealed, 1950, 256 § 2.

SECT. 21 revised, 1935, 104, 169; 1946, 318 § 1; amended, 1948, 119; revised, 1951, 32; 1954, 132. (See 1946, 318 § 2.)

SECT. 22. See 1933, 136; 1935, 49.

SECTS. 33-37 added, under caption "LEGAL HOLIDAYS", 1960, 812 § 3 (relative to the observance of legal holidays within the commonwealth).

**Chapter 138. — Alcoholic Liquors (Old Title, Intoxicating Liquors and Certain Non-Intoxicating Beverages).**

**Chapter stricken out, and new chapter 138 inserted, 1933, 376 § 2.**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 138, as so inserted:**

SECT. 1, new paragraph (definition of "Alcohol") added, 1935, 440 § 1; definition of "Restaurant" amended, 1936, 368 § 1; eighth paragraph (definition of "Club") revised, 1934, 385 § 1; definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; definition of "Wines" revised, 1941, 637 § 1. (See 1941, 637 § 3.)

SECT. 2 revised, 1934, 305, 372 § 4; 1935, 440 § 2; first sentence revised, 1939, 470 § 1; 1943, 542 § 1.

SECT. 3 amended, 1935, 440 § 3.

SECT. 4 amended, 1934, 385 § 2; 1958, 80.

SECT. 7 amended, 1935, 440 § 4.

SECT. 10 amended, 1935, 440 § 5.

SECT. 10A revised, 1943, 542 § 2.

SECT. 10B added, 1934, 370 § 11 (authorizing the alcoholic beverages control commission to remove a member of a local licensing board under certain conditions).

SECT. 11 revised, 1936, 207 § 1; 1947, 138 § 3. (See 1935, 281.)

SECT. 11A( first paragraph amended, 1934, 142 § 1; paragraph inserted, 1934, 142 § 2; paragraph added at end, 1934, 142 § 3; section revised, 1934, 211 § 1; last paragraph stricken out, 1935, 440 § 6; section revised, 1951, 208. (See 1934, 142 § 4, 211 § 2.)

SECT. 12, first paragraph amended, 1934, 121 § 2; last sentence of first paragraph revised, 1934, 370 § 1; second paragraph amended, 1934, 121 § 2; sentence contained in lines 42-53 revised, 1934, 370 § 2; section revised, 1934, 385 § 3; first paragraph amended, 1935, 253 § 2; revised, 1935, 440 § 7; new paragraph inserted after first paragraph, 1935, 253 § 3; proviso contained in lines 46-48 stricken out, 1935, 253 § 4; third paragraph revised, 1935, 440 § 8; next to last paragraph stricken out, 1935, 440 § 9; section revised, 1935, 468 § 1; first paragraph amended, 1936, 207 § 2; second sentence of first paragraph amended, 1949, 391; last sentence of first paragraph revised, 1937, 331; 1943, 542 § 3; second paragraph revised, 1936, 368 § 2; amended, 1943, 542 § 4; paragraph inserted after third paragraph, 1948, 649; fourth paragraph, as appearing in 1935, 468 § 1, amended, 1959, 480; sixth paragraph amended, 1955, 336; paragraph added at end, 1937, 264. (See 1943, 542 § 20.)

SECT. 12A added, 1950, 372 (relative to the renewal of licenses to sell liquor in restaurants).

SECT. 13, last two sentences stricken out, 1934, 385 § 4; section revised, 1935, 440 § 10.

SECT. 14 amended, 1934, 370 § 3; paragraph added at end, 1935, 440 § 11.

SECT. 15, first paragraph amended, 1934, 385 § 5; revised, 1935, 440 § 12; last paragraph revised, 1934, 370 § 4; last sentence revised, 1936, 225 § 1; second paragraph revised, 1938, 353.

SECT. 15A added, 1934, 370 § 5 (relative to the publication of applications for original licenses); revised, 1935, 440 § 13; 1939, 414; amended, 1943, 542 § 5.

SECT. 16 revised, 1936, 368 § 3.

SECT. 16A revised, 1934, 385 § 6; 1937, 424 § 1.

SECT. 16B revised, 1935, 440 § 14; paragraph added at end, 1937, 291; section revised, 1937, 424 § 2; second paragraph revised, 1939, 92; section amended, 1943, 542 § 6.

SECT. 16C added, 1954, 569 § 1 (limiting licenses for the sale of alcoholic beverages near schools and churches). (See 1954, 569 §§ 2, 3.)

SECT. 17, second proviso of first paragraph amended, 1934, 385 § 7; first paragraph amended, 1935, 81; last paragraph revised, 1934, 83; section revised, 1935, 440 § 15; first paragraph amended, 1936, 136, 245; 1937, 14 § 1; second paragraph revised, 1936, 199; paragraph added after the second paragraph, 1936, 368 § 4; section revised, 1937, 424 § 3; paragraph in lines 77-105 amended, 1946, 305; 1953, 310; paragraph in

lines 106-118 revised, 1939, 263; paragraph in lines 119-122 revised, 1941, 522; same paragraph amended, 1945, 666; revised, 1950, 222; 1951, 145; paragraph added at end, 1952, 197 § 1; 1960, 691. (See 1937, 14 § 2; 1952, 197 § 2.)

SECT. 18, first paragraph revised, 1935, 440 § 16; first sentence revised, 1943, 452 § 7; two paragraphs added, 1934, 385 § 8; paragraph added at end, 1943, 542 § 8.

SECT. 18A added, under caption "SELLING AGENTS OF FOREIGN IMPORTERS AND MANUFACTURERS", 1934, 312; first paragraph revised, 1935, 440 § 17.

SECT. 18B added, 1943, 542 § 9 (relative to the issuance of certificates of compliance to persons licensed outside the commonwealth to export and sell alcoholic beverages to licensees under this chapter).

SECT. 19, first paragraph revised, 1935, 440 § 18; second paragraph amended, 1934, 385 § 9; last paragraph amended, 1934, 385 § 10; 1935, 440 § 19; paragraph added at end, 1936, 368 § 5.

SECT. 19A added, 1934, 385 § 11 (relative to the licensing of salesmen for manufacturers and for wholesalers and importers); revised, 1935, 440 § 20.

SECT. 20 revised, 1934, 385 § 12; first paragraph amended, 1936, 368 § 6; paragraph inserted, 1936, 368 § 7; section revised, 1943, 542 § 10.

SECT. 20A added, 1937, 424 § 4 (relative to granting permits to public warehousemen to store and warehouse alcoholic beverages); amended, 1953, 654 § 95.

SECT. 21 revised, 1934, 385 § 13; first paragraph amended, 1935, 440 § 21; first six paragraphs revised, 1936, 411 § 1; 1939, 367 § 1; first paragraph (as appearing in 1939, 367 § 1) amended, 1943, 542 § 11; third paragraph (as so appearing) stricken out and two new paragraphs inserted, 1941, 637 § 2; sixth paragraph (as so appearing) revised, 1943, 36; first seven paragraphs stricken out and eight paragraphs inserted, 1947, 625 § 1; next to the last paragraph (as appearing in 1934, 385 § 13) amended, 1936, 368 § 8; last paragraph (as so appearing) revised, 1939, 451 § 55; paragraph added at end, 1939, 394; same paragraph stricken out and two paragraphs inserted, 1947, 524; section amended, 1953, 654 § 96; revised, 1954, 402; amended, 1955, 421 § 1; three sentences in lines 59-73 revised, 1957, 374 § 1; paragraph in lines 96-101 revised, 1957, 374 § 2; sentence added at end, 1955, 421 § 2. [For temporary additional excise, 1939, 434; 1941, 339; 1943, 423; 1945, 546; 1949, 674; 1951, 386 § 7; 1955, 495 § 1; 1957, 456 § 12; 1959, 31 § 11. Additional excise, 1945, 731 § 11; 1953, 246 § 11.] (See 1936, 411 § 2; 1939, 367 § 2; 1941, 637 § 3; 1947, 625 §§ 3, 4.)

SECT. 22 revised, 1934, 385 § 14; 1935, 440 § 22; third paragraph revised, 1956, 105; fourth and fifth paragraphs stricken out and new paragraph inserted, 1937, 418.

SECT. 22A added, 1934, 385 § 15 (providing for the granting by the alcoholic beverages control commission in certain cases of permits to sell alcoholic beverages); sentence added at end, 1955, 322.

SECT. 23, sentence added at end of fourth paragraph, 1934, 370 § 6; last paragraph amended, 1934, 245; section revised, 1934, 385 § 16; fifth paragraph amended, 1935, 253 § 5; last four paragraphs stricken out, and five new paragraphs inserted, 1935, 440 § 23; second of the paragraphs so inserted revised, 1941, 578; fourth paragraph revised, 1938,



238; sentence added at end of next to last paragraph, 1939, 470 § 2; section revised, 1943, 542 § 12; paragraph added at end, 1955, 652.

SECT. 23A added, 1945, 215 (authorizing the alcoholic beverages control commission to take action to eliminate unfair competition and other trade abuses in the sale of alcoholic beverages); revised, 1950, 780.

SECT. 23B added, 1955, 382 (permitting holders of alcoholic beverages licenses to retain said licenses when the licensed premises have been taken by public necessity); amended, 1958, 514.

SECT. 24, first sentence amended, 1934, 232; section revised, 1943, 542 § 13; first sentence revised, 1952, 426.

SECTS. 25A and 25B added, 1946, 304 (prohibiting discrimination between licensees authorized to sell alcoholic beverages by eliminating the practice of granting special inducements to favored licensees).

SECT. 25B, paragraph (e) revised, 1950, 261.

SECT. 26C added, 1952, 385, 567 § 1 (relative to the elimination of certain trade abuses). (See 1952, 567 § 2.)

SECT. 26, first paragraph amended, 1935, 440 § 24.

SECT. 27 revised, 1934, 301 § 1; amended, 1934, 385 § 23; revised, 1935, 442; amended, 1936, 436 § 3; revised, 1936, 438; 1941, 729 § 13; 1947, 625 § 2; first sentence revised, 1955, 540 § 3. (See 1936, 436 § 4; 1941, 729 § 15; 1947, 625 § 4; 1955, 540 §§ 5, 6, 7.)

SECT. 28 amended, 1934, 112.

SECT. 29 revised, 1935, 440 § 25; second paragraph amended, 1956, 283 § 1. (See 1956, 283 § 2.)

SECT. 30 amended, 1935, 83 § 1; 1943, 542 § 14. (See 1935, 83 § 2.)

SECT. 30A revised, 1934, 370 § 7; 1935, 440 § 26.

SECT. 30B amended, 1935, 440 § 27; paragraph added at end, 1936, 368 § 9.

SECT. 30D amended, 1935, 440 § 28.

SECT. 30E, first paragraph amended, 1935, 440 § 29.

SECT. 30F revised, 1935, 440 § 30.

SECT. 30G amended, 1935, 440 § 31.

SECT. 30H added, 1935, 440 § 32 (possession or transportation of alcoholic beverages or alcohol under certain circumstances deemed prima facie evidence of violation of law).

SECT. 31 amended, 1935, 440 § 33; revised, 1936, 368 § 10.

SECT. 32 amended, 1934, 370 § 8.

SECT. 33 revised, 1934, 370 § 9; amended, 1935, 468 § 2; last sentence revised, 1936, 225 § 2; section amended, 1937, 268; 1941, 356.

SECT. 34 amended, 1935, 440 § 34; revised, 1936, 171; 1937, 424 § 5; amended, 1943, 542 § 15.

SECT. 34A added, 1935, 146 (relative to procuring by false representation sales or delivery of alcoholic beverages to minors); revised, 1935, 440 § 35.

SECT. 36 amended, 1934, 385 § 17.

SECT. 37 revised, 1934, 385 § 18.

SECT. 38 amended, 1941, 199.

SECT. 40 amended, 1959, 313 § 1.

SECTS. 42-55 affected, 1935, 440 § 36.

SECT. 42, first paragraph amended, 1959, 313 § 2; paragraph added at end, 1935, 440 § 36.

SECT. 46 amended, 1934, 370 § 10; 1935, 440 § 37.

- SECT. 47 amended, 1959, 313 § 3.  
 SECT. 50 amended, 1959, 313 § 4.  
 SECT. 51 amended, 1959, 313 § 5.  
 SECT. 52 amended, 1959, 313 § 6.  
 SECT. 53 amended, 1959, 313 § 7.  
 SECT. 54 amended, 1959, 313 § 8.  
 SECT. 56 revised, 1935, 440 § 38; 1936, 368 § 11.  
 SECT. 57 revised, 1936, 368 § 12.  
 SECT. 62 amended, 1935, 440 § 39.  
 SECT. 63, first sentence revised, 1934, 385 § 19; section revised, 1935, 440 § 40; 1936, 368 § 13.  
 SECT. 63A revised, 1935, 440 § 41; 1943, 542 § 16.  
 SECT. 64 revised, 1934, 385 § 20.  
 SECT. 65 revised, 1943, 542 § 17.  
 SECT. 67 amended, 1934, 385 § 21; revised, 1935, 440 § 42; amended, 1938, 400; first paragraph amended, 1943, 542 § 18; section revised, 1953, 672; last two paragraphs stricken out and three paragraphs inserted, 1954, 574; paragraph inserted after fifth paragraph, 1955, 461.  
 SECT. 70 revised, 1934, 301 § 2; 1945, 598.  
 SECT. 71 amended, 1953, 654 § 97.  
 SECTS. 72-75 repealed, 1934, 372 § 1.  
 SECT. 76 revised, 1934, 372 § 2; next to last sentence revised, 1934, 385 § 22; section revised, 1935, 440 § 43.  
 SECT. 77 revised, 1943, 542 § 19.

#### Chapter 139. — Common Nuisances.

- SECT. 2, sentence added at end, 1945, 697 § 5.  
 SECT. 14, caption amended, 1934, 328 § 9; section amended, 1934, 328 § 10.  
 SECT. 16 amended, 1934, 328 § 11.  
 SECT. 16A amended, 1934, 328 § 12.  
 SECT. 17 repealed, 1934, 328 § 13.  
 SECT. 19 amended, 1934, 328 § 14.  
 SECT. 20 amended, 1934, 328 § 15; 1948, 132.

#### Chapter 140. — Licenses.

- SECT. 4 amended, 1934, 171 § 1. (See 1959, 250.)  
 SECT. 6 amended, 1937, 424 § 6; revised, 1941, 439 § 1.  
 SECT. 6A added, 1937, 424 § 7 (providing for the granting of common victuallers' licenses and licenses to sell alcoholic beverages upon condition that licensed premises are equipped and furnished according to plans and estimates approved in advance); repealed, 1941, 439 § 2.  
 SECT. 8 amended, 1936, 368 § 14; revised, 1943, 328.  
 SECT. 9A added, 1939, 431 (relative to the keeping of the premises of common victuallers open for business).  
 SECT. 10 amended, 1935, 167.  
 SECT. 12 revised, 1932, 86; 1933, 92; 1943, 31.  
 SECTS. 21E and 21F added, under caption, 1933, 284 (providing for the regulation of organizations dispensing food or beverages to members and guests).

SECT. 21E, last sentence revised, 1934, 328 § 16; affected, 1934, 328 § 17.

SECT. 22 amended, 1960, 740.

SECT. 23 revised, 1952, 577. (See 1959, 250.)

SECT. 26 revised, 1954, 61.

SECT. 27, first sentence amended, 1947, 375; 1950, 326 § 1; 1954, 134 § 1.

SECT. 29 amended, 1953, 135.

SECTS. 32A-32E added, under caption, 1939, 416 (requiring the licensing of recreational camps, overnight camps or cabins and trailer camps); caption preceding section 32A revised, 1950, 326 § 2; 1954, 134 § 2.

SECT. 32A amended, 1950, 326 § 3; 1954, 134 § 3.

SECT. 32B amended, 1941, 396; revised, 1945, 153; first two sentences amended, 1950, 326 § 4; first sentence amended, 1954, 134 § 4; second sentence revised, 1950, 802 § 1. (See 1950, 802 §§ 4, 5.)

SECT. 32C amended, 1950, 326 § 5; 1954, 134 § 5.

SECT. 32D amended, 1950, 326 § 6; 1954, 134 § 6.

SECT. 32E amended, 1950, 326 § 7; 1954, 134 § 7.

SECTS. 32F-32K added, under caption, 1950, 326 § 8 (providing for the regulation of trailer coach parks).

SECT. 32F, sentence added at end, 1950, 802 § 2; paragraph added at end, 1951, 74; amended, 1955, 623; 1956, 162 § 1. (See 1950, 802 §§ 4, 5; 1956, 162 § 2.)

SECT. 32G revised, 1950, 802 § 3; 1952, 583 § 1; 1954, 410. (See 1950, 802 §§ 4, 5; 1952, 583 § 3.)

SECT. 32L added, 1956, 444 (defining a trailer coach).

SECT. 48 repealed, 1937, 342 § 2.

SECT. 51 amended, 1932, 275; 1935, 428 § 3; 1936, 55 § 1; revised, 1941, 626 § 12; amended, 1947, 253. (See 1935, 428 §§ 6, 7; 1936, 55 § 2.)

SECT. 52 amended, 1935, 428 § 4. (See 1935, 428 § 7.)

SECT. 55 amended, 1938, 59.

SECT. 56A added, 1951, 345 (relative to the licensing of shooting galleries).

SECT. 57, sentence added at end, 1952, 103 § 1.

SECT. 58, second paragraph revised, 1948, 181 § 1; definition of "Class 2" revised, 1952, 103 § 2.

SECT. 59 amended, 1934, 254 § 1; 1938, 96; revised, 1948, 181 § 2; sentence inserted after tenth sentence, 1957, 308. (See 1934, 254 § 2; 1953, 349.)

SECT. 60 revised, 1948, 201 § 3. (See 1948, 201 § 4.)

SECT. 62 amended, 1948, 181 § 3.

SECT. 65 revised, 1948, 181 § 4.

SECT. 71 revised, 1943, 154.

SECT. 90, three sentences added at end, 1934, 179 § 1; section revised, 1946, 223 § 1. (See 1946, 223 § 2.)

SECTS. 90A-90D added, 1959, 505 § 1 (limiting interest rates on home mortgages). (See 1959, 505 §§ 2-4.)

SECT. 90A, first sentence stricken out and two sentences inserted, 1960, 446.

SECTS. 92 and 93 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 95 revised, 1956, 689 § 1. (See 1956, 689 § 9.)

SECT. 96, sentence added at end, 1934, 179 § 2; section amended, 1941, 158 § 1; 1956, 689 § 2; 1959, 136 § 1. (See 1941, 158 §§ 2, 3; 1956, 689 § 9.)

SECT. 98 amended, 1957, 97.

SECT. 100 amended, 1946, 119; revised, 1946, 174 § 1; 1956, 689 § 4. (See 1946, 174 § 2; 1956, 689 §§ 8A, 9.)

SECT. 108 revised, 1957, 765 § 6. (See 1957, 765 § 21.)

SECT. 110 amended, 1959, 136 § 2; 1956, 689 § 5. (See 1956, 689 § 9.)

SECT. 114A added, 1956, 689 § 8 (further regulating the rate of interest and charges on loans of fifteen hundred dollars or less and relating to certain other loans). (See 1956, 689 § 9.)

SECT. 115 revised, 1948, 550 § 21; 1949, 297 § 7.

SECT. 121 amended, 1934, 359 § 1; revised, 1957, 688 § 4; first sentence revised, 1960, 186; sentence inserted after third sentence, 1959, 296 § 1.

SECT. 122 revised, 1957, 688 § 5; 1959, 296 § 2.

SECT. 122A revised, 1957, 688 § 6; 1959, 296 § 3.

SECT. 123 revised, 1957, 688 § 7; 1959, 296 § 4.

SECT. 125 amended and sentence added at end, 1957, 688 § 8.

SECT. 126 amended, 1957, 688 § 9; revised, 1958, 49.

SECT. 127 revised, 1957, 688 § 10.

SECT. 128 amended, 1957, 688 § 11.

SECT. 129 amended, 1957, 688 § 12.

SECT. 129A repealed, 1945, 254.

SECT. 130, sentence added at end, 1945, 132; section revised, 1951, 373 § 1; 1957, 688 § 13; 1959, 296 § 5.

SECT. 130A added, 1951, 373 § 2 (further regulating the sale of firearms); repealed, 1957, 688 § 14.

SECT. 131 revised, 1936, 302; amended, 1951, 201; 1953, 319 § 20; sentence added at end, 1953, 454; section revised, 1957, 688 § 15; 1959, 296 § 6; sentence added at end, 1960, 293. (See 1953, 319 §§ 39, 40.)

SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7.

SECT. 131B amended, 1957, 688 § 17.

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein); amended, 1957, 688 § 18.

SECT. 131D added, 1947, 492 § 5 (relative to the emission of smoke by steam locomotives); repealed, 1954, 672 § 7; caption preceding section stricken out, 1957, 688 § 19.

SECTS. 131E and 131F added, 1957, 688 § 20 (providing a penalty for the unlawful purchasing by a licensee of firearms for another and relative to the issuance of temporary licenses to non-residents).

SECT. 131F revised, 1959, 296 § 8.

SECT. 132 repealed, 1954, 672 § 7.

SECT. 133 amended, 1939, 451 § 56; revised, 1948, 550 § 22; 1949, 297 § 8; repealed, 1954, 672 § 7.

SECT. 134 repealed, 1954, 672 § 7.

SECT. 135 repealed, 1954, 672 § 7.

SECT. 136 revised, 1947, 492 § 6; repealed, 1954, 672 § 7.

SECT. 136A, under caption "dogs", added, 1934, 320 § 1 (definitions of certain words and phrases in sections 137-175); amended, 1943, 111 § 1. (See 1934, 320 § 34.)

SECT. 137 amended, 1932, 289 § 1; revised (and caption stricken out) 1934, 320 § 2; revised, 1943, 111 § 2; 1945, 140; second paragraph amended, 1956, 78 § 1; last two sentences stricken out, 1956, 44 § 1. (See 1934, 320 § 34.)

SECTS. 137A-137C added, 1934, 320 § 3 (relative to kennel licenses and regulating holders of such licenses). (See 1934, 320 § 34.)

SECT. 137A, paragraph added at end, 1937, 95; first paragraph stricken out and three paragraphs inserted, 1943, 111 § 3.

SECT. 137C revised, 1939, 206.

SECT. 137D added, 1948, 329 (prohibiting the issuing of dog licenses to persons convicted of cruelty to animals).

SECT. 138 revised, 1934, 320 § 4; 1938, 92; 1943, 111 § 4. (See 1934, 320 § 34.)

SECT. 139 amended, 1934, 320 § 5; sentence inserted after second sentence, 1956, 44 § 2; sentence added at end, 1939, 23; sentence added at end, 1941, 132. (See 1934, 320 § 34.)

SECT. 140 repealed, 1934, 320 § 6. (See 1934, 320 § 34.)

SECT. 141 revised, 1934, 320 § 7. (See 1934, 320 § 34.)

SECT. 141A added, 1957, 298 § 2 (providing that certain provisions of law relating to dogs shall not apply to chapter 49A of the General Laws).

SECTS. 142-144 repealed, 1934, 320 § 8. (See 1934, 320 § 34.)

SECT. 145 amended, 1932, 289 § 2.

SECT. 145A added, 1932, 289 § 3 (relative to the furnishing of anti-rabic vaccine); revised, 1934, 320 § 9; 1937, 375; last sentence revised, 1939, 42. (See 1934, 320 § 34.)

SECT. 146 revised, 1934, 320 § 10; 1941, 133 § 1. (See 1934, 320 § 34.)

SECT. 147 revised, 1932, 289 § 4; 1934, 320 § 11; amended, 1941, 133 § 2; first sentence revised, 1957, 47. (See 1934, 320 § 34.)

SECT. 148 repealed, 1932, 289 § 6. (See G. L. chapter 41 § 13A, inserted by 1932, 289 § 5.)

SECT. 150 revised, 1934, 320 § 12; 1954, 357. (See 1934, 320 § 34.)

SECT. 151 revised, 1934, 320 § 13; fifth sentence revised, 1948, 11 § 1; sentence inserted after fifth sentence, 1956, 78 § 2.

SECT. 151A added, 1934, 320 § 14 (powers and duties of dog officers under annual warrants from mayors or selectmen); first sentence revised, 1957, 298 § 3; last sentence revised, 1948, 11 § 2; amended, 1957, 48. (See 1934, 320 § 34.)

SECT. 152 revised, 1934, 320 § 15; 1957, 298 § 4. (See 1934, 320 § 34.)

SECT. 153 revised, 1934, 320 § 16; 1957, 298 § 5. (See 1934, 320 § 34.)

SECT. 154 repealed, 1934, 320 § 17. (See 1934, 320 § 34.)

SECT. 155 revised, 1934, 320 § 18. (See 1934, 320 § 34.)

SECT. 156 revised, 1934, 320 § 19; 1951, 156. (See 1934, 320 § 34.)

SECT. 157 revised, 1934, 320 § 20. (See 1934, 320 § 34.)

SECT. 158 revised, 1934, 320 § 21. (See 1934, 320 § 34.)

SECT. 159 revised, 1934, 320 § 22. (See 1934, 320 § 34.)

SECT. 160 revised, 1934, 320 § 23. (See 1934, 320 § 34.)

SECT. 161, first two sentences amended, 1932, 289 § 7; section amended, 1934, 320 § 24. (See 1934, 320 § 34.)

SECT. 161A added, 1934, 320 § 25 (reimbursement for damages by dogs regulated). (See 1934, 320 § 34.)

SECT. 162 revised, 1934, 320 § 26. (See 1934, 320 § 34.)

SECT. 163 amended, 1934, 320 § 27. (See 1934, 320 § 34.)

- SECT. 164 amended, 1934, 320 § 28. (See 1934, 320 § 34.)  
 SECT. 165 revised, 1934, 320 § 29. (See 1934, 320 § 34.)  
 SECT. 166 amended, 1934, 320 § 30. (See 1934, 320 § 34.)  
 SECT. 170 amended, 1934, 320 § 31. (See 1934, 320 § 34.)  
 SECT. 171 revised, 1934, 320 § 32. (See 1934, 320 § 34.)  
 SECT. 172 revised, 1932, 289 § 8.  
 SECT. 174 amended, 1953, 319 § 21. (See 1953, 319 §§ 39, 40.)  
 SECT. 175 revised, 1932, 289 § 9; 1934, 320 § 33; 1943, 93; repealed, 1945, 276 § 2. (See 1934, 320 § 34.)  
 SECT. 176 revised, 1948, 550 § 23.  
 SECT. 177A added, under caption, 1949, 361 (relative to the licensing and operation of mechanical amusement devices).  
 SECT. 179 revised, 1948, 434.  
 SECTS. 180A–180D added, under caption, 1935, 378 (providing for the licensing and bonding of certain theatrical booking agents, personal agents and managers).  
 SECT. 180A revised, 1946, 566 § 1; paragraph added at end, 1948, 256; section revised, 1954, 630.  
 SECT. 180B revised, 1946, 566 § 2.  
 SECT. 180C revised, 1946, 566 § 3.  
 SECTS. 180A–180D stricken out and sections 180A–180G inserted, 1960, 666.  
 SECT. 181. Affected by 1935, 454 § 8.  
 SECT. 181A added, 1948, 534 (requiring certain entertainers and persons appearing under assumed names to file their true names with the commissioner of public safety).  
 SECT. 181B added, 1949, 132 (requiring the posting of the schedule of admission prices to travelling entertainments).  
 SECT. 183A amended, 1935, 102 § 1; 1936, 71 § 1. (See 1935, 102 § 2.)  
 SECT. 183B repealed, 1936, 71 § 2.  
 SECT. 183D added, 1951, 216 (requiring common victuallers and others to post minimum charges).  
 SECT. 184 amended, 1934, 328 § 18.  
 SECT. 185A amended, 1936, 279; paragraph added at end, 1941, 247.  
 SECT. 185H added, under caption, 1939, 253 (relative to the licensing and supervision of dancing schools, so called).  
 SECT. 186 amended, 1936, 169 § 1.  
 SECT. 187 amended, 1936, 169 § 2.  
 SECT. 192 revised, 1948, 550 § 24; 1949, 297 § 9.  
 SECT. 202 revised, 1936, 169 § 3; 1948, 550 § 25; 1949, 297 § 10.

#### Chapter 141. — Supervision of Electricians.

- SECT. 1, first paragraph amended, 1943, 308.  
 SECT. 2, fourth paragraph stricken out, 1946, 480 § 1.  
 SECT. 2A added, 1946, 480 § 2 (granting a credit in the examination standing of certain veterans applying for electricians' licenses); revised, 1954, 627 § 29. (See 1954, 627 §§ 41, 65, 67.)  
 SECT. 3, clause (3) revised, 1954, 190 § 1; 1960, 723; clause (4) amended, 1934, 347 § 1; revised, 1959, 312 § 1; clause (5) amended, 1954, 190 § 2; revised, 1959, 312 § 2; clause (8) amended, 1948, 187.  
 SECT. 8 revised, 1948, 629 § 1. (See 1948, 629 § 2.)

**Chapter 142. — Supervision of Plumbing.**

SECT. 2 revised, 1958, 332.

SECT. 3, sentence inserted after the first sentence, 1948, 382; sentence added at end, 1958, 263; section revised, 1959, 284; amended, 1960, 190.

SECT. 4, first sentence revised, 1947, 382; paragraph added at end, 1946, 502; revised, 1954, 627 § 30. (See 1954, 627 §§ 65, 67.)

SECT. 5 revised, 1954, 200.

SECT. 6 revised, 1934, 347 § 2.

SECT. 11 amended, 1945, 703 § 11; revised, 1954, 627 § 31. (See 1954, 627 §§ 65, 67.)

SECT. 13 amended, 1934, 284; 1954, 157.

SECT. 15 revised, 1952, 112.

SECT. 17 revised, 1936, 234; 1941, 518 § 1; paragraph added at end, 1945, 477; section revised, 1955, 612 § 1.

SECT. 18 revised, 1941, 518 § 2.

SECT. 19 revised, 1941, 518 § 3; 1955, 612 § 2.

SECT. 21 added, 1938, 302 (providing for regulation of plumbing in buildings owned and used by the commonwealth).

SECT. 22 added, 1941, 518 § 4 (providing for the enforcement of certain laws relative to the marking, construction and installation of hot water tanks).

**Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.**

SECT. 1, definition of "Alteration" revised, 1945, 480; definitions of "Building" and "Commissioner" inserted, 1945, 480; definition of "Inspector" amended, 1943, 544 § 7B; revised, 1945, 480; definition of "Institution" inserted, 1955, 662 § 1; revised, 1959, 446 § 1; definition of "Place of assembly" inserted after paragraph in lines 12-14, 1943, 546 § 1; revised, 1945, 480; definition of "Public building" revised, 1945, 480; definition of "Public hall" revised, 1946, 363 § 1; definition of "Special hall" revised, 1941, 694; definition of "Structure" inserted, 1945, 480; definition of "Supervisor of plans" revised, 1946, 363 § 1. (See 1945, 722 § 2.)

SECT. 2 amended, 1949, 125; 1959, 563; 1960, 252 § 1. (See 1960, 252 § 2.)

SECT. 2A added, 1948, 582 § 1 (excluding the state house from certain provisions of law relating to the safety of persons in buildings); sentence added at end, 1951, 430. (See 1948, 582 § 3; 1954, 153; 1957, 487.)

SECT. 2B added, 1949, 547 (providing for regulations relative to fire protection and prevention in the state house).

SECT. 2C added, 1954, 34 (relative to the evacuation of the state house in case of fire or other disaster).

SECT. 3 revised, 1943, 544 § 2; 1945, 674 § 1; first paragraph revised, 1946, 363 § 2; amended, 1949, 156 § 3; 1959, 607 § 2; paragraph inserted after second paragraph, 1958, 515; 1946, 423; paragraph added at end, 1949, 156 § 4; amended, 1951, 85. (See 1945, 722 § 2.)

SECTS. 3A-3H added, 1943, 544 § 2 (providing for rules and regulations for protecting life and limb in places of assembly and for the enforcement of laws, rules and regulations, ordinances and by-laws for protecting the same therein). (See 1943, 544 §§ 7A and 8.)

SECT. 3A revised, 1945, 482 § 1. (See 1945, 722 § 2.)

SECT. 3B revised, 1945, 645 § 2; sentence inserted after first sentence, 1947, 646; fourth paragraph amended, 1948, 144 § 1.

SECT. 3C repealed, 1945, 645 § 3.

SECT. 3D revised, 1945, 482 § 2. (See 1945, 722 § 2.)

SECTS. 3E and 3F repealed, 1945, 645 § 3.

SECT. 3G revised, 1945, 482 § 3; 1946, 363 § 3. (See 1945, 722 § 2.)

SECT. 3H revised, 1945, 645 § 4.

SECTS. 3I-3K added, 1947, 631 § 1 (to provide regulations for the prevention of fire and the preservation of life, health and morals in buildings used for dwelling purposes and to provide for alternatives to the requirements of ordinances, by-laws or regulations relative to the construction, alteration, repair, use or occupancy of such buildings).

SECT. 3I amended, 1948, 438 § 1.

SECT. 3J amended, 1950, 534 § 1; first paragraph amended, 1955, 617 § 1; second paragraph amended, 1955, 617 § 2; third paragraph amended, 1952, 158.

SECT. 3K, paragraph added at end, 1948, 438 § 2; same paragraph amended, 1949, 530; section repealed, 1950, 534 § 2.

SECT. 3L added, 1950, 617 § 1 (relative to rules and regulations for the installation, repair and maintenance of electrical wiring and fixtures); paragraph added at end, 1956, 403; revised, 1959, 355. (See 1950, 617 § 2.)

SECT. 3M added, 1951, 285 (relative to the depth and slant of window ledges on certain new buildings); stricken out, 1951, 752.

SECTS. 3N and 3O added, 1960, 737 § 2 (relative to rules and regulations governing gas fitting). (See 1960, 737 §§ 3, 4, 5 and 7.)

SECT. 6 revised, 1946, 363 § 4; amended, 1949, 541 § 1; revised, 1957, 214 § 1.

SECT. 7, sentence added at end, 1949, 156 § 2; section revised, 1957, 214 § 2.

SECT. 8 amended, 1945, 697 § 1; 1949, 541 § 2; revised, 1957, 214 § 3.

SECT. 9 revised, 1945, 697 § 2; sentence inserted after first sentence, 1949, 156 § 5; section amended, 1949, 541 § 3; revised, 1957, 214 § 4; third sentence amended, 1959, 75.

SECT. 9A added, 1945, 697 § 2A (relative to recovery for damage to other property caused by the making safe or taking down of a dangerous structure). (See 1945, 697 § 2B.)

SECT. 10 revised, 1945, 697 § 3; amended, 1949, 541 § 4.

SECT. 11 amended, 1949, 541 § 5.

SECT. 12 amended, 1945, 697 § 4.

SECT. 13 revised, 1946, 363 § 5.

SECT. 15 amended, 1943, 544 § 3; first sentence amended, 1947, 645 § 1; section revised, 1949, 539; first sentence amended, 1952, 509 § 1; 1955, 662 § 2; revised, 1959, 446 § 2; amended, 1960, 596 § 2. (See 1943, 544 § 7A.)

SECT. 15A added, 1960, 596 § 3 (directing the commissioner of public safety to establish standards for the construction of public and private schoolhouses). (See 1960, 596 § 4.)

SECT. 16 amended, 1943, 544 § 3; revised, 1945, 473. (See 1943, 544 § 7A.)

SECT. 20 amended, 1945, 700 § 1.



SECT. 21 amended, 1943, 544 § 3; revised, 1943, 546 § 2; 1945, 536; first sentence revised, 1947, 645 § 2; amended, 1952, 509 § 2; 1955, 662 § 3; revised, 1959, 446 § 3. (See 1943, 544 § 7A, 546 § 5; 1945, 722 § 2.)

SECTS. 21A and 21B added, 1943, 546 § 3 (further regulating the means of ingress to and egress from places of assembly and certain other places). (See 1943, 546 §§ 5 and 6.)

SECT. 21A amended, 1945, 474 § 1; 1946, 363 § 6; revised, 1948, 440.

SECT. 21B amended, 1945, 482 § 4; revised, 1945, 722 § 1; paragraph added at end, 1946, 327 § 1; section revised, 1947, 654 § 1; 1948, 502. (See 1947, 654 § 3.)

SECT. 21C added, 1946, 327 § 2 (relative to the use and maintenance of revolving doors, so called, in certain buildings); revised, 1947, 654 § 2; 1948, 439 § 1; 1949, 540; paragraph added at end, 1952, 435. (See 1947, 654 § 3.)

SECTS. 24-33 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 28 revised, 1945, 474 § 2; 1947, 648; third sentence revised, 1955, 662 § 5.

SECT. 29 revised, 1950, 288 § 1. (See 1950, 288 §§ 2, 3.)

SECT. 33 revised, 1945, 533 § 1; 1946, 363 § 7; amended, 1947, 645 § 3; 1948, 439 § 2; 1952, 509 § 3; 1955, 662 § 4; revised, 1959, 446 § 4. (See 1945, 722 § 2.)

SECT. 34 revised, 1943, 544 § 4; amended, 1952, 541 § 4; 1954, 158. (See 1943, 544 § 7A.)

SECT. 43 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 44 amended, 1947, 643.

SECTS. 45 and 46 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 47, last sentence stricken out, 1945, 700 § 2.

SECT. 48 amended, 1945, 700 § 3.

SECT. 49 amended, 1943, 544 § 3; revised, 1945, 526. (See 1943, 544 § 7A.)

SECT. 50, sentence added at end, 1945, 472. (See 1945, 722 § 2.)

SECTS. 51 and 52 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 51 revised, 1945, 510.

SECT. 52 revised, 1945, 478.

SECT. 53 amended, 1949, 541 § 6.

SECT. 54 revised, 1943, 544 § 5. (See 1943, 544 § 7A.) Affected, 1955, 675 § 2.

SECT. 55 amended, 1949, 541 § 7.

SECT. 57 revised, 1945, 533 § 2; 1948, 582 § 2. (See 1945, 722 § 2; 1948, 582 § 3; 1954, 153; 1957, 487.)

SECT. 59 revised, 1943, 544 § 6; 1945, 533 § 3. (See 1943, 544 § 7A; 1945, 722 § 2.)

SECT. 60 amended, 1945, 533 § 4. (See 1945, 722 § 2.)

SECT. 61 revised, 1945, 674 § 2. (See 1945, 722 § 2.)

SECT. 62, sentence added at end, 1950, 509; six sentences added at end, 1956, 722; section revised, 1957, 519.

SECT. 67 repealed, 1956, 481.

SECT. 69 revised, 1945, 643 § 2; second paragraph amended, 1948, 144 § 2. See 1959, 373.

SECT. 70 revised, 1957, 257; 1959, 439 § 2.

SECTS. 71A-71C added, 1945, 626 § 1 (providing for the licensing of persons engaged in the construction and maintenance of elevators and escalators). (See 1945, 626 § 2.)

SECT. 71A revised, 1957, 637 § 1.

SECT. 71B, second sentence stricken out, 1956, 474; section revised, 1957, 637 § 2.

SECT. 71C revised, 1957, 637 § 3.

SECT. 71D added, 1946, 495 (providing that persons engaged in certain work in the construction and maintenance of elevators and escalators need not be licensed as elevator constructors, maintenance men or repairmen); revised, 1957, 637 § 4.

SECT. 71E added, 1956, 475 (relative to the inspection, regulation and operation of moving stairways); revised, 1957, 637 § 4A.

SECT. 71F added, 1957, 637 § 5 (relative to the licensing of persons engaged in the construction of elevators, moving stairways and dumb-waiters).

SECT. 74 revised, 1941, 553 § 1. (See 1941, 553 § 9.)

SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112. (See 1941, 553 § 9.)

SECT. 76 revised, 1941, 553 § 3. (See 1941, 553 § 9.)

SECTS. 77 and 78 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 79 revised, 1941, 553 § 5. (See 1941, 553 § 9.)

SECT. 80 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 82 amended, 1941, 553 § 6. (See 1941, 553 § 9.)

SECT. 85 amended, 1941, 553 § 7; revised, 1955, 44. (See 1941, 553 § 9.)

SECT. 86 amended, 1941, 553 § 8. (See 1941, 553 § 9.)

SECT. 89 added, 1955, 152 § 1 (relative to the storage, distribution and exhibition of certain nitrate motion picture film).

#### **Chapter 145. — Tenement Houses in Towns.**

SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses).

SECT. 59, sentence added at end, 1948, 550 § 26.

#### **Chapter 146. — Inspection of Boilers, Air Tanks, etc., Licenses of Engineers, Firemen, and Operators of Hoisting Machinery.**

SECT. 1, definition of "Inspector" revised, 1958, 486 § 3.

SECT. 2 amended, 1941, 459; 1946, 336 § 1; revised, 1958, 525.

SECT. 4 amended, 1946, 336 § 2.

SECT. 7 amended, 1948, 321.

SECT. 13 amended, 1952, 153.

SECT. 16 revised, 1932, 180 § 28.

SECT. 18 amended, 1953, 35 § 1.

SECT. 22 revised, 1952, 541 § 1.

SECT. 34 revised, 1938, 319 § 1; sentence added at end, 1947, 620; same sentence revised, 1948, 146.

SECT. 35 amended, 1938, 319 § 2.

SECT. 38 amended, 1953, 35 § 2.

SECT. 40 revised, 1952, 541 § 2.

SECT. 46, first sentence amended, 1953, 207 § 1A.

SECT. 49, last sentence revised, 1953, 207 § 1. (See 1953, 207 § 2.)

SECT. 50 amended, 1935, 67; 1951, 36.

SECT. 52 repealed, 1948, 140.

SECT. 57 revised, 1952, 541 § 3.

SECT. 60 amended, 1951, 398.

SECT. 63 amended, 1952, 154.

SECT. 67 revised, 1941, 525 § 1; amended, 1946, 180; revised, 1951, 393; 1952, 175. (See 1941, 525 § 2.)

SECT. 68 stricken out, 1953, 319 § 22. (See 1953, 319 §§ 39, 40.)

**Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.**

SECT. 1A added, 1947, 668 § 1 (relative to the policing of reservations of the United States of America). (See 1947, 668 § 2.)

SECT. 4B added, 1939, 116 (providing that local police authorities and district attorneys be furnished with information relative to certain persons charged with or convicted of sex crimes, so called, upon their release or discharge from certain institutions); revised, 1954, 246.

SECT. 4C added, 1955, 771 § 2 (relative to the functions and duties of the criminal information bureau); subdivision (d) added, 1956, 365.

SECT. 8A added, 1938, 296 (authorizing the carrying of certain weapons by sheriffs, deputy sheriffs and special sheriffs, and certain officers in the department of correction); revised, 1939, 174.

SECT. 10 amended, 1934, 23.

SECT. 10A added, 1949, 148 (authorizing the appointment as special police officers of employees of the Port of Boston Authority).

SECT. 10B added, 1953, 536 (authorizing the appointment as special police officers of certain employees of the department of mental health).

SECT. 10C added, 1956, 231 (authorizing the appointment as special police officers of certain employees of the department of public health).

SECT. 10D added, 1957, 349 (providing for the appointment of employees of the Massachusetts Turnpike Authority as special police officers).

SECT. 10E added, 1957, 731 (providing for the appointment as special police officers of employees of the Soldiers' Home in Holyoke and the Soldiers' Home in Massachusetts).

SECTS. 13B and 13C added, under caption, 1939, 419 § 2 (providing for the ultimate abolition of reserve police forces in certain cities and towns).

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns); revised, 1938, 426 § 1.

SECT. 16B added, 1938, 426 § 2 (providing for one day off in every six days for police officers of certain cities and towns).

SECT. 16C added, 1951, 346 § 1 (providing for a five day work week for police officers in certain cities and towns).

SECT. 17 amended, 1937, 85 § 2; 1938, 426 § 3; 1951, 346 § 2; sentence added at end, 1954, 325.

SECT. 17A added, 1952, 268 (providing additional off duty and extra pay for police officers in certain cases).

SECTS. 17B and 17C added, 1956, 349 (providing for a forty hour week for police officers of certain cities and towns and compensation for over-time service).

SECT. 19, sentence added after the first sentence, 1939, 256 § 2. (See 1939, 256 § 3.)

SECTS. 22-30 and caption preceding section 22 stricken out and sections 22-30 inserted under the caption "PRIVATE DETECTIVE BUSINESS", 1960, 802 § 1. (See 1960, 802 § 2.)

**For prior changes see Table of Changes contained in Acts and Resolves of 1959.**

SECT. 32 revised, 1935, 262 § 1.

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69; 1948, 199.

SECT. 36 revised, 1932, 79.

SECT. 38 revised, 1947, 234; sixth sentence amended, 1953, 238.

SECT. 39 revised, 1948, 371; 1949, 371; 1950, 114.

SECT. 39A added, 1948, 232 (excluding certain persons who have been knocked out from participating in boxing or sparring matches).

SECT. 39B added, 1954, 177 (requiring certain persons licensed to conduct boxing matches to provide insurance for contestants).

SECT. 40 amended, 1952, 203; revised, 1956, 660.

SECT. 40A added, 1957, 623 § 3 (establishing a boxers' fund and regulating payments thereto); paragraph added at end, 1959, 463.

SECT. 46 revised, 1958, 399.

SECT. 50A added, 1956, 357 (authorizing courses of instruction in boxing or sparring matches or exhibitions at certain boys clubs, schools and recreational agencies).

#### **Chapter 148. — Fire Prevention.**

SECT. 1, definition of "Head of the fire department" revised, 1945, 470; definition of "local licensing authority" amended, 1932, 102; revised, 1953, 230 § 1; three paragraphs added at end, defining "Board", "Building" and "Structure", 1945, 470. (See 1953, 230 § 2.)

SECT. 2 amended, 1948, 504.

SECT. 3 amended, 1945, 700 § 4.

SECT. 4 amended, 1945, 710 § 2; paragraph added at end, 1955, 662 § 6; revised, 1959, 446 § 5.

SECT. 5, sentence in lines 16-17 amended, 1945, 463.

SECT. 9 amended, 1945, 710 § 3.

SECT. 10 revised, 1945, 710 § 4; third paragraph amended, 1948, 144 § 3.

SECT. 10A added, 1932, 75 (relative to the granting of certain permits and the making of certain inspections by municipal officers designated by the state fire marshal); revised, 1945, 479.

SECT. 10B added, 1954, 331 (establishing a penalty for the violation of any rule or regulation made by the board of fire prevention regulations).

SECT. 13, first paragraph amended, 1932, 22 § 1; section amended, 1935, 123 § 1; revised, 1936, 394 § 1; first paragraph amended, 1945, 415 § 1; revised, 1945, 710 § 5; 1948, 550 § 27; amended, 1951, 329; 1953, 200; second paragraph amended, 1945, 710 § 6; paragraph inserted after second paragraph, 1958, 251; third paragraph amended, 1939, 333; 1945, 710 § 7; paragraph inserted, 1959, 353 § 1; fourth paragraph (as appearing in 1936, 394 § 1) amended, 1945, 710 § 8; last paragraph, as so appearing, amended, 1938, 99. (See 1932, 22 § 2; 1936, 394 §§ 2, 3; 1945, 415 § 2, 710 § 19; 1959, 353 § 2.)

- SECT. 14 amended, 1938, 103.  
SECT. 16 amended, 1941, 288.  
SECT. 18 repealed, 1934, 182 § 2.  
SECT. 19, sentence added at end, 1948, 550 § 28.  
SECT. 20A added, 1946, 501 (relative to bonds to cover risk of damages from blasting operations conducted in several municipalities).  
SECT. 21 amended, 1945, 710 § 9.  
SECT. 22 amended, 1945, 710 § 10.  
SECT. 23 amended, 1935, 123 § 2.  
SECT. 23A added, 1948, 188 (prohibiting the use of inflammable anti-freeze solutions in fire hydrants).  
SECT. 25 amended, 1945, 710 § 11.  
SECT. 26 amended, 1945, 481.  
SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency).  
SECT. 28, paragraph L amended, 1943, 546 § 4; section amended, 1945, 710 § 12; paragraph I revised, 1949, 512; paragraph J revised, 1958, 333; paragraph L revised and paragraph N added, 1946, 363 § 9. (See 1943, 546 § 5.)  
SECT. 29 amended, 1939, 205.  
SECT. 30 amended, 1945, 710 § 13; first sentence revised, 1956, 214.  
SECT. 31 amended, 1945, 460.  
SECT. 38 amended, 1945, 710 § 14.  
SECT. 38A added, 1938, 95 (prohibiting the removal of certain gasoline tanks without a permit).  
SECT. 39 revised, 1943, 291 § 1; clause (9) added, 1956, 213.  
SECT. 39A added, 1943, 291 § 2 (authorizing the making of rules and regulations for the granting of permits for supervised displays of fireworks); amended, 1945, 256; 710 § 15.  
SECT. 40 amended, 1945, 710 § 16; sentence added at end, 1948, 550 § 29.  
SECT. 42, sentence added at end, 1951, 184.  
SECT. 46 amended, 1945, 710 § 17.  
SECTS. 48 and 49 repealed, 1946, 282.  
SECT. 49A added, 1934, 182 § 1 (relative to the inspection of kerosene or any product thereof kept for sale for illuminating, heating or cooking purposes); repealed, 1946, 282.  
SECT. 50 amended, 1943, 291 § 3.  
SECT. 52A added, 1950, 258 (prohibiting the sale of exploding matches).  
SECT. 53 repealed, 1943, 291 § 4.  
SECT. 54 revised, 1948, 370 § 2; amended, 1952, 254.  
SECT. 56 amended, 1957, 172.

#### Chapter 149. — Labor and Industries.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the employment of women and minors when necessary to provide relief from conditions resulting from the present shortage of man power, see 1943, 382.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the

employment of women and minors when an emergency exists or conditions of hardship require or justify suspension, see 1947, 357 § 4; 1949, 332; 1950, 168; 1951, 167; 1952, 119; 1953, 236; 1954, 10; 1955, 106; 1956, 304; 1957, 162; 1959, 45.

For legislation relative to interstate compacts affecting labor and industry, see 1933, Res. 44; 1934, 383, Res. 25; 1935, 315 §§ 1-3; 1936, Res. 68; 1937, 404; 1943, 255.

SECT. 1, paragraph defining "co-operative courses" amended, 1939, 461 § 4; paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraphs defining "employee" and "employer" inserted, 1945, 584 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; paragraph defining "employment permit", "permit for employment" or "employment certificate" inserted, 1939, 461 § 4A; revised, 1945, 133 § 3; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; two paragraphs added at end, 1952, 155; paragraph added at end, 1954, 680 § 7. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430.

SECTS. 18A-18I added, under caption, 1959, 614 (establishing safety orders applicable to longshore and waterfront operations).

SECT. 19A added, 1953, 117 (requiring the furnishing of copies of certain medical reports to employees).

SECT. 19B added, 1959, 255 (prohibiting the use of lie detector tests by employers as a condition of employment).

SECT. 20A added, 1933, 351 § 1 (relative to the judicial enforcement of certain contracts relative to membership in labor or employers' organizations). (See 1933, 351 § 2.)

SECTS. 20B and 20C added, 1935, 407 § 1 (regulating the liability of labor unions and others involved in labor disputes, and defining labor disputes and other terms used in connection therewith). (See 1935, 407 § 6.)

SECT. 20C, first sentence amended, 1950, 452 § 1; subsection (c) stricken out and subsections (c)-(f) inserted, 1950, 452 § 2. (See 1937, 436 § 10; G. L. 150A § 6 (h) inserted by 1938, 345 § 2; 1950, 452 §§ 5-7.)

SECT. 20D added, 1958, 678 (prohibiting the solicitation, acceptance or payment of money for the purpose of encouraging or discouraging the formation or functioning of a labor organization).

SECT. 22 amended, 1951, 166 § 1; 1955, 430; two sentences added at end, 1956, 471.

SECT. 23, first paragraph amended, 1951, 166 § 2; second paragraph amended, 1935, 114.

SECT. 23A added, 1934, 233 (regulating the employment of armed guards in connection with strikes, lockouts and other labor troubles).

SECT. 23B added, 1955, 241 (prohibiting the use of auxiliary police or other personnel organized under the civil defense laws in connection with any labor dispute).

SECT. 24 amended, 1933, 272; revised, 1950, 452 § 4. (See 1950, 452 §§ 5-7.)

SECTS. 24A-24J added, under the caption "DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF AGE", 1937, 367 § 2.

SECTS. 26 and 27 stricken out, and new sections 26-27D added, 1935, 461 (relative to preference and minimum wages of veterans and others in certain employments on certain public works).

SECT. 26 amended, 1947, 334; first sentence revised, 1954, 627 § 32; sentence added at end, 1956, 606 § 1; amended, 1960, 401 § 1; paragraph added at end, 1937, 346; same paragraph revised, 1938, 413; 1946, 591 § 46. (See 1954, 627 §§ 65, 67.)

SECT. 27, last sentence revised, 1955, 180; last sentence stricken out and three sentences inserted, 1956, 606 § 2; last three sentences revised, 1960, 401 § 2.

SECT. 27D amended, 1955, 453; revised, 1958, 364.

SECT. 27E added, 1938, 67 (establishing residential requirements to be observed in the employment of certain persons by the department of public works).

SECT. 27F added, 1960, 795 (requiring payment of determined wages to operators of trucks and other equipment rented for use on public works).

SECT. 28 revised, 1948, 550 § 30.

SECT. 29 amended, 1935, 217 § 2; revised, 1935, 472 § 2; 1938, 361; 1955, 702 § 2; 1957, 682 § 1. (See 1955, 702 § 3; 1957, 682 § 3.)

SECT. 29A added, 1949, 185 (relative to the enforcement of certain surety bonds by persons furnishing labor and materials on private building projects).

SECT. 30 revised, 1936, 367 § 1; 1947, 680 § 1.

SECT. 30A added, 1947, 677 § 1 (further regulating the work hours of certain persons employed by the commonwealth); amended, 1949, 780; 1950, 439; revised, 1952, 626; 1955, 643 § 6; amended, 1960, 430 § 1; next to last sentence stricken out, 1960, 614 § 1. (See 1947, 677 §§ 2, 3; 1955, 643 § 12; 1960, 430 § 2, 614 § 3.)

SECT. 30B added, 1960, 614 § 2 (relative to the payment of overtime to certain employees of the commonwealth); revised, 1960, 762 § 1. (See 1960, 614 § 3, 762 § 2.)

SECT. 32 revised, 1945, 680.

SECT. 33A added, 1947, 649 (authorizing a forty hour week for employees of certain cities and towns); revised, 1948, 657.

SECT. 33B added, 1950, 653 (further regulating the work hours of persons employed by cities and towns).

SECT. 34 amended, 1936, 367 § 2; revised, 1947, 680 § 2.

SECT. 34A added, 1938, 438 (requiring contractors on public buildings and other public works to provide and continue in force, during the full term of the contract, insurance under the Workmen's Compensation Law, so called).

SECT. 34B added, 1939, 252 (regulating the rate of compensation paid to reserve police officers by contractors on certain public works).

SECT. 34C added, 1947, 680 § 3 (concerning the applicability of certain provisions of law relative to hours of labor on public works).

SECT. 36 amended, 1942, 1 § 7; revised, 1957, 91. (See 1942, 1 § 9.)

SECT. 39 revised, 1935, 444 § 1; 1954, 632 § 1. (See 1935, 444 § 2.)

SECT. 40 revised, 1945, 426 § 1; repealed, 1954, 632 § 2. (See 1945, 426 § 2.)

SECTS. 44A-44D added, under caption, 1939, 480 (requiring fair competition for bidders on the construction, reconstruction, alteration, remodelling or repair of certain public works by the commonwealth or any political subdivision thereof).

SECT. 44A revised, 1941, 699 § 1; 1954, 645 § 1; first sentence revised, 1956, 494. (See 1954, 645 § 5.)

SECT. 44B revised, 1954, 645 § 2; second paragraph amended, 1956, 309. (See 1954, 645 § 5.)

SECT. 44C, subsection (B) revised, 1941, 699 § 2; subsection (D) amended, 1941, 699 § 3; first paragraph of subsection (E) revised, 1941, 699 § 4; sentence added at end of subsection (E), 1941, 699 § 5; last paragraph of "Draft of Proposal Form" amended, 1941, 699 § 6; paragraph contained in lines 14-18 of the "Proposal Form (Sub-Bidder)" amended, 1941, 699 § 7; section revised, 1954, 645 § 3. (See 1954, 645 § 5.)

SECT. 44E added, 1954, 645 § 4 (relative to powers of the department with relation to contracts for public building projects).

SECTS. 44A-44E stricken out and sections 44A-44L inserted, 1956, 679 § 1. (See 1956, 679 § 2.)

SECT. 44A, second sentence revised, 1957, 590 § 1; first paragraph revised, 1960, 692.

SECT. 44B, subsection (3), second sentence revised, 1960, 771 § 2.

SECT. 44C, third sentence revised, 1957, 590 § 2.

SECT. 44F revised, 1960, 771 § 3.

SECT. 44G, paragraph D of "Form For Sub-Bid" revised, 1960, 771 § 4.

SECT. 44H, last sentence of first paragraph stricken out and two sentences inserted, 1960, 771 § 5; paragraph added at end, 1960, 771 § 6.

SECT. 44I, paragraph (3) revised, 1960, 771 § 7; paragraph (5) added, 1960, 771 § 8.

SECT. 44K revised, 1957, 590 § 3.

SECT. 48 revised, 1935, 185, 423 § 3; amended, 1938, 320; revised, 1939, 235 § 1.

SECT. 49 amended, 1937, 221; revised, 1938, 295.

SECT. 50 revised, 1933, 225; amended, 1935, 423 § 1.

SECT. 50A added, 1935, 423 § 2 (making one day's rest in seven law applicable to watchmen and employees maintaining fires in certain establishments).

SECT. 51 revised, 1939, 235 § 2.

SECT. 51A added, 1954, 93 (authorizing exemptions from the law requiring one day's rest in seven).

SECT. 51B added, 1958, 593 (providing that certain injured workers shall have preference in re-employment.)

SECT. 52A added, 1956, 385 (providing for leave of absence from work for training for employees who are members of organized units of the ready reserve of the armed forces of the United States).

SECT. 55 revised, 1945, 87.

SECT. 56 amended, 1932, 110 § 1; revised, 1935, 200; first sentence stricken out and two sentences inserted, 1939, 377; section amended, 1941, 574, 610 § 1; first sentence amended, 1947, 161; revised, 1947, 368; amended, 1948, 196; paragraph added at end, 1946, 241 § 1. (See 1941, 610 §§ 2, 3.)



SECT. 57 amended, 1932, 110 § 2.

SECT. 59 amended, 1933, 193 § 1; 1936, 170 § 1; revised, 1947, 357 § 1. (For prior temporary legislation authorizing the commissioner of labor and industries to suspend certain provisions relative to the hours of employment of women in the textile and leather industries, see 1933, 347; time for suspension as to the textile industry extended, 1935, 429; 1936, 154; 1937, 153; 1938, 68; 1939, 96; 1941, 154; 1943, 306; 1945, 14; 1946, 96. For prior temporary legislation suspending certain provisions relative to the hours of employment of women and children in the textile industry and to their meal periods, 1946, 127, 560.)

SECT. 60 revised, 1935, 203; paragraph added at end, 1939, 193 § 1; section revised, 1939, 273, 461 § 5; 1947, 109 § 1; amended, 1955, 113. (See 1939, 461 § 13.)

SECT. 61, clause (1) revised, 1946, 241 § 2; section amended, 1954, 98; last sentence stricken out, 1954, 240 § 1.

SECT. 62, clause (13) amended, 1934, 328 § 19; section amended, 1945, 337; clause (15) added, 1946, 171; amended, 1954, 240 § 2.

SECT. 65 amended, 1939, 352; revised, 1939, 461 § 6.

SECT. 66 amended, 1933, 193 § 2; 1936, 170 § 2; 1939, 255; 1946, 48; affected, 1946, 127, 560; section revised, 1947, 357 § 2.

SECT. 67 revised, 1939, 348.

SECTS. 69-73. See 1934, 114.

SECT. 69 amended, 1939, 461 § 7.

SECT. 70, sentence added at end, 1939, 94; section revised, 1945, 133 § 4.

SECT. 71 amended, 1945, 133 § 5; revised, 1958, 38.

SECT. 73 revised, 1939, 461 § 8; amended, 1955, 503.

SECT. 78 amended, 1934, 292 § 1; 1954, 240 § 3.

SECT. 79 amended, 1954, 291.

SECT. 84 amended, 1932, 180 § 29.

SECT. 86 revised, 1939, 461 § 9; first paragraph revised, 1947, 109 § 2.

SECT. 87 revised, 1939, 461 § 10; paragraph inserted after subsection (4) (e), 1952, 63.

SECT. 88 amended, 1945, 133 § 6.

SECT. 89 revised, 1945, 133 § 7.

SECT. 90 revised, 1945, 133 § 8.

SECT. 94 revised, 1939, 461 § 11.

SECT. 95, first paragraph amended, 1945, 133 § 9; 1956, 234 § 1; second paragraph amended, 1956, 234 § 2.

SECT. 100 amended, 1939, 280; affected, 1946, 127, 560; section revised, 1947, 357 § 3; 1957, 723; 1958, 461.

SECT. 101 revised, 1938, 335; amended, 1955, 111.

SECT. 104 amended, 1932, 27; 1939, 193 § 2; revised, 1954, 110.

SECTS. 105A-105C added, under caption, 1945, 584 § 3 (penalizing discriminatory wage rates based on sex).

SECT. 105A revised, 1947, 565; 1951, 180.

SECT. 106, sentence added at end, 1955, 373 § 1; section revised, 1956, 89.

SECT. 113 revised, 1934, 255; amended, 1955, 426.

SECT. 117 revised, 1935, 208.

SECT. 126 revised, 1945, 528; first sentence revised, 1954, 349.

SECT. 127 revised, 1951, 38.

SECT. 129A added, 1949, 305 (requiring the shoring of certain excavations); revised, 1956, 431.

SECT. 130 revised, 1954, 59.

SECT. 133, sentence added at end, 1955, 373 § 2; section revised, 1955, 669 § 1. (See 1955, 669 § 2.)

SECT. 135 amended, 1933, 64.

SECT. 139 amended, 1955, 92.

SECT. 140 repealed, 1953, 57.

SECT. 141A added, 1949, 255 (limiting the weight to be lifted by hand by certain employees in textile factories).

SECTS. 142A-142F added, under caption, 1933, 304 (regulating the sale, distribution, storage and use of benzol and its compounds).

SECT. 142A amended, 1935, 463 § 1; revised, 1949, 591 § 1; 1955, 469 § 1. (See 1955, 469 § 7.)

SECT. 142B revised, 1935, 463 § 2; 1949, 591 § 2; 1955, 469 § 2. (See 1955, 469 § 7.)

SECT. 142C revised, 1955, 469 § 3. (See 1955, 469 § 7.)

SECT. 142D amended, 1949, 591 § 3; revised, 1955, 469 § 4. (See 1955, 469 § 7.)

SECT. 142E revised, 1949, 591 § 4; 1955, 469 § 5. (See 1955, 469 § 7.)

SECT. 142F amended, 1949, 591 § 5; revised, 1955, 469 § 6. (See 1955, 469 § 7.)

SECT. 142G added, 1955, 469 § 6 (providing for the enforcement of certain rules and regulations relative to the use, storage and sale of certain materials and substances hazardous to health).

SECT. 147A added, 1932, 234 (requiring the furnishing of certain information to the department of labor and industries with respect to the performance of certain industrial work in tenements and dwelling houses).

SECTS. 143-147A, and the heading above section 143, stricken out, and new sections 143-147H inserted, under the heading "INDUSTRIAL HOMEWORK", 1937, 429.

SECT. 143 revised, 1945, 600 § 1; 1955, 764 § 1. (See 1955, 764 § 13.)

SECT. 143A added, 1955, 764 § 2 (relative to protection of health and well being of industrial home workers). (See 1955, 764 § 13.)

SECT. 144 amended, 1945, 600 § 2; 1955, 764 § 3. (See 1955, 764 § 13.)

SECT. 145 amended, 1955, 764 § 4. (See 1955, 764 § 13.)

SECT. 146A added, 1955, 764 § 5 (relative to the distribution of industrial homework). (See 1955, 764 § 13.)

SECT. 147 amended, 1941, 539; first paragraph amended, 1945, 600 § 3; 1955, 764 § 6; 1958, 666 § 1; second paragraph amended, 1953, 247; revised, 1955, 764 § 7. (See 1955, 764 § 13.)

SECT. 147A amended, 1939, 461 § 12; paragraph added at end, 1955, 764 § 8; revised, 1958, 666 § 2. (See 1955, 764 § 13.)

SECT. 147B amended, 1945, 600 § 4.

SECT. 147C amended, 1945, 600 § 5; 1955, 764 § 9. (See 1955, 764 § 13.)

SECT. 147D amended, 1945, 600 § 6; 1955, 764 § 10. (See 1955, 764 § 13.)

SECT. 147E amended, 1955, 764 § 11. (See 1955, 764 § 13.)

SECT. 147G amended, 1945, 600 § 7; 1955, 764 § 12. (See 1955, 764 § 13.)

SECT. 148, last sentence amended, 1932, 101 § 1; section revised, 1935, 350; 1936, 160; first paragraph revised, 1955, 506; paragraph inserted after first paragraph, 1943, 467; paragraph inserted after third paragraph, 1943, 378; same paragraph amended, 1943, 563; revised, 1946, 414; last paragraph amended, 1951, 28; section revised, 1956, 259; first paragraph revised, 1960, 416.

SECT. 150, sentence added at end, 1932, 101 § 2.

SECT. 150A added, 1938, 403 (requiring employers to furnish certain information to employees relative to deductions from wages for social security and unemployment compensation benefits); revised, 1960, 246.

SECT. 150B added, 1943, 385 (prohibiting labor unions from requiring payment of certain fees as a condition of securing or continuing employment).

SECT. 152A added, 1952, 490 (prohibiting the payment by an employee to an employer of tips or gratuities received during the course of employment).

SECT. 156 amended, 1935, 363 § 1; 1941, 164. (See 1935, 363 § 2.)

SECT. 157A added, 1933, 268 (insuring to piece or job workers in factories and workshops information relative to their compensation).

SECT. 159A added, 1937, 342 § 1 (to prevent the misleading of patrons of certain places as to the beneficiaries of tips given to hat-check and cigarette girls and the like).

SECT. 159B added, 1949, 241 (requiring payment by employers for medical examinations of present or prospective employees in certain cases).

SECT. 170 amended, 1945, 580 § 8. (See 1945, 580 § 9.)

SECT. 171 revised, 1948, 487.

SECT. 178A added, 1932, 175 (authorizing the payment of small amounts of wages or salary of intestate employees to certain next of kin without administration); sentence added at end, 1953, 436 § 4; section revised, 1954, 562 § 4.

SECT. 178B added, 1947, 189 § 1 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees); revised, 1956, 144. [For prior legislation, see G. L. chapter 171 § 6A (1946, 184) repealed by 1947, 189 § 2.]

SECT. 178C added, 1953, 436 § 5 (relative to the payment of salaries, wages or other sums owing by the commonwealth or certain political subdivisions thereof upon the death of their officers or employees); revised, 1954, 562 § 5. (See 1953, 436 § 7.)

SECT. 178D added, 1958, 460 (protecting the right of public employees to join vocational or labor organizations).

SECT. 178E added, 1959, 552 (providing that a certain portion of a dividend or rate reduction under a group insurance policy should be applied for the sole benefit of certain insured employees).

SECT. 179B added, 1941, 642 (requiring the giving of notice to the Commissioner of Labor and Industries of the commencement or a change of location of operations by industries in this commonwealth).

#### **Chapter 150. — Conciliation and Arbitration of Industrial Disputes.**

SECT. 3 amended, 1938, 364 § 1; 1939, 111.

SECT. 5 revised, 1938, 364 § 2.

SECT. 7, fifth sentence amended, 1946, 590 § 1; 1957, 481.

SECT. 9, last sentence amended, 1946, 590 § 2.

SECT. 11 added, 1949, 548 (providing that certain agreements for the arbitration and conciliation of labor disputes shall be valid); repealed, 1959, 546 § 3. (See 1959, 546 § 4.)

#### **Chapter 150A. — Labor Relations.**

**New chapter inserted, 1938, 345 § 2 (incorporating the provisions of 1937, 436, relative to labor relations as an addition to the General Laws). (See 1938, 345 §§ 3, 4.)**

SECT. 2, subsection (9) added, 1951, 615 § 1.

SECT. 3 revised, 1951, 615 § 2.

SECT. 4, subsection (2) amended, 1956, 286; subsection (3) revised, 1947, 657 § 1; subsection (6) added, 1947, 657 § 2.

SECT. 4A revised, 1947, 657 § 3.

SECT. 4B added, 1947, 657 § 3 (making it an unfair labor practice for a labor organization to refuse to bargain collectively in certain cases).

SECT. 5, subsection (a) revised, 1951, 615 § 3; subsection (b) amended, 1939, 318; revised, 1951, 615 § 4; subsection (c) amended, 1947, 657 § 4.

SECT. 6, subsection (a) amended, 1947, 657 § 5; subsection (e) amended, 1954, 681 § 10; subsection (f) amended, 1954, 681 § 11; subsection (h) amended, 1941, 261.

SECTS. 6A-6C added, 1947, 657 § 6 (relative to membership in labor organizations where such membership is required as a condition of employment).

SECT. 7, first paragraph amended, 1947, 657 § 7.

SECT. 9 amended, 1947, 657 § 8.

SECT. 10, subsection (b) revised, 1945, 354; 1947, 657 § 9.

#### **Chapter 150B. — Peaceful Settlement of Industrial Disputes Dangerous to Public Health and Safety.**

**New chapter inserted, 1947, 596.**

SECTS. 3 and 4 revised, 1954, 557 § 1.

SECT. 8 added, 1954, 557 § 2 (relative to compensation for persons appointed as moderators, commissioners or board members in matters relating to peaceful settlement of industrial disputes).

#### **Chapter 150C. — Collective Bargaining Agreements to Arbitrate.**

**New chapter inserted, 1959, 546 § 1. (See 1959, 546 § 4.)**

#### **Chapter 150D. — Registration of Labor Replacements or Strike Breakers.**

**New chapter inserted, 1960, 738.**

#### **Chapter 151. — Minimum Fair Wages (former title, Minimum Fair Wages for Women and Minors).**

**Chapter stricken out, and new chapter 151 inserted, 1934, 308 § 1. (See 1934, 308 §§ 2, 3; 1935, 267. See also 1933, Res. 44; 1934, 383, Res. 25.)**

**Chapter stricken out, and new chapter 151 (with new title) inserted, 1937, 401 § 1. (See 1937, 401 §§ 2, 3.)**

Chapter stricken out, and new chapter 151 (with new title) inserted, 1947, 432 § 1 (incorporating as part of the General Laws, 1946, 545 which extended the minimum wage law, so called, to adult male persons). (See 1947, 432 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151, as so inserted:

SECT. 1, sentence added at end, 1949, 777 § 1; amended, 1952, 558 § 1; 1955, 762 § 1; revised, 1956, 740 § 1; amended, 1958, 620 § 1. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3.)

SECT. 1A added, 1960, 813 (establishing a minimum rate for hours worked in excess of forty hours in a work week).

SECT. 2, definition of "A directory order" stricken out, 1952, 558 § 2; definition of "Occupation" revised, 1948, 362; amended, 1952, 558 § 3; revised, 1954, 174; amended, 1959, 190.

SECT. 7, first two sentences stricken out and three sentences inserted, 1957, 202; paragraph added at end, 1952, 558 § 4; revised, 1953, 515; amended, 1955, 762 § 2; revised, 1956, 740 § 2; 1958, 616 § 1; 1959, 551 § 1; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2.)

SECT. 8, last sentence revised, 1952, 558 § 6.

SECT. 9 revised, 1957, 225; 1958, 27.

SECT. 10, first sentence revised, 1952, 558 § 7.

SECT. 11, first sentence amended, 1952, 558 § 8.

SECT. 12 revised, 1952, 558 § 9.

SECT. 13 amended, 1952, 558 § 10.

SECT. 14, paragraph added at end, 1959, 123.

SECT. 15 amended, 1950, 349 § 1.

SECT. 16 amended, 1952, 558 § 11.

SECT. 19, paragraph (2) revised, 1949, 777 § 3; 1952, 558 § 12; amended, 1955, 762 § 3; revised, 1956, 740 § 3; amended, 1958, 620 § 2. (See 1949, 777 §§ 2, 4; 1955, 762 § 4; 1956, 740 § 4; 1958, 620 § 3.)

SECT. 20A added, 1950, 349 § 2 (establishing a time during which certain actions may be brought under the minimum wage law).

#### **Chapter 151A. — Employment Security (former title, Unemployment Compensation).**

For legislation providing for the payment of unemployment compensation benefits to persons upon termination of service in the military or naval forces of the United States during the present national emergency, see 1941, 701; 1943, 319; 1946, 168.

New chapter inserted, 1935, 479 § 5. (See 1935, 479 §§ 6, 7; 1936, 12 § 3, 49 § 16.)

Chapter stricken out, and new chapter 151A (with same title) inserted, 1937, 421 § 1. (See 1937, 421 §§ 2-4.)

Chapter stricken out, and new chapter 151A (with new title) inserted, 1941, 685 § 1. (See 1941, 685 §§ 7-11; 1941, 686.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 151A, as so inserted:

SECT. 1, subsections (a), (c) and (r) (1) revised, 1951, 763 § 1; subsection (a) revised, 1953, 560 § 1; 1956, 719 § 1; affected, 1957, 626; subsection (o) amended, 1956, 719 § 3; subsection (r) (1) amended; 1956, 719 § 2; subsection (r) (2), sentence added at end, 1949, 476; subsection (r) (2) revised, 1951, 763 § 1; subsection (r) (3) added, 1953, 635 § 1; revised, 1957, 632; subsection (s) (1) stricken out, 1948, 603 § 1; subsection (s) revised, 1951, 763 § 1; amended, 1954, 279 § 1; subsection (u) added, 1949, 639 § 2, defining "American vessel"; subsection (v), defining "Remuneration", and subsection (w), defining "Average weekly wage", added, 1951, 763 § 2; subsection (v) repealed, 1953, 635 § 2. (See 1949, 639 § 3; 1951, 763 § 22; 1953, 560 § 3; 1954, 279 § 2; 1956, 719 § 8.)

SECT. 6, subsection (c) revised, 1949, 639 § 1; subsection (d) revised, 1951, 763 § 3; 1954, 280 § 1; subsection (f) amended, 1954, 431 § 1; subsection (h) revised, 1951, 763 § 3; subsection (j) revised, 1951, 763 § 3; subsection (n) revised, 1951, 763 § 3; subsection (q) amended, 1947, 433. (See 1949, 639 § 3; 1951, 763 § 22; 1954, 280 § 2.)

SECT. 8, subsection (a) amended, 1950, 535; subsections (g) and (h) added at end, 1943, 534 § 2.

SECT. 11 revised, 1941, 685 § 2; 1951, 763 § 4. (See 1951, 763 § 22.)

SECT. 12, second paragraph amended, 1959, 507 § 1; last paragraph amended, 1959, 507 § 2.

SECT. 14, first paragraph revised, 1948, 603 § 2; subsection (a) amended, 1948, 603 § 3; subsection (b) (2) revised, 1943, 534 § 1; amended, 1945, 484 § 2; 1946, 170 § 2; 1948, 537 § 1; subsection (b) (4), sentence added at end, 1947, 602 § 1; subsection (b) revised, 1949, 740 § 1; subsection (c) added, 1943, 534 § 1A; designations of subsections (c) and (d) changed to (d) and (e), respectively, 1943, 534 § 1B; subsection (c) revised, 1945, 516; paragraph in lines 48-72 revised, 1946, 360; subsection (c) revised, 1947, 440 § 1; 1949, 740 § 2; subsection (e) amended, 1948, 537 § 2; section revised, 1951, 763 § 5; 1953, 397; subsection (b) (1) revised, 1956, 719 § 7; subsection (n), paragraph (1) revised, 1958, 643 § 1; 1959, 508; paragraph (5) stricken out, 1958, 643 § 2; subsection (o) added, 1954, 431 § 2. (See 1947, 440 § 2, 602 § 2; 1948, 537 § 3; 1949, 740 § 3; 1951, 763 § 22; 1956, 719 § 8; 1958, 643 § 3.)

SECT. 15, subsection (a) amended, 1950, 232; subsection (b) revised, 1948, 603 § 6; subsection (c) revised, 1943, 373.

SECT. 22, sentence added at end, 1945, 625 § 2.

SECT. 23, subsection (a) revised, 1941, 685 § 3; 1951, 763 § 6; amended, 1955, 530; subsections (b) and (c) revised, 1951, 763 § 6; subsection (e) stricken out, 1943, 534 § 3; subsection (f) added, 1951, 763 § 7. (See 1951, 763 § 22.)

SECT. 24 revised, 1951, 763 § 8; first paragraph amended, 1959, 587 § 1; paragraph added at end, 1958, 437 § 1. (See 1951, 763 § 22.)

SECT. 25, subsection (a) amended, 1948, 421; revised, 1951, 763 § 9; subsection (b) amended, 1953, 464; revised, 1959, 554; subsection (c) amended, 1959, 533; subsection (d) amended, 1945, 356; revised, 1951, 763 § 9; subsection (e) revised, 1951, 763 § 9; 1953, 401; amended, 1956, 719 § 4; revised, 1958, 677; subsection (f) added, 1951, 763 § 10. (See 1951, 763 § 22; 1956, 719 § 8.)

SECT. 27 amended, 1945, 625 § 3; revised, 1948, 630; 1951, 763 § 11. (See 1951, 763 § 22.)

SECT. 28, paragraph added at end, 1954, 431 § 3.

SECT. 29, subsection (a) revised, 1943, 534 § 5; 1945, 484 § 1; 1946, 170 § 1; 1956, 719 § 5; 1959, 587 § 2; subsection (b) revised, 1951, 763 § 12; 1954, 673; subsection (c) added, 1946, 611; revised, 1949, 501; 1951, 763 § 12; 1954, 635; amended, 1957, 542; revised, 1958, 385; 1959, 589; 1960, 603. (See 1951, 763 § 22; 1956, 719 § 8.)

SECT. 29A added, 1949, 421 (providing that benefits under this chapter shall not be reduced by reason of the receipt of holiday pay, so called).

SECT. 30 amended, 1945, 484 § 3; revised, 1949, 559; 1953, 410 § 1; 1956, 719 § 6; 1958, 437 § 2; first paragraph revised, 1959, 588. (See 1953, 410 § 2; 1956, 719 § 8.)

SECT. 31 revised, 1951, 763 § 13. (See 1951, 763 § 22.)

SECT. 32 repealed, 1951, 763 § 14. (See 1951, 763 § 22.)

SECT. 33 repealed, 1943, 534 § 4.

SECT. 34 repealed, 1951, 763 § 14. (See 1951, 763 § 22.)

SECT. 37 revised, 1959, 506.

SECT. 38 revised, 1951, 763 § 15; subsection (a), paragraph added at end, 1953, 560 § 2. (See 1951, 763 § 22; 1953, 560 § 3.)

SECT. 39 revised, 1949, 659; 1951, 763 § 16. (See 1951, 763 § 22.)

SECT. 40 revised, 1951, 763 § 17. (See 1951, 763 § 22.)

SECT. 42 revised, 1943, 534 § 6; fifth sentence stricken out and three sentences inserted, 1951, 763 § 18; eighth sentence revised, 1954, 681 § 12; next to last sentence stricken out and six sentences inserted, 1947, 434. (See 1951, 763 § 22; 1954, 681 §§ 20, 22.)

SECT. 44, subsection (b) revised, 1948, 603 § 4.

SECT. 45A added, 1954, 655 (requiring an employer to furnish an employee with a wage report).

SECT. 46, second sentence amended, 1954, 512; subsection (a) added, 1948, 603 § 5.

SECT. 47 revised, 1951, 763 § 19. (See 1951, 763 § 22.)

SECT. 53A added, 1957, 512 (relative to the expenditure of certain moneys credited the commonwealth under the federal social security act).

SECT. 62 amended, 1952, 394.

SECT. 66A added, 1949, 646 (authorizing the director of employment security to enter into reciprocal agreements with foreign countries relative to the administration of the employment security law).

SECT. 69, paragraph added at end, 1949, 555; section revised, 1951, 763 § 20. (See 1951, 763 § 22.)

SECT. 71 revised, 1951, 763 § 21. (See 1951, 763 § 22.)

SECT. 74 revised, 1949, 290.

#### **Chapter 151B. — Unlawful Discrimination against Race, Color, Religious Creed, National Origin or Ancestry.**

**New chapter inserted, 1946, 368 § 4.**

SECT. 1, subsection 4 amended, 1957, 426 § 6; subsection 5 amended, 1950, 697 § 1; subsection 8 added, 1950, 697 § 2; subsections 9, 10, 11 added, 1957, 426 § 1; subsection 12 added, 1959, 239 § 1.

SECT. 3, subsection 6 amended, 1950, 697 § 3; revised, 1960, 163 § 1;

subsection 8 amended, 1950, 697 § 4; subsection 9 amended, 1950, 697 § 5.

SECT. 4, first sentence amended, 1957, 426 § 2; subsection 1 amended, 1950, 697 § 6; subsection 2 amended, 1950, 697 § 7; subsection 3 amended, 1950, 697 § 8; subsection 3A added, 1955, 274; subsection 3B added, 1960, 163 § 2; subsection 6 added, 1957, 426 § 2; amended, 1959, 239 § 2; paragraph added at end, 1947, 424; 1957, 426 § 3.

SECT. 5 revised, 1950, 479 § 4; amended, 1957, 426 § 4.

SECT. 6 amended, 1957, 426 § 5; seventh sentence revised, 1954, 681 § 13. (See 1954, 681 §§ 20, 22.)

SECT. 9 amended, 1950, 697 § 9.

#### **Chapter 151C. — Fair Educational Practices.**

**New chapter inserted, 1949, 726 § 2.**

SECT. 1, paragraph (a) revised, 1956, 334 § 1; paragraph (c) amended, 1956, 334 § 2.

SECT. 2, paragraph (c) amended, 1956, 334 § 3.

SECT. 3, paragraph (a) amended, 1956, 334 § 4; paragraph (b) amended, 1956, 334 § 5; paragraph (c) amended, 1956, 334 § 6; paragraph (d) amended, 1956, 334 § 7; paragraph (e) amended, 1956, 334 § 8; paragraph (g) amended, 1956, 334 § 9; paragraph (h) amended, 1956, 334 § 10; paragraph (i) amended, 1956, 334 § 11; paragraph (j) amended, 1956, 334 § 12.

SECT. 4, paragraph (a) amended, 1956, 334 § 13; paragraph (b) amended, 1956, 334 § 14; paragraph (c) revised, 1954, 681 § 14; amended, 1956, 334 § 15; paragraph (d) amended, 1956, 334 § 16. (See 1954, 681 §§ 20, 22.)

SECT. 5 amended, 1956, 334 § 17.

#### **Chapter 151D. — Health, Welfare and Retirement Funds.**

**New chapter inserted, 1957, 778 § 2; repealed, 1958, 655 § 2. (See 1957, 778 § 3.)**

**New chapter 151D (with same title) inserted, 1958, 655 § 4. (See 1958, 655 § 5.)**

#### **Chapter 152. — Workmen's Compensation.**

For legislation requiring manufacturers to insure under the workmen's compensation act where employees work on machinery, see 1936, 426; repealed, 1948, 156.

SECT. 1, two sentences added at end of paragraph (1), 1935, 332 § 1; paragraph (1) revised, 1943, 529 § 1; paragraph (2) revised, 1953, 314 § 2; paragraph (3) amended, 1950, 738 § 1; paragraph (4) revised, 1935, 406; 1943, 529 § 3; 1945, 369; first paragraph of paragraph (4) amended, 1947, 215; paragraph inserted, 1951, 109 § 1; amended, 1953, 139; third paragraph of paragraph (4) revised, 1953, 656 § 1; amended, 1955, 366; revised, 1955, 755; 1956, 680; 1960, 306; paragraph (5) revised, 1943, 529 § 1A; 1954, 265; amended, 1958, 429; paragraph (6) amended, 1943, 529 § 2; paragraph (7) revised, 1950, 277 § 2; paragraph (7A) added, 1941, 437; paragraph (7B) added, 1947, 488 § 9; same paragraph repealed, 1950, 277 § 1; paragraph (8) revised, 1953, 314 § 3. (See 1943, 529 § 14; 1951, 109 § 2.)



SECT. 2 amended, 1953, 314 § 4.

SECT. 2A added, 1946, 386 § 3 (limiting the application of certain acts in amendment of G. L. 152 increasing the amounts of compensation payable thereunder).

SECT. 4 revised, 1939, 83; 1953, 314 § 5.

SECT. 5, paragraph added at end, 1943, 359; section amended, 1953, 314 § 6.

SECT. 6 amended, 1945, 347; 1953, 314 § 6.

SECT. 7 amended, 1953, 314 § 6.

SECT. 7A added, 1947, 380 (relative to procedure in certain claims under the workmen's compensation law where employees are unable to testify).

SECT. 7B added, 1947, 455 (regulating the admissibility of certain evidence in workmen's compensation cases).

SECT. 8 amended, 1953, 314 § 6.

SECT. 8A amended, 1953, 314 § 6; 1957, 693 § 1.

SECT. 9 revised, 1949, 442; amended, 1953, 314 § 6.

SECT. 9A revised, 1938, 381; amended, 1953, 314 § 6.

SECT. 9B added, 1935, 424 (providing for the reference of certain cases under the workmen's compensation law to industrial disease referees); revised, 1938, 462; repealed, 1947, 286.

SECT. 10 revised, 1947, 546.

SECT. 11 amended, 1932, 129 § 1; first paragraph amended, 1956, 301; paragraph added at end, 1935, 484; 1939, 213 § 1; 1949, 61; 1950, 634 § 1; 1953, 288; section amended, 1953, 314 § 6; revised, 1957, 693 § 2. (See 1939, 213 § 2.)

SECT. 11A added, 1945, 444 (relieving employees and their dependents of the expenses of certain appeals in workmen's compensation cases); sentence added at end, 1949, 372; section revised, 1957, 693 § 3.

SECT. 12, last paragraph amended, 1932, 117 § 1; section amended, 1953, 314 § 6. (See 1932, 117 § 2; 1935, 351.)

SECT. 12A added, 1959, 585 (compensating an injured employee for reasonable costs resulting from proceedings to discontinue compensation).

SECT. 13, sentence added at end, 1933, 68; section amended, 1953, 314 § 6.

SECT. 14 amended, 1953, 314 § 6.

SECT. 15 revised, 1939, 401; 1943, 432.

SECT. 15A amended, 1934, 252; 1955, 174 § 5.

SECTS. 16 and 17 amended, 1953, 314 § 6.

SECT. 18, sentence added at end, 1938, 102; section amended, 1939, 93.

SECT. 19, paragraph in lines 17 and 18 revised, 1935, 339; same paragraph revised, 1939, 245; paragraph in lines 19-22 revised, 1955, 174 § 1; paragraph added at end, 1941, 379 § 11; section amended, 1953, 314 § 6; last paragraph revised, 1955, 174 § 2.

SECT. 19A added, 1935, 359 (requiring certain notices from employers not insured under the workmen's compensation law); repealed, 1948, 158.

SECT. 19B added, 1941, 410 (requiring the posting of notices by certain employers not covering their employees by workmen's compensation insurance); repealed, 1948, 157.

SECT. 20 revised, 1935, 340; amended, 1945, 464; last two sentences revised, 1946, 390; section revised, 1949, 276; amended, 1953, 314 § 6.

SECT. 20A added, 1945, 468 (requiring employers and certain insurers who maintain clinics, etc., for the treatment of injured employees, to furnish such employees with copies of all medical examinations); revised, 1954, 194.

SECT. 21 amended, 1943, 529 § 4. (See 1943, 529 § 14.)

SECT. 22 amended, 1943, 529 § 13; 1953, 314 § 6. (See 1943, 529 § 14.)

SECT. 23 revised, 1943, 529 § 5; amended, 1953, 314 § 6. (See 1943, 529 § 14.)

SECT. 24 amended, 1943, 529 § 6; 1955, 174 § 5. (See 1943, 529 § 14.)

SECTS. 25A-25D added, 1943, 529 § 7, under caption "COMPULSORY COMPENSATION AND SELF-INSURANCE." (See 1943, 529 § 14.)

SECT. 25A, paragraph (2) amended, 1949, 441 § 1; paragraph (2) (a) amended, 1945, 316; sixth sentence revised, 1946, 472 § 1; paragraph (2) (a) revised, 1949, 441 § 2; paragraph (2) (b), first sentence revised, 1945, 518; 1946, 472 § 2; paragraph (2) (b) revised, 1949, 441 § 3; paragraph (2) (c) revised, 1945, 344; 1948, 176; 1949, 441 § 4; amended, 1950, 351; revised, 1955, 174 § 3.

SECT. 25C, two sentences added at end, 1951, 689; next to last sentence revised, 1953, 330; section amended, 1955, 174 § 5.

SECT. 25D amended, 1955, 174 § 5.

SECT. 26 amended, 1937, 370 § 1; revised, 1943, 302, 529 § 8; paragraph added at end, 1945, 623 § 1; section amended, 1955, 174 § 5. (See 1943, 529 § 14.)

SECT. 26A added, 1937, 370 § 2 (providing for payment of workmen's compensation in certain cases of suicide).

SECT. 26B added, 1957, 276 (apportioning liability under the workmen's compensation act when the injured employee is in the concurrent service of two or more employers).

SECT. 27 revised, 1935, 331.

SECT. 28 amended, 1934, 292 § 2; revised, 1943, 529 § 9. (See 1943, 529 § 14.)

SECT. 29 revised, 1935, 372; 1937, 382; amended, 1949, 471; 1951, 135; 1953, 314 § 6.

SECT. 30 revised, 1936, 164; 1943, 181; 1946, 233 § 1; sentence added at end, 1948, 159; section amended, 1953, 314 § 6. (See 1946, 233 § 2.)

SECTS. 30A-30C added, 1950, 767 § 2 (prescribing duties of the rehabilitation commission in the department of industrial accidents).

SECT. 30A amended, 1952, 630 § 11; first sentence revised, 1956, 602 § 14. (See 1956, 602 §§ 17-20.)

SECT. 30B amended, 1953, 314 § 6; revised, 1956, 602 § 15. (See 1956, 602 §§ 17-20.)

SECT. 30D added, 1956, 602 § 16 (relative to the furnishing of certain information to the industrial accident rehabilitation board by self insurers and insurers).

SECT. 31, first paragraph amended, 1934, 250; 1950, 738 § 2; paragraph contained in the sixth to the forty-fourth lines revised, 1937, 325; same paragraph amended, 1943, 368; revised, 1945, 572; 1948, 666; 1950, 357; 1956, 588; 1959, 530; last paragraph revised, 1943, 400; amended, 1950, 738 § 3; revised, 1951, 98; section amended, 1955, 174 § 5.

SECT. 32, paragraph (c) amended, 1950, 282 § 2; paragraph (d) re-

vised, 1947, 450; amended, 1949, 281; 1950, 282 § 3; new paragraph added, 1935, 361 (relative to payments under the workmen's compensation law to dependents of deceased minor employees); amended, 1950, 738 § 4.

SECT. 33 revised, 1939, 81; 1941, 495; amended, 1948, 155; 1949, 258; revised, 1957, 270; 1960, 287.

SECT. 34 revised, 1935, 332 § 2; 1941, 624; 1945, 717; 1946, 321 § 1; amended, 1947, 665; 1949, 520 § 1; revised, 1955, 777 § 1; amended, 1956, 735 § 1; revised, 1958, 665 § 1; 1959, 566 § 1. (See 1946, 321 § 4; 1956, 735 § 4.)

SECT. 34A added, 1935, 364 (providing for payments for total and permanent disability under the workmen's compensation law, and establishing methods of determining the same); amended, 1943, 276; revised, 1945, 717; first paragraph revised, 1946, 321 § 2; amended, 1949, 520 § 2; revised, 1955, 777 § 2; first sentence amended, 1956, 735 § 2; revised, 1958, 665 § 2; 1959, 566 § 2. (See 1946, 321 § 4; 1956, 735 § 4.)

SECT. 35 amended, 1943, 299; revised, 1945, 717; 1946, 321 § 3; amended, 1949, 520 § 3; revised, 1955, 777 § 3; 1958, 665 § 3; 1959, 566 § 3. (See 1946, 321 § 4.)

SECT. 35A added, 1945, 717 (providing for an increase in certain weekly benefits under the workmen's compensation law in certain cases); revised, 1946, 553; paragraph (c) revised, 1950, 282 § 1; section amended, 1953, 314 § 6; 1956, 735 § 3; revised, 1957, 641; amended, 1959, 566 § 4. (See 1956, 735 § 4.)

SECT. 36, paragraph (j) revised, 1933, 257; section revised, 1935, 333; paragraph (b) amended, 1947, 664 § 1; paragraph (d) amended, 1947, 634 § 1; paragraph (e) amended, 1947, 634 § 2; paragraph (f) amended, 1946, 386 § 1; paragraph added at end of section, 1947, 634 § 3. (See 1946, 386 § 2; 1947, 664 § 2.)

SECT. 36 stricken out and sections 36 and 36A inserted, 1949, 519 (increasing the benefits payable under the workmen's compensation law for certain injuries).

SECT. 36, paragraph (d) revised, 1959, 230; paragraph (f) revised, 1959, 545 § 1; paragraphs (h) and (i) revised, 1952, 60; paragraphs (n) and (o) revised, 1959, 545 § 2; paragraph (q) revised, 1952, 84; paragraphs (s) and (t) inserted, 1959, 545 § 3; paragraph added at end, 1953, 64; amended 1959, 199.

SECT. 36A revised, 1950, 445; 1951, 494.

SECT. 37 amended, 1937, 321; revised, 1950, 527; amended, 1957, 287.

SECT. 37A added, 1945, 623 § 2 (relative to payments to disabled war veterans subsequently injured in industry).

SECT. 39 amended, 1937, 317.

SECT. 45, paragraph added at end, 1951, 662; section amended, 1955, 174 § 5.

SECT. 46 amended, 1941, 378; 1945, 623 § 2A; 1953, 314 § 6.

SECT. 47 revised, 1960, 792.

SECTS. 48 and 49 amended, 1953, 314 § 6.

SECT. 50 revised, 1953, 670.

SECT. 52 revised, 1947, 619 § 1. (See 1947, 619 § 3.)

SECT. 52A added, 1939, 465 § 2 (relative to insuring against silicosis and other occupational pulmonary dust diseases); repealed, 1957, 301. (See 1939, 465 § 4.)

SECT. 52B added, 1945, 581 (relative to the payment of premiums for workmen's compensation insurance in certain cases).

SECTS. 52C-52G added, 1947, 619 § 2 (relative to rates for workmen's compensation insurance). (See 1947, 619 § 3.)

SECT. 52F, paragraph (c) amended, 1954, 681 § 15. (See 1954, 681 §§ 20, 22.)

SECT. 54A added, 1935, 425 (relative to safeguarding and extending the workmen's compensation law by making void certain contracts or agreements in the nature of insurance which do not insure the payment of the compensation provided for by said law); revised, 1957, 275.

SECT. 55, second paragraph revised, 1934, 137 § 1.

SECT. 57 amended, 1955, 174 § 5.

SECT. 58 amended, 1955, 174 § 5.

SECT. 59 amended, 1953, 314 § 6.

SECTS. 62 and 63 amended, 1953, 314 § 6.

SECT. 65 amended, 1935, 395; 1936, 162; 1937, 394; revised, 1939, 465 § 3; amended, 1943, 367; second sentence amended, 1950, 634 § 2; section amended, 1955, 174 § 5, 234 § 2. (See 1939, 465 § 4.)

SECTS. 65A-65M added, under caption, 1939, 489 (providing for the equitable distribution of rejected risks among insurers of workmen's compensation, and the pooling of losses in connection with such risks).

SECTS. 65A and 65B amended, 1953, 314 § 6.

SECT. 65M amended, 1953, 314 § 6.

SECT. 65N added, 1945, 623 § 3 (establishing a special fund to encourage the employment in industry of disabled war veterans); amended, 1949, 689; 1955, 174 § 5.

SECT. 66 revised, 1943, 529 § 9A; 1959, 478. (See 1943, 529 § 14.)

SECT. 67 revised, 1943, 529 § 10; first sentence revised, 1953, 656 § 2. (See 1943, 529 § 14.)

SECT. 68 revised, 1943, 529 § 11; amended, 1947, 506 § 4; revised, 1949, 427 § 8. (See 1943, 529 § 14; 1949, 427 § 11.)

SECT. 69 revised, 1933, 318 § 7; 1936, 260; amended, 1936, 403; revised, 1939, 435; last sentence revised, 1939, 468; section amended, 1941, 614; 1945, 729; 1946, 422; second sentence revised, 1947, 590; paragraph added at end, 1951, 610 § 2; section revised, 1959, 555; paragraph added at end, 1960, 655.

SECT. 69A added, 1933, 315 (regulating workmen's compensation payments by the commonwealth); amended, 1953, 314 § 6.

SECT. 69B added, 1936, 427 (further regulating workmen's compensation payments by the commonwealth); amended, 1955, 174 § 5.

SECT. 70 amended, 1953, 314 § 6.

SECT. 73, first sentence amended, 1936, 318 § 4; 1937, 336 § 23; first sentence stricken out and paragraph inserted, 1941, 379 § 12; first two sentences revised, 1950, 209.

SECT. 73A added, 1941, 649 (to provide for the employment of partially disabled public employees and temporary filling of their original positions).

SECT. 74 amended, 1939, 451 § 57; 1941, 344 § 26; sentence added at end, 1953, 501.

SECT. 74A added, 1955, 681 (extending workmen's compensation to employees furnishing aid to other governmental units).

SECT. 75 revised, 1932, 19; amended, 1951, 610 § 1; 1954, 680 § 8; 1955, 174 § 4, 643 § 11. (See 1955, 643 § 12.)

SECTS. 76-85 added, 1939, 465 § 1 (providing workmen's compensation benefits for employees in the granite industry contracting silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4; 1950, 220.)

SECTS. 76-85 stricken out and section 76 inserted, 1950, 220.

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

SECT. 76 repealed, 1955, 234 § 1.

**Chapter 153. — Liability of Employers to Employees for Injuries not resulting in Death.**

SECT. 6 amended, 1935, 387; first sentence revised, 1947, 506 § 5; 1949, 427 § 9. (See 1949, 427 § 11.)

**Chapter 154. — Assignment of Wages.**

SECT. 2 revised, 1948, 550 § 31; amended, 1956, 689 § 6. (See 1956, 689 § 9.)

SECT. 8 added, 1933, 96 (exempting orders for payment of labor or trade union or craft dues or obligations from the operation of the laws regulating assignments of wages); amended, 1939, 125; 1948, 117; revised, 1950, 204; 1951, 239; amended, 1955, 631; 1956, 244 § 3; revised, 1958, 52 § 1. (See 1958, 52 § 2.)

**Chapter 155. — General Provisions relative to Corporations.**

SECT. 1 revised, 1935, 297 § 1. (See 1935, 297 § 3.)

SECT. 2A added, 1955, 490 (to provide for the certification and recording of evidence of the incorporation of church or cemetery corporations).

SECT. 2B added, 1958, 441 (relative to the approval of certain proposed corporations).

SECT. 6, sentence added at end, 1949, 105.

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295; first sentence revised, 1953, 32. (See 1938, 327 § 2.)

SECT. 10 amended, 1933, 11; third sentence revised, 1943, 549 § 4; fifth sentence revised, 1957, 698 § 2.

SECT. 12A added, 1938, 164 § 1 (making permanent certain provisions of law authorizing domestic corporations to contribute to certain funds for the benefit of social and economic conditions); amended, 1946, 278. (See 1938, 164 § 2.)

SECT. 12B added, 1947, 488 § 5 (empowering corporations to participate as subscribers in the exchanging of reciprocal or inter-insurance contracts).

SECT. 12C added, 1953, 415 (authorizing corporations to make contributions for charitable, scientific or educational purposes).

SECT. 13, sentence added at end, 1949, 695.

SECT. 15 revised, 1939, 14.

SECT. 22, paragraph added at end, 1953, 185; same paragraph revised, 1954, 50.

SECT. 23A added, 1935, 297 § 2 (regulating sales of stocks, bonds and other securities of corporations to their employees); repealed, 1938, 445 § 13. (See 1935, 297 § 3; G. L. chapter 110A, § 11A, inserted by 1938, 445 § 9.)

SECTS. 24-44 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 46, first sentence stricken out, 1957, 765 § 7. (See 1957, 765 § 21.)

SECT. 50 amended, 1933, 66.

SECT. 50A added, 1939, 456 § 1 (relative to the dissolution of domestic corporations); amended, 1943, 383.

SECT. 51A added, 1958, 204 (providing for the distribution of the assets of certain corporations upon petition to the supreme judicial or superior courts).

SECT. 56, first sentence revised, 1939, 456 § 2; 1953, 31.

#### Chapter 156. — Business Corporations.

SECT. 5 amended, 1939, 301 § 1.

SECT. 6, clause (e) amended, 1939, 15 § 1.

SECT. 12, form of certificate revised, 1932, 67; section revised, 1959, 327 § 1. (See 1959, 327 § 2.)

SECT. 30 amended, 1937, 52.

SECT. 32 revised, 1955, 173; 1956, 375.

SECT. 36 revised, 1941, 514 § 1.

SECT. 41 revised, 1932, 136.

SECT. 41B added, 1951, 498 (authorizing changes of shares of par value stock into a greater number or the exchange thereof for a greater number).

SECT. 41C added, 1951, 565 § 1 (authorizing changes of stock without par value to shares with par value).

SECT. 42 amended, 1943, 38 § 1.

SECT. 44 amended, 1951, 565 § 2.

SECT. 45 amended, 1951, 565 § 3.

SECT. 46, sentence added at end, 1943, 38 § 2.

SECTS. 46A-46E added, under the heading "MERGER AND CONSOLIDATION", 1941, 514 § 2.

SECT. 46A revised, 1948, 524; last paragraph amended, 1959, 180 § 1.

SECT. 46B, paragraph contained in lines 102-108 revised, 1943, 405 § 1; 1947, 543 § 1; sixth paragraph amended, 1959, 180 § 2.

SECT. 46D, subsection 2 of paragraph (b) amended, 1954, 57; 1958, 2; paragraph contained in lines 64-73 revised, 1943, 405 § 2; 1947, 543 § 2; fifth paragraph amended, 1959, 180 § 3.

SECT. 46F added, 1959, 180 § 4 (providing for the issuance of certain certificates by the secretary of state for filing in registries of deeds and town clerks' offices as evidence of mergers and consolidations of corporations).

SECT. 49 revised, 1941, 276; first sentence revised, 1948, 118.

SECT. 53 amended, 1957, 698 § 3.

SECT. 54 amended, 1932, 180 § 30; paragraph added at end, 1951, 565 § 4.

SECT. 55 amended, 1952, 314; revised, 1955, 338; amended, 1957, 698 § 4.

**Chapter 157. — Co-operative Corporations.**

- SECT. 3, second sentence revised, 1949, 378 § 1.  
SECT. 3A added, 1949, 378 § 2 (authorizing the forming of corporations to conduct a housing business on the co-operative plan).  
SECT. 4 revised, 1949, 378 § 3; first sentence revised, 1958, 26.  
SECT. 6 amended, 1949, 378 § 4; paragraph 4 revised, 1949, 378 § 5.  
SECT. 7 amended, 1957, 698 § 5.  
SECT. 9 amended, 1949, 378 § 6; 1957, 698 § 6.  
SECT. 13 amended, 1954, 23.  
SECT. 16, last sentence amended, 1932, 180 § 31.

**Chapter 158. — Certain Miscellaneous Corporations.**

- SECT. 43, last paragraph amended, 1953, 282; section revised, 1957, 698 § 7.

**Chapter 159. — Common Carriers.**

- SECT. 12, paragraph (a) revised, 1945, 175.  
SECT. 14A added, 1941, 713 (authorizing the department of public utilities to regulate rates for the transportation of persons or property within the commonwealth by common carriers by aircraft).  
SECT. 15, paragraph added at end, 1937, 247; same paragraph stricken out, 1938, 155 § 2; section amended, 1951, 681, 726.  
SECT. 16A added, 1938, 243 (relative to the discontinuance of service by railroads).  
SECT. 20 amended, 1939, 18.  
SECT. 21, sentence inserted after first sentence, 1946, 214.  
SECT. 24, second sentence revised, 1945, 647 § 1.  
SECT. 27 revised, 1945, 647 § 2.  
SECT. 28 revised, 1945, 647 § 3.  
SECT. 29 revised, 1945, 647 § 4.  
SECT. 30 revised, 1945, 647 § 5.  
SECT. 32, first sentence revised, 1945, 199.  
SECT. 34A added, 1945, 577 (relative to affiliated companies of common carriers).  
SECTS. 55-56 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)  
SECT. 59 revised, 1933, 326 § 1.  
SECT. 60 amended, 1933, 326 § 2; 1941, 233.  
SECT. 61 amended, 1933, 326 § 3; 1946, 437 § 1.  
SECT. 62 amended, 1933, 326 § 4; 1946, 437 § 2.  
SECT. 63 amended, 1946, 437 § 3.  
SECT. 65 amended, 1937, 270.  
SECT. 70 revised, 1934, 357 § 1.  
SECT. 80 amended, 1934, 357 § 2.  
SECT. 89 revised, 1936, 363 § 1; amended, 1951, 24 § 1; 1953, 42 § 1. (See 1953, 42 § 4.)  
SECT. 90 revised, 1936, 363 § 2; amended, 1951, 24 § 2.  
SECT. 91 revised, 1936, 363 § 3.  
SECT. 92 amended, 1936, 363 § 4; 1951, 24 § 3.  
SECT. 93 amended, 1936, 363 § 5; 1951, 24 § 4.  
SECT. 94 amended, 1936, 363 § 6; 1951, 24 § 5; 1953, 319 § 23. (See 1953, 319 §§ 39, 40.)

SECT. 95 amended, 1951, 24 § 6.

SECT. 98 amended, 1948, 550 § 32.

SECT. 99 amended, 1948, 550 § 33.

SECT. 101 revised, 1950, 116.

SECT. 103 amended, 1933, 10; 1941, 54; 1943, 322 § 1.

SECT. 104, first sentence revised, 1950, 117 § 1; 1959, 234; amended, 1960, 156. (See 1950, 117 § 2.)

#### **Chapter 159A. — Common Carriers of Passengers by Motor Vehicle.**

Title amended, and headings, "PART I", "CARRIERS OF PASSENGERS BY MOTOR VEHICLE", inserted before section 1, 1933, 372 § 1; repealed, 1934, 264 § 5.

SECT. 1 revised, 1948, 550 § 34; 1949, 297 § 11; amended, 1956, 99.

SECT. 2 revised, 1947, 258 § 1. (See 1947, 258 § 2.)

SECT. 4, first sentence stricken out and three sentences inserted, 1945, 318 § 1. (See 1945, 318 § 2.)

SECT. 7, paragraph added at end, 1956, 329.

SECT. 7A added, 1949, 449 (relative to the transfer of certificates, licenses and permits issued for certain common carriers); first sentence revised, 1952, 355; second paragraph amended, 1951, 160; two sentences added at end, 1954, 281.

SECT. 10, paragraph added at end, 1945, 585.

SECT. 11A added, 1939, 404 § 1 (placing special and chartered buses, so called, under the supervision of the department of public utilities); amended, 1941, 480; revised, 1947, 482 § 1; first sentence revised, 1953, 268 § 1; first paragraph revised, 1954, 319 § 1; second paragraph revised, 1954, 319 § 2; third paragraph amended, 1948, 484; 1950, 501; 1951, 161; 1954, 307. (See 1939, 404 § 2; 1947, 482 § 2; 1953, 268 § 2; 1954, 319 § 3.)

SECT. 15 revised, 1949, 609.

SECTS. 17-30 added, under captions, 1933, 372 § 2 (regulating carriers of property by motor vehicle); repealed, 1934, 264 § 5.

#### **Chapter 159B. — Carriers of Property by Motor Vehicle.**

New chapter inserted, 1934, 264 § 1.

Chapter stricken out and new chapter 159B (with same title) inserted, 1938, 483 § 1. (See 1938, 483 §§ 2-5.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 159B, as so inserted:

SECT. 2, definition of "Irregular route common carrier" revised, 1941, 653 § 2; definition of "Regular route common carrier" revised and paragraph defining "Regular routes" added, 1941, 653 § 3; definition of "Agricultural carrier by motor vehicle" inserted, 1941, 704 § 1; definitions of "Contract carrier by motor vehicle", "Motor carrier" and "Permit" revised, 1941, 704 § 2; definition of "Motor Carrier" revised, 1951, 664 § 3; definition of "Property" inserted, 1949, 346 § 1; revised, 1954, 87; 1956, 266; definition of "Motor Vehicle" stricken out and definition of "Commercial Motor Vehicle" inserted, 1951, 664 § 1; defi-



inition of "Private Carrier" inserted, 1951, 664 § 2; revised, 1952, 483; 1955, 569. (See 1941, 704 § 4.)

SECT. 3, introductory paragraph amended, 1945, 400 § 1; paragraph (b) revised, 1941, 592 § 1; paragraph (c) revised, 1945, 400 § 2; amended, 1946, 420 § 1; revised, 1947, 52 § 1; amended, 1959, 543 § 1; paragraph (d) revised, 1950, 189. (See 1945, 400 § 8; 1946, 420 § 2; 1947, 52 § 2.)

SECT. 4, second paragraph revised, 1945, 400 § 3; third paragraph revised, 1941, 592 § 2; paragraph added at end, 1951, 384 § 1. (See 1951, 384 § 2.)

SECT. 5, third paragraph amended, 1959, 543 § 2.

SECT. 6, fifth paragraph amended, 1951, 664 § 4; stricken out, 1955, 353 § 1.

SECT. 6A added, 1955, 353 § 2 (relative to the responsibility for illegal rate practices by common carriers by motor vehicle); second paragraph amended, 1956, 217.

SECT. 7, paragraph (a) revised, 1939, 171; amended, 1950, 187; paragraph (b) amended, 1945, 343.

SECT. 9 amended, 1941, 483 § 1; 1946, 376 § 1; sentence added at end, 1947, 52 § 3; section revised, 1954, 553.

SECT. 10, paragraph added at end, 1939, 306; amended, 1941, 483 § 2; paragraph added at end, 1945, 379; section amended, 1946, 376 § 2; first paragraph amended, 1954, 481; second paragraph revised, 1953, 423.

SECT. 10A added, 1939, 322 (relative to replacing lost or mutilated plates and lost or destroyed certificates, permits and licenses issued to carriers of property by motor vehicle); sentence added at end, 1945, 644 § 1; section revised, 1953, 309; sentence inserted before first sentence, 1954, 288.

SECT. 10B added, 1946, 376 § 3 (relative to the issuance of certain distinguishing plates to carriers of property by motor vehicle and to the use of such plates); revised, 1954, 440.

SECT. 11 amended, 1941, 483 § 3; first sentence of first paragraph revised, 1948, 616 § 1; amended, 1950, 186; second sentence of last paragraph revised, 1945, 644 § 2; same sentence revised, 1948, 616 § 2; paragraph added at end, 1951, 158.

SECT. 11A added, 1956, 601 (to authorize a conditional transfer of a certificate, permit or license to a temporary vendee or lessee of interstate motor carriers duly approved by the interstate commerce commission).

SECT. 12, first paragraph revised, 1941, 653 § 4; second sentence amended, 1945, 400 § 4; second paragraph revised, 1954, 293.

SECT. 12A added, 1957, 165 (authorizing the director of the commercial motor vehicle division of the department of public utilities to destroy or dispose of certain obsolete records and plates).

SECT. 13 amended, 1941, 692; 1945, 400 § 5; first sentence revised, 1951, 262; 1959, 543 § 3.

SECT. 14 amended, 1941, 653 § 5; 1945, 400 § 6; 1949, 346 § 2.

SECT. 14 stricken out and sections 14-14B inserted, 1951, 664 § 5 (relative to the powers and duties of investigators and examiners of the commercial motor vehicle division of the department of public utilities).

SECT. 14B amended, 1952, 255.

SECT. 15A added, 1941, 704 § 3 (relative to agricultural carriers of property by motor vehicles). (See 1941, 704 § 4.)

SECT. 16A added, 1939, 307 (giving the department of public utilities authority to obtain certain information of persons engaged in leasing motor vehicles for the transportation of property for hire).

SECT. 17 revised, 1951, 664 § 6.

SECT. 19 amended, 1949, 187.

SECT. 21, first paragraph amended, 1951, 664 § 7; second paragraph amended, 1950, 194.

#### Chapter 160. — Railroads.

SECT. 38 revised, 1946, 226.

SECT. 65A added, 1958, 562 (authorizing railroad corporations to hold stock in railroad car and equipment companies).

SECT. 65B added, 1959, 222 (authorizing railroad corporations to hold stock in certain companies).

SECT. 68 revised, 1943, 33.

SECT. 70 amended, 1932, 238.

SECT. 70A revised, 1932, 236; amended, 1934, 264 § 3.

SECT. 85 amended, 1941, 53.

SECT. 102 amended, 1941, 496 § 1.

SECT. 104 revised, 1933, 176; two sentences inserted after second sentence, 1955, 231.

SECT. 106 revised, 1953, 332.

SECT. 127A added, 1957, 156 (authorizing the department of public utilities to exempt railroads from certain provisions of law relating to drawbridges if such drawbridges have not been opened for five years).

SECT. 128A added, 1957, 159 (to prohibit railroad corporations from eliminating passenger train service without a prior public hearing).

SECT. 131A added, 1948, 639 (authorizing certain corporations to own and operate railroad terminal facilities).

SECT. 133A added, 1955, 491 (relative to switch stands on railroad tracks).

SECT. 134 amended, 1941, 273 § 1; revised, 1953, 216.

SECT. 134A added, 1950, 815 § 1 (relative to the proper clearance of tracks in railroad yards); amended, 1953, 667; sentence added at end, 1954, 239; section revised, 1956, 240 § 1. (See 1956, 240 § 2.)

SECT. 138 amended, 1941, 273 § 2.

SECT. 142 amended, 1938, 29; revised, 1947, 584 § 1; second and third sentences revised, 1951, 461 § 1. (See 1947, 584 § 2; 1951, 461 § 2.)

SECT. 144 revised, 1945, 301.

SECT. 147 revised, 1947, 498.

SECT. 163A added, 1952, 430 § 1 (requiring track motor cars operated by railroads to be equipped with windshields and tops). (See 1952, 430 § 2.)

SECT. 167 amended, 1941, 273 § 3.

SECT. 176A added, 1951, 174 § 1 (requiring lights on track motor cars operated by railroads). (See 1951, 174 § 2.)

SECT. 185A added, 1943, 333 (providing that railroad and terminal corporations shall provide reasonable lavatory and sanitary facilities for their employees); repealed, 1955, 669 § 3.

SECT. 198A. See 1936, 267.

SECT. 198B added, 1936, 267 (prohibiting the scalping, so called, of tickets issued by railroad corporations).

SECT. 219 amended, 1953, 42 § 2. (See 1953, 42 § 4.)

SECT. 220 amended, 1953, 42 § 3. (See 1953, 42 § 4.)

SECT. 232 amended, 1947, 506 § 6; revised, 1949, 427 § 10; 1958, 238 § 9. (See 1949, 427 § 11; 1958, 238 § 10.)

SECT. 235 amended, 1941, 490 § 38.

SECT. 245 amended, 1941, 273 § 4, 496 § 2.

#### Chapter 161. — Street Railways.

Name of Metropolitan Transit District changed to Boston Metropolitan District, and authority to issue notes and bonds defined, 1932, 147.

Temporary act, extending to January 15, 1939, the period of public control and management of the Eastern Massachusetts Street Railway Company, 1933, 108; further extension of five years, 1938, 173; further extension of five years, 1943, 98.

Temporary acts relative to the purchase of bonds of the Boston Elevated Railway Company by the Boston Metropolitan District, 1933, 235; 1934, 334; 1935, 451; 1936, 308; 1937, 357; 1941, 567; 1947, 92.

Act providing for the creation of the Metropolitan Transit Authority and the acquisition and operation by it of the entire assets, property and franchises of the Boston Elevated Railway Company, 1947, 544.

SECT. 20A amended, 1939, 28.

SECT. 35 amended, 1943, 342.

SECT. 42, third sentence amended, 1934, 328 § 20.

SECT. 44 amended, 1934, 264 § 4.

SECT. 69A added, 1954, 576 (authorizing the merger of certain associations or trusts with street railway companies).

SECT. 77 revised, 1934, 310 § 1.

SECT. 86 revised, 1934, 310 § 2.

SECT. 91A added, 1935, 101 (relative to the number of guards on passenger trains operated by street railway companies).

SECT. 94 revised, 1950, 118.

SECT. 107, first paragraph amended, 1946, 253.

#### Chapter 163. — Trackless Trolley Companies.

SECT. 12 added, 1932, 185 (requiring trackless trolley companies to furnish security for civil liability on account of personal injuries or property damage caused by their vehicles).

SECT. 13 added, 1943, 141 (providing a penalty for the improper operation of trackless trolley vehicles, so called).

#### Chapter 164. — Manufacture and Sale of Gas and Electricity.

For legislation authorizing compacts relative to the interstate transmission of electricity and gas, see 1933, 294.

SECT. 4 amended, 1938, 44.

SECT. 6, paragraph (e) revised, 1947, 48.

SECT. 13 revised, 1950, 237; 1953, 85.

SECT. 14 amended, 1935, 222.

SECT. 15 revised, 1950, 393; first sentence revised, 1955, 188.

SECT. 17A added, 1932, 132 (regulating the lending of money by gas and electric companies); revised, 1954, 95 § 1. (See 1954, 95 § 2.)

SECT. 19, sentence inserted after first sentence, 1953, 328.

SECT. 31 amended, 1939, 301 § 2.

SECT. 33 amended, 1932, 180 § 32; 1953, 283.

SECT. 34 amended, 1937, 235 § 1. (See 1937, 235 § 2.)

SECT. 56, first sentence amended, 1958, 160.

SECTS. 56A-56E added, 1960, 643 (relative to municipal light commissions).

SECT. 59 revised, 1953, 502.

SECT. 69A added, 1950, 419 (authorizing the purchase, sale and distribution of natural gas by certain cities and towns).

SECTS. 69A-69E added, 1958, 311, under caption "TRAINING AND EMPLOYMENT OF CADET ENGINEERS IN MUNICIPAL GAS AND LIGHT PLANTS".

SECT. 69A, as appearing in 1958, 311, amended, 1958, 564 § 1.

SECT. 69B amended, 1958, 564 § 2.

SECT. 69C amended, 1958, 564 § 3.

SECT. 69E amended, 1958, 564 § 4.

SECTS. 69A-69E, inclusive, added by 1958, 311, renumbered sections 69B-69F, inclusive, 1958, 564 § 5.

SECT. 69D, fourth paragraph revised, 1959, 58.

SECT. 70A revised, 1948, 550 § 35.

SECTS. 75B-75D added, under caption, 1950, 462 (relative to natural gas pipe line companies).

SECT. 75E added, 1951, 574 § 1 (providing for rules and regulations relative to the transmission, distribution and use of natural gas). (See 1951, 574 § 2.)

SECT. 75F added, 1952, 192 (providing a penalty for failure of natural gas pipe line companies to restore properties to reasonable condition).

SECT. 75G added, 1953, 132 § 1 (requiring natural gas pipe line companies to mark location of underground pipes, equipment and structures on certain land). (See 1953, 132 § 2.)

SECT. 76A added, 1935, 335 § 1 (giving to the department of public utilities supervision over certain affiliates of gas and electric companies).

SECT. 76B added, 1958, 552 (regulating the construction of ways over, across or along high pressure gas mains).

SECT. 84A added, 1934, 202 § 1 (requiring gas and electric companies to make additional annual returns).

SECT. 85, second paragraph amended, 1935, 335 § 2.

SECT. 85A added, 1933, 202 § 1 (requiring the filing with the department of public utilities of certain contracts of gas and electric companies with affiliated companies).

SECT. 94, paragraph in lines 29-37 amended, 1939, 178 § 1; section amended, 1948, 471. (See 1939, 178 § 2.)

SECT. 94A amended, 1941, 400 § 1.

SECT. 94B amended, 1941, 400 § 2.

SECT. 94C added, 1935, 227 (relative to payments, charges, contracts, purchases, sales or obligations or other arrangement between gas or electric companies and affiliated companies, and the burden of proving the reasonableness thereof).

SECT. 94D added, 1936, 243 (prohibiting gas and electric companies from collecting penalty charges for delinquency in the payment of bills for gas or electricity used for domestic purposes).

SECT. 94E added, 1941, 400 § 3 (relative to notice of the termination of certain contracts of gas and electric companies).

SECT. 94F added, 1953, 331 (providing for refunds by gas companies in certain cases).

SECT. 96 revised, 1939, 229 § 1.

SECT. 97 amended, 1943, 55.

SECT. 100 revised, 1950, 94.

SECT. 102 revised, 1939, 229 § 2.

SECT. 104 revised, 1957, 696.

SECT. 105 repealed, 1956, 28.

SECT. 105A added, 1932, 119 (regulating the storage, transportation and distribution of gas).

SECT. 115A added, 1936, 259 § 1 (requiring the periodic replacement of meters for measuring gas); amended, 1937, 40 § 1; paragraph added at end, 1952, 520 § 1. (See 1936, 259 §§ 2, 3; 1937, 40 §§ 2, 3; 1952, 520 § 2.)

SECT. 119 revised, 1934, 365.

SECT. 119A added, 1936, 76 § 1 (requiring bills for gas or electricity used for domestic purposes to be itemized); revised, 1939, 145 § 1. (See 1936, 76 § 2; 1939, 145 § 2.)

SECT. 120, fifth sentence revised, 1953, 154.

SECT. 124 amended, 1935, 237, 376 § 2; 1952, 102.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness).

#### **Chapter 165. — Water and Aqueduct Companies.**

SECT. 2 amended, 1955, 187; 1958, 527 § 2.

SECT. 2A added, 1954, 610 (relative to the filing of schedules of water rates, prices and charges of water districts with the department of public utilities).

SECT. 4A added, 1933, 202 § 2 (requiring the filing with the department of public utilities of certain contracts of water companies with affiliated companies).

SECT. 4B added, 1958, 353 (authorizing certain water companies or corporations to take by eminent domain certain property, rights and easements).

SECT. 10 amended, 1958, 527 § 3.

SECTS. 11A–11C added, 1957, 220 (relative to the authority of water companies to discontinue or shut off or refuse to furnish water service).

SECT. 19 repealed, 1941, 275 § 1.

SECT. 28 added, under caption, 1941, 275 § 2 (further regulating the acquisition and holding of real estate by water and aqueduct companies).

#### **Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.**

SECT. 12A added, 1934, 202 § 2 (requiring telephone and telegraph companies to make additional annual returns).

SECT. 15A added, 1935, 242 (regulating charges by telephone companies for the use of hand sets, so called).

SECT. 15B added, 1939, 162 (authorizing the sale and transfer of property and the transfer of locations by domestic telephone and telegraph companies to domestic or foreign telephone and telegraph companies and validating certain locations so transferred).

SECT. 15C added, 1955, 120 (relating to priority of emergency calls on party line telephones).

SECT. 21 amended, 1939, 161; revised, 1951, 476 § 1.

SECT. 22, second paragraph amended, 1932, 36; third paragraph revised, 1948, 550 § 36.

SECT. 22A added, 1932, 266 (relative to the placing underground of certain wires); revised, 1933, 251.

SECT. 25 revised, 1951, 476 § 2.

SECT. 28 revised, 1948, 550 § 37.

SECT. 29 revised, 1951, 476 § 3.

SECT. 32 revised, 1949, 529.

SECT. 35 revised, 1951, 476 § 4.

SECT. 36 amended, 1951, 476 § 5.

SECT. 39 revised, 1958, 130.

#### Chapter 167. — Banks and Banking.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

For temporary legislation authorizing banking institutions to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation suspending the law authorizing banks to verify deposit or pass books of depositors or shareholders, see 1943, 30; 1948, 19; repealed, 1949, 357 § 4.

SECT. 1 amended, 1935, 452 § 1.

SECT. 2 revised, 1934, 251; first paragraph amended, 1935, 452 § 2; revised, 1948, 527 § 1; amended, 1956, 171; last sentence revised, 1951, 566; paragraph stricken out and two paragraphs inserted, 1958, 654 § 1; third paragraph revised, 1950, 428. (See 1948, 527 § 5; 1958, 654 § 4.)

SECT. 2A added, 1933, 310 (improving the method of examination of banks); first sentence revised, 1958, 47.

SECT. 4 amended, 1934, 270 § 1.

SECT. 5 revised, 1933, 337; second paragraph amended, 1954, 681 § 16. (See 1954, 681 §§ 20, 22.)

SECT. 6 revised, 1945, 164.

SECT. 6A added, 1960, 27 (relative to the safekeeping of certain securities and passbooks of depositors in banks).

SECT. 7 revised, 1960, 58 § 2.

SECT. 8 revised, 1959, 341.

SECT. 9 revised, 1939, 499 § 8; 1945, 292 § 11; 1949, 592 § 1.

SECT. 11 revised, 1934, 270 § 2; amended, 1950, 480 § 1; 1955, 432 § 6. (See 1955, 432 § 4.)

SECT. 11A added, 1938, 266 § 1 (placing all corporations conducted on the Morris plan under the supervision of the commissioner of banks and further regulating the business of banking companies).

SECTS. 11B and 11C added, 1950, 368 (providing that certain violations of laws relating to banks shall be reported to the commissioner of banks and to the district attorney).

SECT. 12 revised, 1935, 452 § 3; two sentences added at end, 1951, 765; section revised, 1954, 250.

SECT. 13 paragraph added at end, 1948, 527 § 2. (See 1948, 527 § 5.)

SECT. 14 revised, 1933, 334 § 1; 1949, 289 § 1.

SECT. 16 revised, 1949, 370.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1; 1955, 432 § 7. (See 1955, 432 § 4.)

SECT. 20 amended, 1933, 190; 1943, 22; paragraph added at end, 1958, 109.

SECT. 20A added, 1933, 292 (permitting certain public officers to participate in certain bank reorganizations).

SECTS. 22-36. See 1934, 43 § 11.

SECT. 22, second paragraph amended, 1943, 121. (See 1933, 59 § 5, 112 § 9.)

SECT. 23. See 1933, 112 § 6.

SECT. 24 amended, 1932, 294; 1933, 41 § 4; 1955, 432 § 8; paragraph added at end, 1960, 477 § 2. (See 1955, 432 § 4.)

SECT. 31A added, 1933, 277 (authorizing payment of dividends on small deposits in closed banks to certain minors and to the next of kin of certain deceased persons without probate proceedings); revised, 1937, 170.

SECT. 35. See 1936, 428.

SECT. 35A added, 1933, 302 (authorizing the destruction of certain books, records and papers relating to closed banks).

SECT. 35B added, 1934, 241 (providing for semi-annual reports by the commissioner of banks as to progress of liquidation of certain banks).

SECT. 36 amended, 1939, 451 § 58.

SECT. 37, third sentence amended, 1949, 592 § 2.

SECT. 37A added, 1949, 640 (relative to the establishing of branches of financial institutions).

SECT. 46 amended, 1943, 110 § 2.

SECT. 47 amended, 1943, 110 § 3.

SECT. 48 added, 1939, 244 § 6 (relative to payments of moneys on deposit in the name of a minor).

SECT. 49 added, 1941, 444 (relative to adverse claims to certain bank deposits and to certain securities held by banks for the account of others).

SECT. 50 added, 1945, 37 § 1 (making permanent the law authorizing certain banking institutions to take certain first mortgages on real estate). (See 1945, 37 § 2.) For prior temporary legislation see 1936, 191, 405 § 2; 1939, 98; 1941, 40.

SECT. 51 added, 1945, 66 § 1 (making permanent the law relative to the making by certain banking institutions of loans insured by the federal housing administrator); amended, 1948, 101; last sentence revised, 1947, 89; amended, 1950, 480 § 3; section revised, 1950, 598; clause (b) revised, 1960, 422; last sentence revised, 1955, 432 § 9. (See 1943, 339;

1945, 66 § 2; 1950, 480 § 4; 1955, 432 § 4.) For prior temporary legislation see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126.

SECT. 51A added, 1956, 204 (authorizing certain banking institutions to sell or assign mortgages to the Federal National Mortgage Association and to purchase stock therein).

SECT. 52 added, 1946, 284 (permitting banks to close on Saturdays during June, July, August and September); amended, 1947, 9.

SECT. 53 added, 1947, 169 (relative to the liability of banks to their depositors for non-payment of checks); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 53A added, 1958, 213 § 1 (declaring void exculpatory provisions contained in a pass book issued by a bank). (See 1958, 213 § 2.)

SECT. 54 added, 1949, 428 (relative to the registration of trust securities in the names of nominees by banks doing a trust business); amended, 1951, 76.

SECT. 55 added, 1950, 287 § 1 (relative to presentment of certain demand instruments payable by, at or through banks); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 56 added, 1957, 400 § 1 (relative to the insurance of loans in banks).

#### **Chapter 167A. — Bank Holding Companies.**

**New chapter inserted, 1957, 751 § 1. (See 1957, 751 §§ 2-5.)**

#### **Chapter 168. — Savings Banks.**

For temporary act, establishing the Mutual Savings Central Fund, Inc., for the term of five years, see 1932, 44; term extended to ten years, 1936, 149 § 1; term extended to twenty-five years, 1939, 149 § 1; act amended, 1941, 78 § 1.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2; 1952, 31, 534; 1955, 432 §§ 18-22.

For temporary act modifying the requirements for making certain railroad bonds legal investments for savings banks, institutions for savings and trust companies in their savings departments, see 1939, 87; 1941, 115; temporary act repealed, 1941, 413 § 11.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For an act creating the Savings Bank Investment Fund as an additional means of investment for savings banks, see 1945, 283 §§ 1-11; 1955, 432 § 23, see 1955, 432 §§ 2-4, 624; 1957, 663.

**Chapter stricken out and new chapter 168 inserted, 1955, 432 § 1. (See 1955, 432 §§ 2-4.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1954.**

**The following references are to chapter 168, as so inserted:**

SECT. 5, first two paragraphs revised, 1957, 1 § 1. (See 1957, 1 § 7.)

SECT. 11, fourth sentence revised, 1959, 61.



SECT. 15, first paragraph revised, 1958, 83.

SECT. 21, paragraph 1 revised, 1959, 177 § 1; paragraph 2 amended, 1956, 175.

SECT. 22, first paragraph revised, 1959, 177 § 2.

SECT. 23 revised, 1956, 244 § 1.

SECT. 25, last sentence of paragraph 1 revised, 1960, 232.

SECT. 34, paragraph 3, first sentence revised, 1958, 131; last sentence revised, 1960, 804 § 2.

SECT. 35 amended, 1960, 804 § 3; paragraph 4 amended, 1956, 194 § 1; paragraph 5 amended, 1956, 194 § 2; paragraph 8 amended, 1960, 256; paragraph 11 revised, 1960, 289; paragraph 13 added, 1960, 804 § 3.

SECT. 37, first sentence revised, 1956, 689 § 7; section revised, 1960, 272. (See 1956, 689 § 9.)

SECT. 38, paragraph 7 added, 1960, 257.

SECT. 40, second sentence revised, 1956, 88.

SECT. 48, paragraph 1 revised, 1958, 100 § 1; paragraphs 3-5 revised, 1958, 100 § 2.

SECT. 60, paragraph 2 revised, 1959, 89.

SECT. 65, first sentence amended, 1960, 58 § 1.

SECT. 67A added, under caption, 1956, 324 § 1 (relative to membership in the Federal Deposit Insurance Corporation). (See 1956, 324 §§ 2-12.)

SECT. 68, paragraph 4 revised, 1958, 66.

SECT. 71, sub-paragraph 1 revised, 1957, 1 § 2. (See 1957, 1 § 7.)

SECT. 72, second sentence revised, 1957, 1 § 3; last paragraph revised, 1958, 106.

SECT. 73, first sentence revised, 1957, 1 § 4.

SECT. 73A added, 1959, 202 § 1 (relative to the conversion of savings banks or savings and loan associations).

SECT. 74 revised, 1959, 197 § 1.

SECT. 80 amended, 1957, 698 § 8.

#### **Chapter 169. — Deposits with Others than Banks.**

SECT. 1 amended, 1949, 64 § 1; 1950, 95.

SECT. 3, last sentence revised, 1949, 64 § 2.

SECT. 6 amended, 1949, 64 § 3; 592 § 3.

SECT. 7 amended, 1949, 64 § 4.

SECT. 8 revised, 1949, 64 § 5.

#### **Chapter 170. — Co-operative Banks.**

For temporary act, establishing the Co-operative Central Bank for the term of five years, see 1932, 45; term extended to ten years, 1935, 82; amount which a member bank may borrow without collateral further regulated, 1935, 136; 1941, 86; term further extended to twenty-five years, 1938, 244 § 1; refunds to member banks regulated, 1939, 227 § 1; act further amended, 1943, 219.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5; 1945, 116.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For temporary act to enable certain co-operative banks to invest funds in certain securities, see 1948, 50.

**Chapter stricken out, and new chapter 170 inserted, 1933, 144.**

**Chapter stricken out, and new chapter 170 inserted, 1950, 371 § 1. (See 1950, 371 §§ 2-4; 1952, 148.)**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

**The following references are to chapter 170, as so inserted:**

SECT. 1, definition of "Share capital" or "share liability" revised, 1952, 168 § 1; definition of "Shareholder" or "member" revised, 1952, 168 § 1A; "Net profits" defined, 1953, 87 § 1.

SECT. 5 amended, 1957, 698 § 9.

SECT. 7, first paragraph revised, 1952, 168 § 2.

SECT. 8A added, 1957, 102 (prohibiting directors and officers of co-operative banks from serving as officers in certain other banks and savings and loan associations).

SECT. 12, second sentence revised, 1957, 1 § 5.

SECT. 12A added, 1956, 244 § 2 (relative to the collection and receipt of deposits by payroll deduction by savings and co-operative banks).

SECT. 12B added, 1958, 264 (relative to the collection by co-operative banks of utility company bills).

SECT. 13, first sentence revised, 1952, 168 § 3; subsection 1, paragraph (d) amended, 1952, 257 § 1; subsection 2 amended, 1957, 204; subsection 3, paragraph (c) revised, 1959, 195. (See 1952, 257 § 3.) See 1950, 480 § 2.

SECT. 16, first two paragraphs revised, 1954, 108; 1959, 181.

SECT. 17 revised, 1952, 257 § 2. (See 1952, 257 § 3.)

SECT. 23, subsection 5 added at end, 1957, 198 § 1.

SECT. 24, subsection 1 stricken out, 1959, 179; subsection 1A inserted, 1960, 122; subsection 2 amended, 1955, 118 § 1; subsection 3 amended, 1955, 118 § 2; revised, 1959, 108 § 1; subsection 3A inserted, 1959, 174; subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; 1960, 54; subsection 5 amended, 1956, 34; subsection 8, sentence inserted after first sentence, 1952, 137; stricken out, 1957, 198 § 2.

SECT. 24A added, 1959, 342 (authorizing co-operative banks to make or acquire loans guaranteed by the Federal Housing Administrator).

SECT. 25A added, 1960, 24 § 1 (authorizing cooperative banks to make loans to depositors in anticipation of dividends).

SECT. 26, subsections 1 and 2 revised, 1955, 432 § 10; subsection 3 revised, 1960, 111. (See 1955, 432 § 4.)

SECT. 30, first paragraph amended, 1957, 197 § 1; second paragraph amended, 1957, 197 § 2.

SECT. 31, first paragraph amended, 1956, 38.

SECT. 34A added, under caption, 1956, 323 § 1 (relative to membership in the Federal Savings and Loan Insurance Corporation). (See 1956, 323 §§ 2-11.)

SECT. 35 revised, 1957, 348.

SECT. 37 revised, 1953, 87 § 2.

SECT. 38, second paragraph amended, 1955, 257 § 2. (See 1952, 149; 1953, 72; 1954, 463 § 1; 1955, 257 § 1.)

SECT. 40, first sentence stricken out and two sentences inserted, 1957, 98; first two sentences stricken out and one sentence inserted, 1960, 195.

SECT. 41, second paragraph amended, 1956, 10; stricken out, 1958, 654 § 2. (See 1954, 658 § 4.)

SECT. 48, last paragraph revised, 1958, 105.

SECT. 49, first and second paragraphs revised, 1956, 246.

SECT. 51, third paragraph amended, 1954, 109 § 1; last paragraph amended, 1954, 109 § 2; section revised, 1959, 196 § 1.

#### Chapter 171. — Credit Unions.

For temporary act, establishing the Central Credit Union Fund, Inc., for the term of five years, see 1932, 216; amended, 1934, 221; 1939, 112 § 2. Term extended to ten years, 1936, 70. Term extended to twenty years, 1941, 177.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 3, second paragraph revised, 1936, 323; 1948, 527 § 4; 1957, 328; stricken out, 1958, 654 § 3; section amended, 1957, 698 § 10. (See 1948, 527 § 5; 1958, 654 § 4.)

SECT. 5 amended, 1939, 112 § 1.

SECT. 6, paragraph added at end, 1952, 162.

SECT. 6A added, 1946, 184 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees); repealed, 1947, 189 § 2. (See G. L. chapter 149 § 178B, inserted by 1947, 189 § 1.)

SECT. 8 revised, 1946, 49 § 1.

SECT. 9 revised, 1946, 49 § 2.

SECT. 10, two sentences inserted after fifth sentence, 1945, 81; section revised, 1947, 87; fourth sentence revised, 1949, 287; 1957, 182; sentence inserted after fourth sentence, 1960, 162.

SECT. 11A added, 1958, 45 (authorizing certain officers of credit unions to pay certain deposits or shares to the surviving spouse or next of kin upon the death of a depositor or shareholder).

SECT. 15, first sentence revised, 1952, 94; last sentence stricken out, 1933, 163 § 1; sentence added at end of first paragraph, 1958, 63; paragraph added at end, 1933, 163 § 1; second paragraph amended, 1955, 432 § 11; new paragraph added, 1935, 272; paragraph added by 1935, 272 revised, 1936, 329. (See 1955, 432 § 4.)

SECT. 16, second sentence amended, 1949, 286 § 1; sentence inserted after fourth sentence, 1960, 60; two sentences added at end, 1956, 126.

SECT. 17, second sentence revised, 1956, 33; sentence added at end, 1952, 95; section revised, 1960, 55. See 1943, 30.

SECT. 18 revised, 1955, 147.

SECT. 19A added, 1938, 239 (relative to the liability of certain endorsers upon notes held by credit unions and authorizing the establishment of contingent funds by credit unions); revised, 1941, 79.

SECT. 20A added, 1936, 119 (relative to the impairment of the capital of credit unions).

SECT. 21 amended, 1933, 163 § 2; 1937, 228; revised, 1943, 118; sentence added at end, 1946, 76; section revised, 1949, 341; first sentence revised, 1951, 246; amended, 1951, 654; section revised, 1953, 121, 210; amended, 1954, 179 § 1; revised, 1957, 151 § 1; last sentence stricken out and two sentences inserted, 1960, 25. (See 1957, 151 § 2.)

SECT. 21A added, 1960, 26 (authorizing a credit union to change the location of its banking office).

SECT. 22, paragraph added at end, 1952, 88.

SECT. 24, paragraph added at end of subdivision (A), 1933, 163 § 3; first four paragraphs and subdivision (A) revised, 1941, 102; first paragraph amended, 1960, 57; paragraph 4 of subdivision (A) revised, 1947, 85; paragraph 5 of subdivision (A) amended, 1946, 47; paragraph 7 of subdivision (A) added, 1948, 65; subdivision (A) revised, 1950, 84; 1951, 117; amended, 1959, 158 § 1; 1958, 133; 1959, 158 § 2; paragraph 1 of subdivision (A) revised, 1954, 122 § 1; amended, 1960, 151 § 1; paragraph 2 of subdivision (A) revised, 1954, 122 § 2; 1960, 151 § 2; paragraph 5 of subdivision (A) amended, 1952, 91; 1953, 159 § 1; paragraph 6 of subdivision (A) amended, 1953, 159 § 2; revised, 1954, 122 § 3; amended, 1956, 91; paragraph 7 of subdivision (A) added, 1960, 24 § 2; subdivision (B) revised, 1945, 82; 1947, 178; first paragraph of subdivision (B) amended, 1952, 163; 1955, 122; 1959, 92; paragraph 3 of subdivision (B) revised, 1952, 105 § 1; sentence added at end, 1959, 102; paragraph 3A of subdivision (B) added, 1953, 159 § 3; paragraph 4 of subdivision (B) stricken out, 1952, 105 § 2.

SECT. 25, first paragraph revised, 1949, 286 § 2.

SECT. 27, first sentence amended, 1949, 592 § 5; revised, 1960, 53.

SECT. 29, first paragraph revised, 1936, 139; second paragraph amended, 1950, 162 § 7; 1954, 179 § 2.

SECT. 30 added, 1946, 90 (relative to the consolidation of credit unions and the conversion of foreign credit unions).

SECTS. 31-33 added, 1948, 509 § 1 (providing for the establishment of a contributory credit union employees retirement association). (See 1948, 509 § 2.)

SECT. 31, fifth paragraph revised, 1954, 121 § 1; paragraph added at end, 1954, 121 § 2.

#### Chapter 172. — Trust Companies.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 1 revised, 1934, 349 § 1.

SECT. 7, clause Fourth revised, 1934, 349 § 2.

SECT. 9, fifth sentence amended, 1934, 349 § 3.

SECT. 10, first paragraph amended, 1934, 349 § 4; section amended, 1957, 698 § 11.

SECT. 11 revised, 1934, 349 § 5.

SECT. 12 revised, 1934, 349 § 6.

SECT. 13 revised, 1934, 349 § 7; first sentence amended, 1950, 93 § 1.

SECT. 14 revised, 1934, 349 § 8; 1935, 40; amended, 1936, 143 § 1.

SECT. 14A added, 1934, 349 § 9 (relative to the submission of a monthly report by the treasurer of a trust company to its board of directors); subparagraph 3 stricken out and subparagraphs 3 and 3A inserted, 1939,

244 § 1; subparagraph 3, clause (b) revised, 1950, 93 § 2; subparagraph 4 amended, 1950, 93 § 3; last paragraph revised, 1950, 93 § 4.

SECT. 15 revised, 1934, 349 § 10.

SECT. 16, paragraph added at end, 1934, 349 § 11.

SECT. 18 revised, 1934, 349 § 12; amended, 1935, 18; second paragraph revised, 1943, 110 § 8.

SECT. 19 amended, 1934, 349 § 13.

SECT. 19A added, 1943, 237 (providing for notice to the commissioner of banks of certain transfers of stock of trust companies).

SECT. 24 revised, 1934, 349 § 14; two paragraphs added at end, 1937, 248.

SECT. 25 amended, 1934, 349 § 15.

SECT. 26 amended, 1934, 349 § 16; revised, 1943, 21 § 2.

SECT. 27, three sentences added at end, 1946, 66.

SECT. 30A, sentence added at end, 1934, 349 § 17; same sentence amended, 1947, 28.

SECT. 31 revised, 1934, 349 § 18; last sentence amended, 1939, 124; 1949, 289 § 2; revised, 1955, 432 § 12. (See 1955, 432 § 4.)

SECT. 33 revised, 1941, 484 § 1; first sentence amended, 1956, 242 § 1; section revised, 1959, 87 § 1. (See 1941, 484 §§ 4, 5.)

SECT. 34 revised, 1934, 349 § 19; 1939, 244 § 2; amended, 1951, 23 § 1; two paragraphs added at end, 1955, 197; section revised, 1956, 242 § 2; second paragraph revised, 1957, 217.

SECT. 34A added, 1952, 150 (further limiting the investments by a trust company in certain loans issued by the federal housing commissioner); repealed, 1956, 242 § 3.

SECT. 40 revised, 1941, 484 § 2; amended, 1945, 88; temporarily affected, 1951, 729. (See 1941, 484 §§ 4, 5.)

SECT. 40A added, 1943, 261 (clarifying the limits on the total liabilities of any one borrower to a trust company in its commercial and savings departments); temporarily affected, 1951, 729; revised, 1955, 432 § 13. (See 1955, 432 § 4.)

SECT. 41, sentence added at end, 1947, 36; same sentence revised, 1952, 93; section revised, 1956, 197.

SECT. 43 revised, 1934, 349 § 20; 1941, 484 § 3; paragraph added at end, 1959, 87 § 2. (See 1941, 484 §§ 4, 5.)

SECT. 44 revised, 1939, 187; amended, 1946, 87 § 1; revised, 1955, 275 § 1.

SECT. 44A added, 1933, 41 § 2 (authorizing trust companies to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 45 revised, 1934, 349 § 21; amended, 1939, 244 § 3; revised, 1946, 87 § 2. (See 1943, 192; 1946, 87 § 4.)

SECT. 46 revised, 1934, 349 § 22; amended, 1939, 244 § 4; 1946, 87 § 3. (See 1943, 192; 1946, 87 § 4.)

SECT. 48 revised, 1934, 349 § 23; paragraph (c) added at end, 1937, 276.

SECT. 54 amended, 1934, 349 § 24; 1935, 172 § 1.

SECT. 54A added, 1935, 172 § 2 (authorizing trust companies under certain conditions to deposit in their commercial departments certain funds held in their trust departments).

SECT. 57 revised, 1934, 349 § 25.

SECT. 60 amended, 1934, 349 § 26; last sentence revised, 1951, 23 § 2; last sentence stricken out, 1959, 176 § 1.

SECT. 60A added, 1959, 176 § 2 (relative to deposits in savings departments of trust companies).

SECT. 61 amended, 1933, 41 § 3; first sentence revised, 1955, 432 § 14; 1956, 94. (See 1955, 432 § 4.)

SECT. 62 amended, 1934, 349 § 27; revised, 1941, 104.

SECT. 66 revised, 1932, 245 § 2.

SECT. 66A revised, 1943, 27 § 2.

SECT. 66B added, 1949, 289 § 3 (establishing the time within which an order may be paid notwithstanding the death of the drawer).

SECT. 67, paragraph added at end, 1933, 334 § 29 (regulating the declaration and payment of interest on deposits in savings departments of trust companies).

SECT. 68 amended, 1955, 432 § 15. (See 1955, 432 § 4.)

SECT. 69 amended, 1943, 110 § 7.

SECT. 70 revised, 1949, 357 § 3. (See 1943, 30; 1948, 19; 1949, 357 § 4.)

SECT. 74 amended, 1934, 349 § 28; revised, 1958, 135.

SECT. 75 revised, 1934, 349 § 29; last sentence revised, 1943, 193; 1945, 53 § 1.

SECT. 76 amended, 1934, 349 § 30.

SECT. 80 revised, 1934, 349 § 31 (but see 1934, 349 § 32); next to last sentence revised, 1945, 53 § 2.

SECT. 82 added, under caption "SET-OFF OR RECOUPMENT OF DEPOSITS", 1932, 295 § 1. (See 1932, 295 § 2.)

SECTS. 83-89 added, under caption "CONSERVATORSHIP", 1933, 87 § 1.

SECTS. 83, 88. See 1933, 112 §§ 6, 9.

SECT. 90 added, 1933, 273 (relative to the enforcement of conservatorship proceedings in respect to trust companies).

#### Chapter 172A. — Banking Companies.

##### New chapter inserted, 1935, 452 § 4.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 1 revised, 1938, 266 § 2; amended, 1941, 391 § 1. (See 1941, 391 §§ 2, 3.)

SECT. 1A added, 1938, 266 § 3 (authorizing certain existing corporations to vote to carry on the business of a banking company on certain conditions).

SECT. 2 amended, 1938, 266 § 4.

SECT. 3 revised, 1938, 266 § 5; fifth sentence amended, 1952, 97; sentence added at end, 1948, 285.

SECT. 4 amended, 1938, 266 § 6; 1949, 268 § 1.

SECT. 5, first paragraph revised, 1938, 266 § 7; section revised, 1948, 148 § 1; fourth sentence amended, 1953, 122; last paragraph revised, 1950, 92 § 1.

SECT. 5A added, 1948, 148 § 2 (relative to the limitations on the amount of deposits on certificate funds in banking companies).

SECT. 6 revised, 1938, 266 § 9.

SECT. 6A added, 1946, 115 § 1 (authorizing certain banking companies to receive deposits subject to withdrawal by check); amended, 1948, 150; second sentence amended, 1953, 123; 1955, 163; last sentence revised, 1950, 92 § 2.

SECT. 7, preliminary sentence revised, 1946, 115 § 2; clause First, last sentence stricken out, 1945, 192 § 1; clause Second revised, 1943, 208; 1948, 35; amended, 1952, 96; revised, 1955, 432 § 16 (see 1955, 432 § 4); clause Fourth added, 1945, 192 § 2; revised, 1948, 100.

SECT. 7A added, 1938, 266 § 8 (relative to the carrying and disposition by certain existing corporations of certain assets not authorized as investments after they become subject to this chapter).

SECT. 7B added, 1948, 36 (prohibiting the making of loans by banking companies on the security of their own shares and regulating the acquisition or holding by them of such shares).

SECT. 8 amended, 1947, 39.

SECT. 8A added, 1948, 34 (prohibiting the making of loans or extensions of credit by banking companies to their own executive officers).

SECT. 10, first sentence amended, 1946, 115 § 3; two sentences added at end, 1949, 268 § 2.

SECT. 12, sentence added at end, 1948, 37; revised, 1957, 1 § 6.

SECT. 12A added, 1948, 281 (relative to the merger, consolidation or purchase and sale of assets of banking companies); revised, 1955, 275 § 2.

SECT. 15 added, 1941, 438 (authorizing banking companies to sell certain negotiable checks).

#### **Chapter 173. — Mortgage Loan Investment Companies.**

SECT. 15 amended, 1949, 592 § 6.

SECT. 16 revised, 1949, 592 § 7.

#### **Chapter 174. — Bond and Investment Companies.**

**Chapter stricken out, 1950, 822 § 1.**

**For prior changes see Table of Changes contained in Acts and Resolves of 1952.**

#### **Chapter 174A. — Regulation of Rates for Fire, Marine and Inland Marine Insurance, and Rating Organizations.**

**New chapter inserted, 1947, 614 § 1. (See 1947, 614 § 3.)**

SECT. 4, first paragraph revised, 1955, 384 § 1.

SECT. 6, subsection (f) added, 1955, 384 § 2.

SECT. 18, paragraph (c) amended, 1954, 681 § 17. (See 1954, 681 §§ 20, 22.)

#### **Chapter 175. — Insurance.**

For legislation authorizing domestic insurance companies to invest in real estate mortgages insured under the National Housing Act, see 1939, 359. (See also 1943, 339.) [For other legislation, see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126; 1946, 125.]

For temporary act, modifying the requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2; extended, 1939, 98; 1941, 40.

For temporary legislation authorizing insurance companies to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126; 1947, 110.

For temporary legislation confirming the power and authority of domestic insurance companies, their officers, directors, employees and agents, to pay certain taxes and fees, and relating to liability therefor, see 1945, 57; 1947, 80.

SECT. 1, definition of "Company" revised, 1947, 488 § 10; paragraph added (after definition of "Foreign company") defining "Industrial life insurance policy" or "policy of industrial life insurance", 1943, 227 § 11; paragraph added after word "law" in the fifty-second line, 1938, 306 (defining "resident" with respect to the incorporators, officers and directors of insurance companies). (See 1943, 227 §§ 13, 14.)

SECT. 3B added, 1956, 325 (relative to the powers and duties of the commissioner of insurance).

SECT. 4, first paragraph revised, 1938, 357 § 1; fourth paragraph amended, 1939, 472 § 4; revised, 1941, 324.

SECT. 5 amended, 1933, 107 § 2.

SECT. 6, first paragraph amended, 1933, 107 § 3; section amended, 1939, 472 § 1; first paragraph amended, 1939, 488 § 2; last sentence of same paragraph revised, 1949, 242 § 1. (See 1939, 488 § 9.)

SECT. 9, clause Second revised, 1941, 326 § 1; clause Fourth revised, 1941, 326 § 2; section revised, 1943, 227 § 1; clause First of subdivision 2 revised, 1960, 323 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 10 revised, 1947, 217.

SECT. 11, first paragraph amended, 1934, 92 § 1; revised, 1943, 207 § 3; 1945, 605 § 2; 1947, 539; 1959, 447; third paragraph amended, 1933, 5. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 12 amended, 1943, 183 § 1. (See 1943, 183 § 2.)

SECT. 12A added, 1943, 183 § 2 (relating to the computation of reserves required of certain domestic liability insurance companies with respect to certain policies of liability insurance).

SECT. 14 amended, 1939, 395 § 2; revised, 1941, 635 § 3, 693; third paragraph revised, 1956, 522; paragraph inserted after paragraph contained in line 14, 1943, 54 § 1; revised, 1945, 593 § 1; paragraph contained in lines 22-26 revised, 1943, 288; seventeenth paragraph revised, 1943, 54 § 2; 227 § 2. (See 1945, 593 § 2.)

SECT. 14A added, 1949, 735 § 2 (relative to contributions to the expenses of the Committee on Valuation of Securities of the National Association of Insurance Commissioners, and the assessment upon domestic life insurance companies therefor).

SECT. 15 revised, 1960, 202.

SECT. 16, second paragraph amended, 1939, 395 § 3.

SECT. 17, second paragraph revised, 1956, 285.

SECT. 18, first paragraph amended, 1957, 453 § 1.

SECT. 19A amended, 1934, 137 § 2; revised, 1941, 364 § 1.

SECT. 19B added, 1939, 375 (authorizing domestic insurance companies to merge or consolidate with foreign insurance companies in certain cases); revised, 1941, 364 § 2.



SECT. 19C added, 1941, 364 § 3 (relative to rights of stockholders of merging or consolidating corporations).

SECT. 20, first sentence of second paragraph amended, 1946, 508; second sentence of second paragraph revised, 1948, 571; new paragraph inserted after fifth paragraph, 1941, 343.

SECT. 22, paragraph added at end, 1960, 339.

SECT. 22A revised, 1935, 234; first paragraph amended, 1946, 158; last paragraph amended, 1938, 181; section revised, 1951, 327; second paragraph stricken out, 1955, 384 § 3.

SECT. 24, sentence added at end of first paragraph, 1946, 244.

SECT. 25, first paragraph revised, 1950, 396 § 1; second paragraph revised, 1945, 159; amended, 1950, 396 § 2; third paragraph amended, 1950, 225; last paragraph of Form A stricken out, 1934, 12; Forms B and C revised, 1947, 488 § 2; first paragraph following line 42, as appearing in Tercentenary Edition, revised, 1958, 177; last paragraph of section amended, 1934, 92 § 2.

SECT. 29 revised, 1939, 167; 1955, 636.

SECT. 32 revised, 1938, 357 § 2; amended, 1941, 342 § 1.

SECT. 33 revised, 1946, 186.

SECT. 35 revised, 1950, 63.

SECT. 36, second paragraph revised, 1935, 140; 1936, 61; first two paragraphs revised, 1951, 125; two paragraphs added at end, 1938, 218 § 1; third paragraph revised, 1954, 75.

SECT. 36A added, 1948, 496 (relative to payment of retirement or insurance benefits to agents and agency employees of certain domestic insurance corporations); first sentence revised, 1959, 261.

SECT. 36B added, 1954, 247 (to permit accident and health insurance companies to cover their employees for accident and health insurance).

SECT. 47, clause First revised, 1938, 176; clause Fourth revised, 1938, 307; clause Fifth revised, 1954, 266; clause Sixth amended, 1941, 243; 1945, 436; 1951, 73; clause Seventh amended, 1937, 261; clause Twelfth revised, 1935, 204; clause Seventeenth added, 1946, 471 § 1.

SECT. 48, first paragraph revised, 1946, 471 § 2; lines 22 and 23 stricken out and new paragraph inserted, 1946, 471 § 3.

SECT. 48A revised, 1946, 471 § 4.

SECT. 49, first paragraph revised, 1954, 320 § 1; paragraph inserted after second paragraph, 1939, 15 § 2; same paragraph stricken out, 1954, 320 § 2; paragraph contained in the twenty-second to the twenty-eighth lines revised, 1941, 342 § 2; last paragraph stricken out, 1941, 342 § 3.

SECT. 50, first sentence revised, 1945, 609 § 1; 1954, 320 § 3; third sentence amended, 1932, 180 § 33; 1957, 698 § 12.

SECT. 51, clause (a) revised, 1946, 471 § 5.

SECT. 54, clause (a½) added, 1946, 471 § 6; clause (c) revised, 1939, 488 § 3. (See 1939, 488 § 9.)

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B-54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so-called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285; 1950, 475 § 1.

SECT. 54E added, 1951, 510 (to afford more complete insurance coverage for dwelling houses); revised, 1955, 339.

SECT. 54F added, 1957, 170 (extending the authorization of insurance companies to include other coverage of commercial property in a fire insurance policy).

SECT. 59, sentence added at end, 1948, 286.

SECT. 63, paragraph 1 revised, 1959, 128; paragraph 2, clause (d) added, 1947, 266 § 1; paragraph 3 amended, 1947, 266 § 2; paragraph 3A added, 1948, 70; paragraph 4 revised, 1947, 266 § 3; paragraph 5A added, 1947, 266 § 4; paragraph 6 revised, 1947, 266 § 5; paragraph 7 revised, 1945, 188; first sentence amended, 1951, 129; fifth sentence revised, 1954, 65; sentence added at end, 1946, 438 § 2; paragraph 7 revised, 1957, 183; amended, 1960, 294; paragraph 7A added, 1950, 207; revised, 1956, 137; paragraph 9 revised, 1947, 266 § 6; paragraph 11 revised, 1947, 266 § 7; paragraph 14A added, 1947, 266 § 8; revised, 1954, 111 § 1; paragraph 14B added, 1951, 154; paragraph 14C added, 1956, 373; paragraphs 14D and 14E added, 1958, 296.

SECT. 64, first paragraph revised, 1953, 110; second paragraph amended, 1936, 213; third paragraph revised, 1943, 207 § 2; 1947, 269 § 2; 1952, 395; paragraph added at end, 1941, 548. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 65 amended, 1946, 125; 1947, 41; revised, 1954, 176; 1955, 208.

SECT. 66 amended, 1947, 650; second paragraph stricken out and two paragraphs inserted, 1954, 111 § 2.

SECT. 66A added, 1943, 207 § 1 (relative to the construction, operation and maintenance of low rental housing projects by domestic life insurance companies); revised, 1945, 605 § 1; 1947, 504. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 66B added, 1947, 269 § 1 (authorizing domestic life insurance companies to invest in certain land and buildings); fourth sentence amended, 1953, 94; fifth sentence stricken out and two sentences inserted, 1954, 68; sixth sentence revised, 1957, 152.

SECT. 70, second sentence revised, 1954, 320 § 4; section amended, 1957, 698 § 13; revised, 1958, 155.

SECT. 71, first sentence stricken out and four sentences inserted, 1954, 320 § 5.

SECT. 72 amended, 1936, 212.

SECT. 73, first paragraph revised, 1939, 300 § 1.

SECT. 77 amended, 1941, 365 § 1. (See 1941, 365 § 2.)

SECT. 79 revised, 1933, 23 § 1; 1953, 220 § 1.

SECT. 80, first sentence revised, 1947, 196; paragraph inserted after the word "classified" in the twenty-third line, 1936, 315; section revised, 1947, 317; first sentence amended, 1951, 297; first paragraph revised, 1955, 384 § 4; paragraph inserted after first paragraph, 1956, 315; revised, 1957, 453 § 2.

SECT. 81, first sentence amended, 1952, 34.

SECT. 83, paragraph added at end, 1941, 716 § 5. (See 1941, 723.)

SECT. 85A added, 1941, 716 § 1 (providing that the commissioner of insurance may authorize certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 1; sentence added at end, 1947, 197 § 1. (See 1941, 723; 1943, 247 § 4.)

SECT. 87 repealed, 1934, 22.

SECT. 90, first paragraph amended, 1941, 716 § 2; 1945, 403 § 2. (See 1941, 723.)

SECT. 90A amended, 1939, 300 § 2.

SECT. 90B revised, 1933, 23 § 2; 1945, 726.

SECT. 90C, first paragraph revised, 1953, 220 § 2.

SECT. 93, first paragraph revised, 1939, 488 § 1; 1941, 654 § 1. (See 1939, 488 § 9.)

SECT. 93B revised, 1939, 488 § 4. (See 1939, 488 § 9.)

SECT. 93C revised, 1939, 488 § 5. (See 1939, 488 § 9.)

SECT. 93D revised, 1939, 488 § 6. (See 1939, 488 § 9.)

SECT. 93F added, 1941, 716 § 3 (permitting certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 2; sentence added at end, 1947, 197 § 2. (See 1941, 723; 1943, 247 § 4.)

SECT. 94, first two paragraphs stricken out, and two new paragraphs inserted, 1933, 81; first paragraph amended, 1938, 218 § 2; 1943, 532 § 2; revised, 1945, 313 § 2; third paragraph revised, 1952, 51. (See 1945, 313 § 5.)

SECTS. 94A-94M added, under caption, 1947, 488 § 1 (authorizing and regulating the exchange of reciprocal or inter-insurance contracts in the commonwealth).

SECT. 94B revised, 1955, 384 § 5; 1957, 177.

SECT. 94E, clause (a) revised, 1955, 384 § 6.

SECT. 96A added, 1946, 471 § 7 (providing that insurance against expenses actually incurred in repairing or replacing property damaged or destroyed by fire or other causes shall not be subject to certain limitations as to value).

SECT. 97 amended, 1933, 31; two sentences added at end, 1945, 399 § 1. (See 1945, 399 § 2.)

SECT. 99, clause Ninth revised, 1934, 95; paragraph of the standard form appearing in lines 14-23 revised, 1943, 462; clause Tenth added, 1947, 488 § 3; section revised, 1951, 478 § 1. (See 1951, 478 § 2.)

SECT. 102 amended, 1932, 174 § 1; revised, 1934, 110 § 1. (See 1932, 174 § 2; 1934, 110 § 2.)

SECT. 102C added, 1957, 453 § 3 (relative to the issuance of insurance policies against loss by radioactive contamination).

SECT. 104 repealed, 1947, 614 § 2. (See 1947, 614 § 3.)

SECT. 105 amended, 1955, 432 § 17. (See 1955, 432 § 4.)

SECT. 106 revised, 1932, 150 § 1; amended, 1939, 400 § 1. (See 1932, 150 § 4.)

SECT. 108, paragraph added at end, 1945, 341; paragraphs A-C added at end, 1947, 607; section revised, 1954, 275 § 1; subdivision 3, paragraph (a), provision (2) amended, 1958, 277; provision (3) amended, 1958, 294 § 1; paragraph (b), provision (8) stricken out, 1958, 294 § 2; paragraph (b $\frac{1}{2}$ ) inserted, 1958, 294 § 3; paragraph C amended, 1954, 681 § 18. (See 1954, 275 §§ 4, 5, 681 §§ 20, 22.)

SECT. 109 repealed, 1954, 275 § 2. (See 1954, 275 §§ 4, 5.)

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1; section revised, 1949, 676 § 3; amended, 1950, 392; subdivisions (A) and (B) revised, 1952, 532 § 1; subdivision (A) amended, 1954, 275 § 3, 327; 1953, 229 § 1; subdivision (C) amended, 1952, 532 § 1A; subdivision (D) revised, 1952, 532 § 2; amended, 1955, 207. (See 1954, 275 §§ 4, 5.)

SECT. 110A added, 1938, 401 (relative to exemption of the benefits of disability insurance from attachment and execution).

SECT. 110B added, 1939, 209 (relative to the termination or lapsing of certain accident and health policies for non-payment of premiums); revised, 1955, 263.

SECT. 111A, paragraph inserted after provision (4), 1957, 453 § 4.

SECT. 111C added, 1943, 375 § 1 (providing for the inclusion of accident benefits in certain liability insurance policies); revised, 1948, 287; 1959, 438 § 1.

SECT. 111D added, 1959, 438 § 2 (authorizing the inclusion in motor vehicle liability policies of death and disability benefits and coverage for damages caused by the operation of uninsured motor vehicles).

SECT. 113A, provision (2) amended, 1933, 119 § 1; revised, 1933, 145 § 1; 1949, 570; amended, 1951, 648 § 2; revised, 1956, 191 § 1; provision (2)A added, 1933, 145 § 2; amended, 1935, 296 § 1; provision (6) revised, 1936, 272; 1949, 693 § 1; amended, 1955, 283 § 2. (See 1933, 145 § 3; 1935, 296 § 2; 1949, 693 § 2; 1951, 648 § 3; 1955, 283 § 3.)

SECT. 113B, paragraph inserted after first paragraph, 1935, 459 § 4; third paragraph amended, 1951, 251. (See 1935, 459 § 5.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; fourth paragraph revised, 1933, 146 § 1; amended, 1960, 264; sixth paragraph revised, 1933, 146 § 2; amended, 1934, 46; first sentence of sixth paragraph amended, 1938, 311; paragraph added at end, 1933, 119 § 3; paragraph added at end, 1934, 379; revised, 1951, 648 § 1; stricken out, 1956, 191 § 2; paragraph added at end, 1955, 412 § 1. (See 1933, 119 § 6, 146 § 3; 1951, 648 § 3; 1955, 412 § 2.)

SECT. 113E added, 1934, 61 (prohibiting certain discrimination in the issuance or execution of motor vehicle liability policies or bonds); amended, 1941, 401.

SECT. 113F added, 1937, 390 (relative to the renewal of motor vehicle liability policies or bonds, so called, in certain cases); first paragraph amended, 1938, 351.

SECT. 113G added, 1939, 406 § 1 (relative to the relations of officers, directors and employees of certain domestic insurance companies with certain insurance agencies and finance companies). (See 1939, 406 § 2.)

SECT. 113H added, 1953, 570 § 5 (relative to co-operation by insurance companies in the apportionment of certain motor vehicle liability risks).

SECT. 113I added, 1954, 274 (relative to the service charges for securing motor vehicle liability insurance for certain persons).

SECT. 113J added, 1954, 334 (requiring insurers under compulsory motor vehicle insurance law to furnish reports of medical examinations).

SECT. 114 amended, 1932, 180 § 34; 1939, 225.

SECT. 116A amended, 1932, 180 § 35.

SECT. 117, sentence added at end, 1955, 384 § 7.

SECT. 117A, first paragraph amended, 1938, 216 § 1; heading before section 117A stricken out and "MARINE AND AUTOMOBILE AND SPRINKLER LEAKAGE INSURANCE" inserted, 1938, 216 § 2.

SECT. 123 revised, 1943, 186; first paragraph revised, 1958, 114; second paragraph stricken out, 1952, 14.

SECT. 125. See 1933, 42.

SECT. 126 amended, 1943, 227 § 5. (See 1933, 42; 1943, 227 §§ 13, 14.)

SECT. 128 revised, 1953, 97.

SECT. 128A added, 1958, 410 (making a minor who has attained the age of eighteen competent to give a valid discharge for certain payments made to him under certain insurance policies).

SECT. 130 revised, 1954, 66.

SECT. 132, first paragraph revised, 1933, 101 § 1; first paragraph amended, 1943, 227 § 6; provisions numbered 6, 7, 8, 9, revised, 1943, 227 § 7; provision numbered 10 revised, 1951, 131; provision numbered 12 added, 1955, 119; four paragraphs added at end of section, 1943, 227 § 6. (See 1943, 227 §§ 13, 14.)

SECTS. 132A-132E added, 1945, 313 § 1 (relative to group annuity contracts). (See 1945, 313 § 5; 1947, 188 §§ 1, 2.)

SECT. 132A, clause (b) stricken out and clauses (b), (c) and (d) inserted, 1951, 249 § 1; second paragraph revised, 1951, 249 § 2; last paragraph revised, 1951, 249 § 3.

SECT. 132F added, 1960, 562 (authorizing life insurance companies to assign certain life policies and annuity contracts to a separate account, for the purpose of allocating thereto investment returns and asset gains and losses).

SECT. 133, clause (a) amended, 1946, 346; 1948, 54; revised, 1951, 404 § 1; amended, 1955, 171; clause (b) amended, 1938, 362 § 2; 1943, 424 § 1; revised, 1951, 404 § 2; clause (c) added, 1938, 362 § 1; revised, 1957, 400 § 2; amended, 1958, 188; revised, 1959, 209 § 1; clause (d) added, 1943, 424 § 2; clause (e) added, 1949, 676 § 1; amended, 1951, 195; revised, 1951, 404 § 3; amended, 1953, 229 § 2; clause (f) added, 1956, 533 § 1.

SECT. 134, sentence added at end of provision numbered 4, 1938, 362 § 3; said provision revised, 1939, 170; 1941, 456; last paragraph stricken out and three new paragraphs inserted, 1938, 362 § 4; first of said paragraphs revised, 1949, 676 § 2; amended, 1950, 463 § 1; paragraph inserted after second of said paragraphs, 1950, 463 § 2; section revised, 1951, 404 § 4; provision numbered 1 revised, 1954, 285; provision numbered 4 amended, 1956, 533 § 2; provision numbered 4A inserted, 1955, 169; revised, 1959, 209 § 2; provision numbered 7 amended, 1956, 533 § 3; third paragraph revised, 1956, 533 § 4; fifth paragraph amended, 1960, 361; last paragraph revised, 1958, 574.

SECT. 134A added, 1949, 676 § 4 (relative to the time of notice required in the conversion of group life insurance policies).

SECT. 138A added, 1943, 424 § 4 (relative to deductions from salaries of state, county and municipal employees for payment of premiums on certain group life insurance policies).

SECT. 139, two sentences added at end, 1945, 335; section revised, 1946, 313; 1960, 657.

SECT. 140, first paragraph amended, 1960, 568 § 1; second paragraph revised, 1943, 227 § 12; 1960, 708; third paragraph amended, 1933, 101 § 2. (See 1943, 227 §§ 13, 14.)

SECT. 141 revised, 1960, 568 § 2.

SECT. 142 revised, 1943, 227 § 8; first sentence revised, 1950, 345 § 1 (See 1943, 227 §§ 13, 14; 1950, 345 § 2.)

SECT. 143 revised, 1943, 227 § 9. (See 1943, 227 §§ 13, 14.)

SECT. 144, last paragraph revised, 1933, 101 § 3; first three paragraphs stricken out and four new paragraphs inserted, 1938, 209 § 1; section revised, 1943, 227 § 3; subdivision 6 revised, 1960, 323 § 2; subdivision 11

added, 1945, 313 § 3. (See 1938, 209 § 3; 1943, 227 §§ 13, 14; 1945, 313 §§ 4, 5; 1960, 323 § 3.)

SECT. 146 revised, 1943, 227 § 4. (See 1943, 227 §§ 13, 14.)

SECT. 146A added, 1945, 298 (providing for giving notice to holders of lapsed industrial life insurance policies of non-forfeiture benefits).

SECT. 147 amended, 1938, 209 § 2; repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147A repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147B added, 1935, 232 (requiring foreign life insurance companies to provide for paid-up and extended term insurance and cash surrender values on policies of industrial life insurance issued in the commonwealth); repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 149, first paragraph amended, 1954, 318; section revised, 1960, 568 § 3.

SECTS. 149A-149D added, 1946, 455 (providing that certain unclaimed funds held by domestic life insurance companies be paid into the state treasury).

SECT. 149A revised, 1950, 523 § 1.

SECT. 149B amended, 1950, 523 § 2.

SECT. 149C amended, 1950, 523 § 3.

SECT. 149D, last sentence revised, 1949, 694 § 1; stricken out and two sentences inserted, 1950, 523 § 4; section revised, 1957, 372 § 4. (See 1949, 694 § 2; 1957, 372 § 5.)

SECT. 150 revised, 1945, 609 § 2; amended, 1946, 250.

SECT. 151, clause Second amended, 1933, 107 § 1; clause Second, subdivision (3) (c) revised, 1939, 488 § 7; 1950, 475 § 2; clause Second, subdivision (3) (f) revised, 1939, 488 § 8; 1950, 475 § 3. (See 1939, 488 § 9.)

SECT. 152A added, 1941, 716 § 4 (relative to the issue by certain foreign mutual insurance companies of non-assessable policies); sentence added at end, 1943, 247 § 3; same sentence amended, 1947, 257; sentence added at end, 1947, 197 § 3. (See 1941, 723; 1943, 247 § 4.)

SECT. 155, clause First revised, 1932, 150 § 2; amended, 1939, 400 § 2. (See 1932, 150 § 4.)

SECT. 156A amended, 1933, 30.

SECT. 157, paragraph added at end, 1939, 315; section revised, 1941, 451; first paragraph amended, 1952, 146.

SECT. 160A added, 1933, 25 § 1 (prohibiting the printing or publication of certain advertisements for or on behalf of unlicensed insurance companies).

SECT. 160B added, 1934, 14 § 1 (authorizing the commissioner of insurance to publish certain information relative to unlicensed foreign insurance companies or societies).

SECT. 162, third paragraph revised, 1941, 286.

SECT. 162A added, 1947, 629 (authorizing insurance companies and their agents to compensate duly licensed insurance brokers for certain services).

SECT. 162B added, 1954, 464 (authorizing agents and brokers to accept payment of insurance premiums in instalments and to finance insurance payments).

SECT. 163, paragraph added at end, 1941, 502; same paragraph revised, 1943, 85.

SECT. 164A added, 1938, 225 (providing that no insurance agent shall be charged with a decrease or deduction from his commission or salary on account of industrial life insurance policies lapsed or surrendered after being paid on for three years); revised, 1943, 226.

SECT. 167A amended, 1934, 137 § 3; 1937, 260; 1945, 368; revised, 1954, 627 § 33. (See 1954, 627 §§ 65, 67.)

SECT. 168, first sentence revised, 1950, 347 § 1; fourth sentence stricken out and two sentences inserted, 1950, 347 § 2; fourth sentence amended, 1951, 130; fourth sentence stricken out and two sentences inserted, 1960, 597.

SECT. 172, last sentence revised, 1941, 703.

SECT. 173 revised, 1946, 299.

SECT. 174, fourth paragraph amended, 1954, 294.

SECT. 174C added, 1941, 493 (relative to the qualifications and licensing of insurance agents, insurance brokers and special insurance brokers).

SECT. 174D added, 1955, 155 (authorizing the continuance of the business of an insurance agency by the widow of the owner under certain circumstances); revised, 1957, 161.

SECTS. 177A-177D added, under caption, 1939, 395 § 1 (defining and providing for the licensing of insurance advisers).

SECT. 177B, second and third paragraphs stricken out, and new paragraph inserted, 1941, 635 § 1; paragraph added at end, 1941, 635 § 2.

SECT. 178 amended, 1941, 450 § 2.

SECT. 179, sentence added at end, 1939, 472 § 2; section revised, 1941, 452.

SECT. 180A stricken out, and new sections 180A-180L inserted, under caption, 1939, 472 § 3 (relative to the rehabilitation, conservation and liquidation of certain domestic and foreign insurers).

SECT. 180B, first sentence revised, 1949, 242 § 2.

SECT. 181 revised, 1934, 160; amended, 1939, 395 § 4.

SECT. 184 amended, 1937, 103; first sentence revised, 1947, 531; section amended, 1948, 98.

SECT. 185, first paragraph amended, 1939, 400 § 3; second paragraph revised, 1932, 150 § 3; first and second paragraphs revised, 1941, 654 § 2; section revised, 1943, 238 § 2.

SECT. 186A added, 1949, 237 (relative to certain presumptions created by the delivery of endowment policies or annuity contracts).

SECT. 186B added, 1959, 168 § 1 (providing that the effect of the lack of a sworn statement of loss shall be the same under all policies of insurance as it is under fire insurance policies). (See 1959, 168 § 2.)

SECT. 187C, first paragraph amended, 1934, 34; 1936, 215 § 1. (See 1936, 215 § 2.)

SECT. 187E added, 1947, 104 (to facilitate payment by insurance companies of amounts not exceeding five hundred dollars due to estates of deceased persons).

SECT. 191A added, 1960, 793 (providing for an arbitration provision in policies insuring against physical damage to motor vehicles of the assured).

SECT. 192, sentence added at end, 1943, 375 § 2.

SECT. 192A added, 1960, 259 (relative to the filing of loose leaf insurance policies).

SECT. 193B added, 1937, 314 (authorizing the payment of motor vehicle insurance premiums in instalments).

SECT. 193C added, 1948, 617 (authorizing interlocking directorates of domestic insurance companies).

SECT. 193D added, 1948, 621 (regulating the acquisition by domestic insurance companies of stock guaranty capital or other share capital of insurance companies).

SECT. 193E added, 1950, 520 (prohibiting coercion in the placing of insurance on real or personal property).

**Chapter 175A. — Regulation of Rates for Certain Casualty Insurance, including Fidelity, Surety and Guaranty Bonds, and for all other Forms of Motor Vehicle Insurance, and Regulation of Rating Organizations.**

New chapter inserted, 1947, 641 § 1. (See 1947, 641 § 3.)

SECT. 4, first paragraph amended, 1951, 138; revised, 1955, 384 § 8.

SECT. 6, subsection (f) added, 1955, 384 § 9.

SECT. 19, paragraph (c) amended, 1954, 681 § 19. (See 1954, 681 §§ 20-22.)

**Chapter 175B. — Unauthorized Insurer's Process Act.**

New chapter inserted, 1950, 781.

**Chapter 176. — Fraternal Benefit Societies.**

Chapter stricken out and new chapter inserted, 1958, 540 § 1. (See 1958, 540 §§ 2, 3.)

For prior changes see Table of Changes contained in Acts and Resolves of 1956.

The following references are to chapter 176, as so inserted:

SECT. 18, second paragraph stricken out, 1960, 321 § 1.

SECT. 20 revised, 1960, 321 § 2.

SECT. 22A added, 1959, 256 § 1 (further regulating fraternal benefit societies and cemetery corporations). (See 1959, 256 § 3.)

SECT. 24, paragraph (j) of subsection (1) revised, 1960, 321 § 3.

SECT. 40, first sentence amended, 1960, 238.

SECT. 41, paragraph (a) of subsection (6) revised, 1960, 321 § 4.

SECT. 44, last sentence stricken out, 1960, 468.

**Chapter 176A. — Non-Profit Hospital Service Corporations.**

New chapter inserted, 1936, 409.

Chapter stricken out and new chapter 176A (with new title) inserted, 1950, 766 § 1. (See 1950, 766 §§ 2-4.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

The following references are to chapter 176A, as so inserted:

SECT. 1, paragraph added at end, 1951, 687; section revised, 1953, 287 § 1; paragraph inserted after third paragraph, 1955, 499.

SECT. 2, second paragraph revised, 1956, 147 § 1. (See 1956, 147 § 2.)

SECT. 3, first sentence revised, 1953, 287 § 2.



SECT. 5, first paragraph revised, 1953, 287 § 3; amended, 1954, 513; fourth paragraph amended, 1953, 636 § 4; stricken out and two paragraphs inserted, 1956, 406. (See 1953, 636 § 9.)

SECT. 6, first two sentences revised, 1953, 287 § 4.

SECT. 8, paragraph (c) (2) revised, 1953, 287 § 5; paragraph (c) (5) added, 1955, 404; revised, 1956, 192 § 1. (See 1956, 192 § 2.)

SECT. 10, first paragraph revised, 1953, 287 § 6.

SECT. 13 revised, 1953, 287 § 7.

SECT. 17 revised, 1953, 636 § 5. (See 1953, 636 § 9.)

SECT. 27A added, 1951, 516 (relative to a system of general accident, hospitalization, medical and surgical insurance for state employees); repealed, 1955, 628 § 3.

#### **Chapter 176B. — Medical Service Corporations.**

**New chapter inserted, 1941, 306.**

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 2, second paragraph amended, 1957, 698 § 14.

SECT. 3, paragraph added at end, 1948, 359; amended, 1953, 143; paragraph added at end, 1953, 142; 1955, 186.

SECT. 4 revised, 1950, 472; 1959, 130; 1960, 307 § 1.

SECT. 6, first sentence revised, 1960, 307 § 2; paragraph (d) added, 1957, 115 § 1. (See 1957, 115 § 2.)

SECT. 10 revised, 1950, 394 § 1; first sentence amended, 1954, 276 § 1.

SECT. 15 repealed, 1951, 797.

SECT. 16A added, 1943, 424 § 6 (relative to deductions from salaries of state, county and municipal employees of amounts payable under certificates issued by certain medical service corporations).

#### **Chapter 176C. — Non-Profit Medical Service Plans.**

**New chapter inserted, 1941, 334.**

For legislation relative to payments to certain soldiers' homes for certain services rendered to subscribers, see 1952, 296.

SECT. 11 revised, 1950, 394 § 2; amended, 1954, 276 § 2.

SECT. 16A added, 1943, 424 § 7 (relative to deductions from salaries of state, county and municipal employees of amounts payable under contracts issued by certain medical service corporations).

#### **Chapter 176D. — Unfair Methods of Competition and Unfair and Deceptive Acts and Practices in the Business of Insurance.**

**New chapter inserted, 1947, 659.**

#### **Chapter 178. — Savings Bank Life Insurance.**

For legislation relative to the computation of the reserve liability with respect to life insurance policies issued by savings and insurance banks and to the non-forfeiture benefits under such policies, see 1943, 227.

SECT. 10 amended, 1935, 330 § 1; 1946, 112 § 1; revised, 1951, 264; 1958, 117. (See 1946, 112 § 2.)

SECT. 11 amended, 1935, 330 § 2.

SECT. 11A added, 1935, 330 § 3 (relative to non-payment of premiums on annuity and certain other contracts).

SECT. 14 amended, 1947, 260 § 3.

SECT. 15 amended, 1935, 330 § 4; 1936, 285 § 1.

SECT. 16 revised, 1947, 260 § 4.

SECT. 17 revised, 1935, 330 § 5; 1939, 391 § 1. (See 1939, 391 § 2.)

SECT. 18 amended, 1943, 210 § 1.

SECT. 18A added, 1943, 210 § 2 (relative to payments to the general insurance guaranty fund).

SECT. 19 amended, 1935, 330 § 6.

SECT. 21 revised, 1935, 330 § 7; amended, 1936, 285 § 2.

SECT. 26 revised, 1932, 103.

SECT. 29 amended, 1936, 285 § 3; revised, 1941, 108 § 1.

SECT. 30 amended, 1936, 285 § 4.

SECT. 31 revised, 1941, 108 § 2.

SECTS. 32 and 33 added, 1947, 143 (creating the savings bank life insurance council and defining its powers and the powers of savings and insurance banks relative thereto).

#### **Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.**

SECT. 3 revised, 1943, 130 § 1. (See 1943, 130 § 2.)

SECT. 15 revised, 1948, 550 § 38.

#### **Chapter 180. — Corporations for Charitable and Certain Other Purposes.**

SECT. 3 amended, 1943, 549 § 5; revised, 1947, 559 § 1. (See 1947, 559 § 7.)

SECT. 5 amended, 1934, 328 § 21; second sentence revised, 1947, 559 § 2.

SECT. 6 revised, 1947, 461; 1949, 692 § 1; 1952, 602 § 13.

SECT. 6A added, 1949, 692 § 2 (relative to the approval of certain proposed corporations organized for the purpose of caring for minors and aged persons); repealed, 1952, 602 § 14.

SECT. 7 amended, 1955, 170; revised, 1960, 19.

SECT. 8 repealed, 1947, 559 § 3.

SECT. 10 amended, 1932, 180 § 37; revised, 1937, 151 § 1; 1943, 549 § 6; 1947, 559 § 4; last sentence revised, 1957, 698 § 15.

SECT. 11 revised, 1937, 151 § 2; 1947, 559 § 5; seventh sentence revised, 1957, 698 § 16.

SECT. 12 amended, 1946, 24; last sentence revised, 1948, 354 § 2; section repealed, 1954, 529 § 4.

SECT. 12A amended, 1935, 246; 1946, 25; repealed, 1954, 529 § 5.

SECT. 17, first sentence revised, 1947, 559 § 6.

SECT. 17A added, 1950, 740 § 1 (authorizing pay-roll deductions for union dues in case of certain governmental employees); revised, 1954, 678.

SECT. 17B added, 1956, 489 § 1 (authorizing pay-roll deductions on account of contributions to community chests or united funds in the case of certain town employees); revised, 1959, 452. (See 1956, 489 § 2.)

SECT. 26A added, 1933, 236 § 1 (requiring the filing of annual returns by certain incorporated clubs and other corporations); amended, 1945, 225; revised, 1955, 290; 1956, 390; amended, 1957, 245; second paragraph amended, 1957, 698 § 17. (See 1933, 236 § 2.)

SECT. 27 amended, 1934, 328 § 22.

**Chapter 181. — Foreign Corporations.**

SECT. 3 revised, 1943, 459 § 4; amended, 1946, 342 § 1; last sentence revised, 1949, 54; 1955, 611 § 6.

SECT. 4, paragraph added at end, 1946, 342 § 2.

SECT. 12 amended, 1953, 351.

SECT. 23 amended, 1952, 315; 1957, 698 § 18.

**Chapter 182. — Voluntary Associations and Certain Trusts.**

SECT. 1 amended, 1954, 254 § 1.

SECT. 2 revised, 1948, 550 § 39.

SECT. 3 amended, 1945, 649 § 1.

SECT. 4 amended, 1945, 649 § 2.

SECT. 7 amended, 1945, 649 § 3.

SECT. 8 amended, 1945, 649 § 4.

SECT. 9 amended, 1945, 649 § 5.

SECTS. 12-14 added, 1954, 254 § 2 (relative to filing reports by voluntary associations and certain trusts).

**Chapter 183. — Alienation of Land.**

SECT. 4 revised, 1941, 85.

SECT. 28A added, 1946, 438 § 1 (extending the security of real estate mortgages to cover expenses of repairs or replacements of mortgaged property and taxes and other assessments); revised, 1956, 92.

SECT. 43 amended, 1937, 101 § 1.

SECT. 44 amended, 1937, 101 § 2.

SECT. 54, first two sentences stricken out and one sentence inserted, 1951, 698; sentence added at end, 1959, 580 § 18.

**Chapter 184. — General Provisions relative to Real Property.**

SECT. 7, sentence added at end, 1954, 395 § 1.

SECT. 8 revised, 1954, 395 § 2.

SECT. 13 amended, 1937, 112; revised, 1937, 245 § 1; first paragraph amended, 1943, 52 § 1; revised, 1956, 160; section repealed, 1957, 765 § 2. (See 1937, 245 § 2; 1943, 52 § 2; 1957, 765 § 21.)

SECT. 15 amended, 1941, 88 § 1. (See 1941, 88 § 2.)

SECT. 17A added, 1939, 270 (relative to the effect of agreements for the purchase and sale of real estate).

SECT. 19 amended, 1956, 258 § 1; three paragraphs added at end, 1956, 305.

SECT. 24 added, 1956, 348 § 1 (protecting certain titles to land against certain defects in deeds or instruments after ten years from the recording thereof). (See 1956, 348 §§ 2, 3.)

SECT. 25 added, 1959, 294 § 1 (protecting land titles against the effects of indefinite references). (See 1959, 294 § 2.)

**Chapter 184A. — The Rule against Perpetuities.**

New chapter inserted, 1954, 641 § 1. (See 1954, 641 § 2.)

**Chapter 185. — The Land Court and Registration of Title to Land.**

SECT. 1, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; clause (j½) added, 1934, 263 § 1 (granting to land court exclusive

original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (*k*) revised, 1934, 67 § 1; clauses (*l*) and (*m*) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); paragraph in lines 44-50, inclusive, revised, 1937, 183 § 1; paragraph in lines 51-55 revised, 1947, 449 § 3. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2; 1947, 449 § 7.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 6, first sentence stricken out and two sentences inserted, 1953, 449 § 1; last sentence amended, 1949, 447. (See 1953, 449 § 2.)

SECT. 10A revised, 1948, 664 § 3; 1953, 601.

SECT. 11 amended, 1954, 308; 1956, 519.

SECT. 12, sentence added at end, 1941, 27; section revised, 1943, 29; 1949, 47.

SECT. 13 revised, 1956, 553.

SECT. 14, sentence in lines 10-12 stricken out, 1946, 427 § 2; section revised, 1946, 544 § 3; first sentence amended, 1949, 696; section revised, 1951, 742 § 3; 1955, 733 § 3. (See 1946, 427 § 3, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1955, 733 §§ 4, 5.)

SECT. 25A added, 1933, 55 (relative to the power of the land court to enforce its orders and decrees, and relative to service of its processes).

SECT. 40 amended, 1937, 118.

SECT. 48, paragraph added at end, 1949, 48.

SECT. 78 amended, 1937, 144 § 1; revised, 1955, 306 § 1. (See 1937, 144 § 2.)

#### **Chapter 186. — Estates for Years and at Will.**

SECT. 12 revised, 1946, 202.

SECT. 14 revised, 1950, 495; amended, 1957, 114.

SECT. 15 added, 1945, 445 § 1 (making void certain provisions of leases and rental agreements pertaining to real property). (See 1945, 445 § 2.)

SECT. 16 added, 1947, 118 § 1 (making void so much of any real estate or rental agreement as provides for its termination in the event tenants have children). (See 1947, 118 § 2.)

#### **Chapter 188. — Homesteads.**

SECT. 1 amended, 1939, 32 § 1. (See 1939, 32 § 5.)

SECT. 9 amended, 1939, 32 § 2. (See 1939, 32 § 5.)

#### **Chapter 189. — Dower and Curtesy.**

SECT. 3 revised, 1936, 91 § 1. (See 1936, 91 § 2.)

SECT. 16 added, 1959, 68 § 1 (protecting land titles from certain claims for dower and curtesy). (See 1959, 68 § 2.)

#### **Chapter 190. — Descent and Distribution of Real and Personal Property.**

SECT. 1, paragraph (1) amended, 1945, 238 § 1; revised, 1956, 316 § 1. (See 1945, 238 § 2; 1956, 316 § 3.)

SECT. 3, clause (7) amended, 1959, 149.

SECT. 7 amended, 1943, 72 § 1.

**Chapter 190A. — Effect of Apparently Simultaneous Deaths upon Devolution and Disposition of Property, including Proceeds of Insurance.**

New chapter inserted, 1941, 549 § 1. (See 1941, 549 § 2.)

**Chapter 191. — Wills.**

SECT. 10 amended, 1960, 118.

SECT. 15 revised, 1956, 316 § 2. (See 1956, 316 § 3.)

**Chapter 192. — Probate of Wills and Appointment of Executors.**

SECT. 1A added, 1934, 113 (requiring that the attorney general be made a party in certain proceedings relative to the probate of wills).

SECT. 1B added, 1945, 338 § 1 (providing for a guardian ad litem when the surviving spouse of the deceased is under disability).

SECT. 7. See 1937, 408 § 3.

SECT. 9 amended, 1950, 390.

SECT. 12 added, 1954, 465 § 1 (requiring executors to notify devisees and legatees of devises and bequests). (See 1954, 465 § 4.)

**Chapter 193. — Appointment of Administrators.**

SECT. 3 amended, 1938, 328.

SECT. 4 amended, 1951, 163 § 1, 684 § 1. (See 1951, 684 § 2.)

SECT. 5 amended, 1951, 163 § 2.

SECT. 12 amended, 1945, 349 § 1.

**Chapter 194. — Public Administrators.**

SECT. 5A added, 1953, 333 (relative to the granting of administration to public administrators).

SECT. 7 revised, 1933, 100.

SECT. 9, last sentence amended, 1932, 180 § 38; section affected, 1932, 180 § 45.

SECT. 10. See 1936, 428.

**Chapter 195. — General Provisions relative to Executors and Administrators.**

SECTS. 1-4 repealed, 1933, 221 § 1. (See 1933, 221 § 8.)

SECT. 7 revised, 1945, 349 § 2.

SECT. 8 amended, 1933, 221 § 2. (See 1933, 221 § 8.)

SECT. 11, sentence added at end, 1954, 478 § 1.

SECT. 16 added, 1954, 562 § 1 (providing for the informal administration of certain small estates of deceased persons); first paragraph revised, 1956, 317 § 1; amended, 1958, 163 § 1; paragraph added at end, 1955, 413 § 1. (See 1955, 413 § 2; 1956, 317 § 3; 1958, 163 § 2.)

**Chapter 196. — Allowances to Widows and Children, and Advancements.**

SECT. 2 amended, 1933, 36; revised, 1936, 214.

**Chapter 197. — Payment of Debts, Legacies and Distributive Shares.**

SECT. 2 amended, 1933, 221 § 3. (See 1933, 221 § 8.)

SECT. 2A added, 1939, 298 (establishing limitations applicable to suits

against, and regulating the payments of debts by, administrators de bonis non).

SECT. 9 amended, 1933, 221 § 4; 1954, 552 § 1. (See 1933, 221 § 8.)

SECT. 10 revised, 1954, 552 § 2.

SECT. 19 revised, 1954, 465 § 2. (See 1954, 465 §§ 3, 4.)

#### **Chapter 200. — Settlement of Estates of Absentees.**

SECT. 12 revised, 1941, 399 § 1.

SECTS. 13 and 14 stricken out and new section 13 inserted, 1941, 399 § 2.

SECT. 13 revised, 1946, 395.

#### **Chapter 200A. — Abandoned Property.**

**New chapter inserted, 1950, 801.**

SECT. 1, definition of "Person" revised, 1959, 470 § 1; definition of "Date prescribed for payment or delivery" added, 1959, 470 § 2.

SECT. 5 revised, 1958, 283; 1959, 470 § 3.

SECT. 7, paragraph (b) amended, 1957, 359 § 1.

SECT. 8, paragraph (b) revised, 1957, 359 § 2; paragraph (c) (1) revised, 1957, 359 § 3; 1959, 470 § 4.

SECT. 9, paragraph (c) revised, 1957, 359 § 4; paragraph (e) revised, 1957, 554 § 1. (See 1957, 554 § 2.)

SECT. 10 amended, 1953, 654 § 98; paragraph (e) revised, 1957, 359 § 5.

SECT. 13, first sentence stricken out, 1953, 654 § 99.

SECT. 14 amended, 1959, 236 § 2.

#### **Chapter 201. — Guardians and Conservators.**

SECT. 1 amended, 1945, 728 § 1; revised, 1956, 314 § 1. (See 1945, 728 § 4.)

SECT. 2 revised, 1958, 120 § 1. (See 1958, 120 § 2.)

SECT. 6 amended, 1941, 194 § 13; revised, 1956, 314 § 2.

SECT. 7 amended, 1941, 194 § 14; revised, 1956, 314 § 3.

SECT. 12 revised, 1956, 314 § 4.

SECT. 13, sentence added at end, 1934, 204 § 1; section amended, 1941, 194 § 15; revised, 1956, 314 § 5.

SECT. 13A added, 1941, 325 (providing for the removal of a permanent guardian of an insane person); revised, 1956, 314 § 6.

SECT. 14 amended, 1941, 194 § 16; revised, 1956, 314 § 7.

SECT. 16 revised, 1945, 728 § 2. (See 1945, 728 § 4.)

SECT. 18, new sentence added at end, 1934, 204 § 2.

SECT. 20, see 1945, 338 § 3; section revised, 1956, 314 § 8.

SECT. 21 revised, 1945, 728 § 3; amended, 1953, 571 § 3; second sentence revised, 1954, 330. (See 1945, 728 § 4.)

SECT. 22 revised, 1956, 314 § 9.

SECT. 24 revised, 1956, 314 § 10.

SECT. 26 revised, 1956, 314 § 11.

SECT. 30 amended, 1939, 57.

SECT. 33 amended, 1950, 420; sentence inserted after first sentence, 1954, 478 § 2; section revised, 1956, 314 § 12.

SECT. 38A added, 1958, 44 (authorizing a guardian or conservator to expend funds from his ward's estate for or towards the funeral and burial expenses of a deceased member of the ward's family).

SECT. 39A added, 1936, 270 (authorizing payments from estates of minors under guardianship for expenses for the funerals of the parents in certain cases).

SECT. 42 revised, 1956, 314 § 13.

SECT. 43 revised, 1956, 314 § 14.

SECT. 43A revised, 1956, 314 § 15.

SECT. 45, sentence added at end, 1945, 338 § 2; section revised, 1956, 314 § 16.

SECT. 47A added, 1937, 312 § 1 (permitting guardians and conservators to invest funds in certain insurance policies and annuity contracts).

SECT. 48A revised, 1941, 241; 1949, 14; 1950, 66 § 1; first sentence amended, 1952, 174 § 1; revised, 1954, 311 § 1; sentence added at end, 1952, 174 § 2; section revised, 1956, 314 § 17.

#### **Chapter 201A. — Uniform Gifts to Minors Act.**

**New chapter inserted, 1957, 724.**

SECT. 1, clause (a) revised, 1959, 22.

#### **Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.**

SECT. 4A added, 1933, 129 (relative to the use and management of real estate of a decedent by his executor or administrator for the purpose of the payment of debts from the rents thereof).

SECT. 12 amended, 1941, 194 § 17.

SECT. 14 amended, 1934, 157 § 1.

SECT. 19 amended, 1941, 341 § 1. (See 1941, 341 § 2.)

SECT. 20 revised, 1933, 221 § 5. (See 1933, 221 § 8.)

SECT. 32, first sentence amended, 1952, 445 § 2.

SECT. 36 added, under caption, 1945, 418 § 1 (relative to sales, mortgages and leases by guardians and conservators of wards holding real estate under tenancies by the entirety); section and caption revised, 1959, 125 § 1. (See 1945, 418 § 2; 1959, 125 § 2.)

#### **Chapter 203. — Trusts.**

SECT. 3A added, 1946, 287 § 1 (exempting trusts created by employers in connection with stock bonus, pension, disability, death benefit or profit sharing plans from the rule against perpetuities). (See 1946, 287 §§ 2, 3.)

SECT. 12, sentence added at end, 1954, 478 § 3.

SECT. 13 revised, 1943, 201 § 1. (See 1943, 201 § 3.)

SECT. 16 amended, 1934, 157 § 2.

SECT. 17A added, 1932, 50 (relative to the sale of real estate by foreign testamentary trustees).

SECT. 22 amended, 1936, 184 § 1. (See 1936, 184 § 2.)

SECTS. 24A and 24B added, under caption "SALVAGE OPERATIONS OF TRUSTEES", 1943, 389 § 1. (See 1943, 389 § 2.)

SECT. 25A added, under caption, 1937, 312 § 2 (permitting trustees to invest funds in certain insurance policies and annuity contracts).

SECT. 41 revised, 1948, 550 § 40.

**Chapter 203A. — Collective Investment of Small Trust Funds.**

**New chapter inserted, 1941, 474.**

SECT. 7 amended, 1949, 755; revised, 1952, 209; amended, 1955, 63.

SECT. 11 added, 1945, 67 (making redeemable obligations of the United States eligible investments for common trust funds).

**Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.**

SECT. 26 amended, 1933, 221 § 6. (See 1933, 221 § 8.)

SECTS. 27-36 added, 1943, 152 (authorizing releases and disclaimers of powers of appointment and providing for the methods of releasing and disclaiming the same).

SECT. 37 added, 1943, 201 § 2 (authorizing the resignation of fiduciaries by their guardians, conservators or committees, or other like officers, acting in their behalf).

**Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.**

SECT. 4 amended, 1941, 45 § 1.

SECT. 5 amended, 1941, 45 § 2.

SECT. 19A revised, 1950, 65; 1954, 309.

**Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.**

SECT. 7 amended, 1941, 194 § 18; revised, 1956, 314 § 18.

SECT. 16 amended, 1941, 36; revised, 1949, 140.

SECT. 17 amended, 1936, 208.

SECT. 19 repealed, 1938, 154 § 2.

SECT. 23 repealed, 1938, 154 § 2.

SECT. 24 revised, 1938, 154 § 1; 1950, 413.

SECT. 25 revised, 1950, 64 § 1; first sentence revised, 1954, 312 § 1.

SECT. 27 revised, 1950, 66 § 2; 1954, 311 § 2.

SECT. 27A added, 1950, 265 (relative to the disposition of certain legacies or distributive shares of estates to persons entitled thereto but unavailable).

SECT. 27B added, 1956, 257 (relative to the disposition of certain legacies or distributive shares of estates of deceased persons wherein the legatees or distributees reside in countries under Communist control).

**Chapter 207. — Marriage.**

SECT. 5 amended, 1941, 194 § 18A.

SECT. 7 revised, 1941, 270 § 1.

SECT. 14, paragraph added at end, 1951, 469.

SECT. 17 amended, 1945, 185.

SECT. 19 revised, 1948, 550 § 41; 1959, 118 § 1.



SECT. 20 amended, 1933, 127; sentence inserted after the word "residence" in line 18, 1943, 561 § 3.

SECT. 20A added, 1939, 269 § 3 (relative to the duties of city and town clerks in the case of the filing of notices of intention of marriage of pregnant females).

SECT. 20B added, 1941, 601 § 1 (requiring pre-marital physical examination); first paragraph amended, 1941, 697 § 1; second paragraph stricken out and three paragraphs inserted, 1941, 697 § 2; repealed, 1943, 561 § 2. (See 1941, 697 § 3.)

SECT. 21, first paragraph amended, 1956, 9; paragraph added at end, 1943, 168 § 2.

SECT. 22 revised, 1956, 7 § 1.

SECT. 28 amended, 1941, 601 § 2; 1959, 118 § 2. (See 1941, 601 § 4.)

SECT. 28A added, 1943, 561 § 1 (further regulating pre-marital examinations); revised, 1950, 113.

SECT. 30 amended, 1937, 11 § 1; 1945, 214 § 1; 1946, 197 § 1. (See 1937, 11 § 2; 1945, 214 § 2.)

SECT. 33 amended, 1941, 270 § 2.

SECT. 36 revised, 1946, 273 § 1.

SECT. 38 revised, 1932, 162; amended, 1946, 197 § 2; 1949, 249.

SECT. 39 revised, 1958, 438.

SECT. 40 revised, 1946, 197 § 3.

SECT. 42 amended, 1946, 197 § 4.

SECT. 47A added, under caption, 1938, 350 § 1 (abolishing causes of action for breach of contract to marry). (See 1938, 350 § 3.)

SECT. 52 revised, 1943, 312 § 1. (See 1943, 312 § 2.)

SECT. 55 repealed, 1946, 273 § 2.

SECT. 57 amended, 1941, 601 § 3. (See 1941, 601 § 4.)

#### Chapter 208. — Divorce.

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECT. 6B added, 1958, 162 § 1 (prohibiting the filing of a libel for divorce unless the parties have been living apart for at least three months). (See 1958, 162 § 2.)

SECTS. 9-11 revised, 1943, 196 § 1. (See 1943, 196 § 2.)

SECT. 19 revised, 1932, 3.

SECT. 20A added, 1953, 213 § 1 (authorizing a decree for living apart for justifiable cause in certain cases where a divorce decree has been denied). (See 1953, 213 § 2.)

SECT. 21, sentence added at end, 1934, 181 § 1. (See 1934, 181 § 2.)

SECT. 24 amended, 1943, 168 § 1.

SECT. 24A added, 1948, 66 (providing that copies of or certificates relating to decrees of divorce shall contain certain information relative to decrees nisi and to rights to remarry).

SECT. 26 repealed, 1949, 76 § 1.

SECT. 27 revised, 1949, 76 § 2.

SECT. 33 revised, 1936, 221 § 1. (See 1936, 221 § 2.)

SECT. 35 amended, 1950, 57.

SECT. 38 revised, 1933, 288.

SECT. 44 amended, 1955, 770 § 77. (See 1955, 770 §§ 117, 123.)

SECT. 45 amended, 1948, 279.

SECT. 46 amended, 1952, 86.

**Chapter 209. — Husband and Wife.**

SECT. 10 revised, 1948, 550 § 42.

SECT. 21 amended, 1939, 32 § 3. (See 1939, 32 § 5.)

SECT. 32, sentence added at end, 1938, 136.

SECT. 33 revised, 1933, 360.

**Chapter 210. — Adoption of Children and Change of Names.**

SECT. 1 amended, 1941, 44.

SECT. 2 revised, 1950, 737 § 1; affected, 1951, 148.

SECT. 2A added, 1954, 649 § 1 (providing certain requirements relative to petitions for adoption); paragraph (E) revised, 1957, 184. Affected, 1955, 117.

SECT. 3 amended, 1941, 61; 1945, 239; revised, 1945, 300; amended, 1951, 674; revised, 1952, 352; 1953, 61; amended, 1955, 89.

SECT. 3A added, 1953, 593 § 1 (relative to consent to the adoption of children in certain cases).

SECT. 4 revised, 1953, 593 § 2.

SECT. 5A revised, 1950, 737 § 2; paragraph added at end, 1954, 649 § 2.

SECT. 5B added, 1950, 737 § 3 (providing that adoptive parents shall be of the same religion as the child when practicable).

SECT. 5C added, 1951, 173 (relative to the segregation and inspection of adoption papers); amended, 1957, 187 § 1; revised, 1958, 59; last sentence revised, 1960, 44. (See 1957, 187 § 2.)

SECT. 6, paragraph added at end, 1943, 155 § 1; same paragraph revised, 1955, 107 § 1; paragraph added at end, 1950, 737 § 4.

SECT. 6A added, 1955, 107 § 2 (providing for the issuance of certificates of adoption and the correction of birth records to conform to such certificates); paragraph added at end, 1957, 274.

SECT. 7, sentence added at end, 1950, 737 § 5.

SECT. 8 revised, 1958, 121 § 1. (See 1958, 121 §§ 2, 3.)

SECT. 11A revised, 1950, 737 § 6.

SECT. 13, first paragraph amended, 1948, 247; paragraph added at end, 1943, 155 § 2.

**Chapter 211. — The Supreme Judicial Court.**

SECT. 3, paragraph added at end, 1956, 707 § 1.

SECTS. 3A-3F added, 1956, 707 § 2 (providing for an executive secretary to the justices of the supreme judicial court).

SECT. 3B revised, 1960, 424.

SECT. 4 amended, 1945, 465.

SECT. 11 revised, 1933, 300 § 1; 1960, 207 § 1. (See 1933, 300 § 4.)

SECT. 12 revised, 1958, 165 § 1.

SECT. 13 revised, 1952, 416; 1958, 165 § 2.

SECT. 17 revised, 1958, 65 § 1.

SECT. 19 revised, 1938, 115 § 1.

SECT. 22 revised, 1946, 544 § 1; 1951, 742 § 1; 1955, 733 § 1. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1955, 733 §§ 4, 5; 1956, 333; 1957, 246 §§ 1, 2.)

**Chapter 212. — The Superior Court.**

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) relative to the more prompt disposition of criminal cases in the superior court, see 1948, 230. (See 1949, 210 § 2.)

SECT. 1 amended, 1958, 370.

SECT. 6 amended, 1953, 319 § 24. (See 1953, 319 §§ 39, 40.)

SECT. 14 revised, 1932, 144 § 1. (For prior temporary legislation, see 1927, 306; 1948, 230.)

SECT. 14A added, 1932, 144 § 2 (regulating the establishing of sessions and sittings of the superior court). (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECTS. 14B–14E added, 1949, 210 § 1 (making permanent the operation of certain provisions of law relative to the more prompt disposition of criminal cases by district court judges sitting in the superior court). (See 1949, 210 § 3.)

SECT. 14B revised, 1954, 668 § 1; 1956, 472 § 1. (See 1954, 668 § 2; 1956, 472 § 2.)

SECT. 14E, first sentence amended, 1952, 477.

SECTS. 15–18 repealed, 1932, 144 § 3.

SECT. 20A added, 1949, 139 (relative to central pools of jurors summoned for attendance upon the superior court).

SECT. 22 amended, 1934, 287; 1943, 145 § 1; sentence added at end, 1943, 244 § 3. (See 1943, 145 § 2.)

SECT. 24 amended, 1943, 244 § 4.

SECT. 25 amended, 1932, 144 § 4.

SECT. 26A added, 1935, 229 § 1 (providing for the transfer from the superior court to the land court of certain actions at law and suits in equity where any right, title or interest in land is involved). (See 1935, 229 § 2.)

SECT. 27 revised, 1946, 544 § 2; 1951, 742 § 2; 1955, 733 § 2. (See 1946, 544 § 5; 1951, 742 §§ 4, 5; 1953, 567; 1954, 651; 1955, 475, 733 §§ 4, 5; 1956, 423 §§ 1, 3; 1957, 246 § 3.)

SECT. 28A repealed, 1949, 654 § 2.

SECT. 30 added, 1959, 600 (providing for a panel of three associate justices of the superior court to act upon labor dispute cases).

**Chapter 213. — Provisions Common to the Supreme Judicial and Superior Courts.**

SECTS. 1A and 1B added, 1939, 257 § 1 (granting to the superior court jurisdiction of certain extraordinary writs and certain other matters, concurrently with the supreme judicial court). (See 1939, 257 § 2.)

SECT. 1A amended, 1941, 28, 180.

SECTS. 1C and 1D added, 1943, 374 § 4 (providing for changing a petition for certiorari into a petition for mandamus and vice versa and providing for appeals from judgments upon such petitions).

SECT. 1D, first sentence amended, 1957, 155.

SECT. 3, clause Tenth A revised, 1945, 582 § 2 (see 1945, 582 §§ 4, 5); clause Tenth B added, 1943, 374 § 3 (providing for the presentation at hearings upon petitions for certiorari of evidence at proceedings complained of in such petitions).

SECT. 3A added, 1949, 654 § 1 (relative to the printing of rules of the supreme judicial and superior courts); last sentence revised, 1959, 302 § 1. (See 1959, 302 § 2.)

SECT. 4 revised, 1947, 449 § 5. (See 1947, 449 § 7.)

SECT. 6 amended, 1932, 144 § 5.

**Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.**

SECT. 1 amended, 1935, 407 § 2. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 1A added, 1954, 439 § 1 (relative to suits in equity for specific performance). (See 1954, 439 § 3.)

SECT. 2 amended, 1954, 439 § 2. (See 1954, 439 § 3.) Affected, 1939, 257 § 1.

SECT. 3, clause (1) revised, 1950, 387; clause (12) added at end, 1939, 194 § 1.

SECT. 9 amended, 1934, 381; 1935, 407 § 3; last sentence amended, 1947, 571 § 1. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 9A added, 1935, 407 § 4 (limiting authority of courts to grant injunctive relief in cases involving or growing out of labor disputes); subsection (2) amended, 1950, 452 § 3. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2; 1950, 452 §§ 5-7.)

SECT. 9B added, 1947, 571 § 2 (relative to the issuance of injunctions in certain jurisdictional disputes).

SECT. 22 amended, 1948, 309.

SECT. 23 revised, 1945, 394 § 1; 1947, 365 § 2. (See 1945, 394 § 2.)

SECT. 24 amended, 1947, 365 § 1.

SECT. 28 revised, 1960, 207 § 2.

SECT. 38 repealed, 1958, 65 § 2.

**Chapter 215. — Probate Courts.**

SECT. 3, sentence added at end, 1949, 56.

SECT. 6 amended, 1933, 237 § 1; revised, 1937, 257; first sentence amended, 1939, 194 § 2; sentence inserted after second sentence, 1958, 223; sentence inserted before last sentence, 1950, 485 § 3; 1951, 657 § 2; same sentence stricken out, 1954, 556 § 2. (See 1954, 556 § 10.)

SECT. 6B added, 1935, 247 § 1 (providing for interpretative judgments in the probate courts as to the meaning of written instruments); repealed, 1945, 582 § 3. (See 1935, 247 § 2; 1945, 582 § 5.)

SECT. 9, sentence added at end, 1945, 469 § 1; same sentence stricken out, 1947, 360. (See 1945, 469 § 2; 1946, 88, 610 § 1; 1947, 97 § 1.)

SECT. 9A added, 1960, 179 (permitting certain fiduciaries to act during the appeal period).

SECT. 11 amended, 1947, 365 § 3.

SECT. 15 revised, 1960, 207 § 3.

SECT. 30A amended, 1934, 330; revised, 1956, 664.

SECT. 36 revised, 1956, 187; 1957, 32; amended, 1958, 498; 1960, 331.

SECT. 39A added, 1947, 536 (relative to counsel fees in the probate courts); paragraph added at end, 1951, 80.

SECT. 39B added, 1951, 312 (relative to counsel fees and certain other expenses in probate courts).

SECT. 41 revised, 1950, 66 § 3; amended, 1954, 311 § 3.

SECT. 42, sentence added at end, 1952, 184 § 2. (See 1952, 184 § 4.)

SECT. 44, last sentence revised, 1941, 323 § 1; section amended, 1943, 91. (See 1941, 323 § 2.)

SECT. 51 repealed, 1955, 418 § 2. (See 1955, 418 § 3.)

SECT. 58 revised, 1947, 449 § 4. (See 1947, 449 § 7.)

SECT. 61 repealed, 1939, 65 § 1. (See 1939, 65 § 2.)

SECT. 62, paragraph in lines 11-16 revised, 1950, 108 § 1; paragraph in lines 17-20 revised, 1932, 107; 1936, 241; 1956, 159; paragraph in lines 26-28 revised, 1951, 514; 1960, 388; paragraph in lines 29-33 revised, 1934, 24; paragraph in lines 34-37 amended, 1934, 54; same paragraph revised, 1934, 175 § 1; 1949, 444; paragraph in lines 38-42 revised, 1950, 416; paragraph in lines 45-51 revised, 1935, 132; paragraph in lines 56 and 57 revised, 1933, 274. (See 1934, 175 § 2; 1950, 108 § 2.)

#### Chapter 217. — Judges and Registers of Probate and Insolvency.

For legislation relative to abolition of office of special judge of probate and insolvency on the death, resignation or removal of the incumbent, see 1937, 408 § 8.

For legislation providing special retirement rights for the judges of probate for the counties of Dukes and Nantucket, see 1951, 760.

SECT. 1 amended, 1935, 434 § 1; revised, 1949, 716 § 1, 738 § 1.

SECT. 2 amended, 1934, 290; 1935, 434 § 2; first sentence revised, 1949, 716 § 2; 717, 738 § 2; 1960, 817 § 1.

SECT. 3, sentence added at end, 1949, 436 § 1; revised, 1951, 517.

SECTS. 5 and 6 stricken out and new sections 5, 5A, 6, 6A inserted, 1937, 408 § 3. (See 1937, 408 § 9.)

SECT. 6 revised, 1960, 97.

SECT. 7, sentence added at end, 1937, 408 § 4. (See 1937, 408 §§ 3, 9.)

SECT. 8 revised, 1937, 408 § 5. (See 1937, 408 § 9.)

SECT. 15A added, 1952, 184 § 3 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 19 amended, 1948, 354 § 1; 1954, 529 § 2.

SECT. 24 amended, 1943, 464 § 1. (See 1943, 464 § 2.)

SECT. 24A revised, 1939, 392; 1947, 348.

SECT. 25 amended, 1947, 347; revised, 1957, 511.

SECT. 25A added, 1945, 475 § 1 (providing for a permanent third assistant register of probate for the county of Essex); revised, 1946, 482; 1956, 440 § 1. (See 1945, 475 § 2.)

SECT. 29, sentence added at end, 1958, 539.

SECT. 30 revised, 1935, 143 § 1; \* 1935, 313 § 1; 1936, 252 § 1; 1941, 226 § 1; paragraph added at end, 1951, 611 § 1; section revised, 1951, 700, 793 § 1; first sentence revised, 1955, 378; section revised, 1960, 575 § 1. (See 1935, 313 § 3; 1936, 252 § 2; 1941, 226 § 2; 1960, 575 § 2.)

SECT. 31 amended, 1951, 793 § 2.

SECT. 31A added, \* 1935, 313 § 2 (providing for the appointment of a messenger for the probate court of Essex county). (See 1935, 313 § 3.)

\* Void for non-acceptance.

SECT. 32A revised, 1952, 229 § 1.

SECT. 34 revised, 1937, 408 § 1; 1946, 544 § 4; 1951, 745 § 1; 1955, 733 § 7; 1960, 736 § 1. (See 1937, 408 § 9; 1946, 544 § 5; 1951, 745 §§ 1A, 1B; 1955, 395, 733 §§ 4, 5, 749 §§ 1, 2; 1956, 423 §§ 2, 3.)

SECTS. 35A and 35B added, 1947, 678 § 2 (establishing the salaries of registers of probate and assistant registers). (See 1947, 678 § 3.)

SECT. 35A amended, 1949, 714; revised, 1951, 713 § 1; 1955, 638 § 1; 1956, 671 § 1; 1960, 736 § 2. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3.)

SECT. 35B revised, 1951, 713 § 2; amended, 1953, 564; revised, 1955, 638 § 2; amended, 1956, 440 § 2; revised, 1956, 671 § 2; amended, 1957, 508; revised, 1960, 736 § 3. (See 1951, 713 § 3; 1955, 638 § 3; 1956, 671 § 3.)

SECT. 38 repealed, 1937, 408 § 2.

SECT. 40 revised, 1937, 408 § 6. (See 1937, 408 § 9.)

SECT. 41 amended, 1937, 408 § 7; 1941, 503; revised, 1959, 286. (See 1937, 408 §§ 8, 9.)

SECT. 42 amended, 1957, 575.

#### Chapter 218. — District Courts.

For act further extending to June 30, 1949, the operation of certain provisions of law (1923, 469, as amended) authorizing certain justices of district courts to sit in criminal cases in the superior court, see 1948, 230.

For legislation limiting the number of special justices of certain district courts, see 1941, 664.

SECT. 1, first paragraph under caption "*Franklin*" revised, 1932, 87 § 1; section amended, 1939, 451 § 59; third paragraph under caption "*Norfolk*" revised, 1949, 590 § 1; paragraphs under said caption revised, 1960, 715 § 4; fifth paragraph under caption "*Suffolk*" revised, 1949, 273 § 1. (See 1949, 590 §§ 2-4, 739; 1951, 758.)

SECT. 2A added, 1951, 325 (providing for the transfer of certain actions brought in district courts).

SECT. 6, first paragraph revised, 1941, 664 § 1; second paragraph revised, 1945, 611; section revised, 1947, 588 § 1; first and second paragraphs revised, 1949, 731; 1951, 762 § 1; 1952, 560; last sentence of third paragraph stricken out and two sentences inserted, 1949, 768; third paragraph revised, 1950, 575; section revised, 1956, 738 § 1; third paragraph revised, 1956, 744 § 1. (See 1941, 664 §§ 2, 3; 1947, 588 §§ 2, 3; 1951, 762 § 4; 1956, 738 §§ 1A, 13, 14, 744 §§ 2, 3.)

SECT. 8 revised, 1936, 282 § 1. (See 1936, 282 § 3.)

SECT. 9, sentence added at end, 1934, 217 § 1; section revised, 1951, 604 § 1; first sentence amended, 1952, 156 § 1.

SECT. 10 amended, 1932, 160 § 1; 1937, 297 § 1; 1938, 193 § 1; first paragraph amended, 1946, 182; 1947, 335 § 1; 1949, 443; 1959, 559 § 1; second sentence revised, 1959, 596; 1960, 661 § 1; third sentence revised, 1950, 444; amended, 1955, 723; revised, 1960, 504 § 1; second paragraph revised, 1938, 222 § 1; amended, 1949, 800; 1951, 541 § 1; revised, 1957, 601 § 2; paragraph added at end, 1941, 309 § 1; revised, 1960, 772; another paragraph added at end, 1948, 642 § 1. (See 1937, 297 § 2; 1938, 193 § 2, 222 § 2; 1947, 335 § 2; 1951, 541 § 2; 1960, 504 § 2, 661 § 2.)

SECT. 10A added, 1956, 353 (authorizing the designation of deputy assistant clerks of the district courts).

SECT. 11 revised, 1951, 604 § 2; first sentence amended, 1952, 156 § 2.

SECT. 13 revised, 1937, 59; first paragraph stricken out, 1939, 157 § 1. (See 1939, 157 § 4.)

SECT. 15 revised, 1939, 230 § 1, 347 § 1; first paragraph amended, 1947, 460 § 1; paragraph inserted after first paragraph, 1956, 738 § 5. (See 1939, 230 § 2; 1947, 460 § 2; 1956, 738 §§ 13, 14.)

SECT. 16 revised, 1937, 219 § 3; 1939, 214 § 5.

SECT. 17, sentence added at end, 1956, 738 § 12. (See 1956, 738 §§ 13, 14.)

SECT. 19 amended, 1934, 387 § 1; 1943, 296 § 1; sentence added at end, 1954, 556 § 3; section revised, 1954, 616 § 1; 1958, 369 § 1. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 556 § 10, 616 § 5; 1956, 426; 1958, 369 § 4.)

SECT. 21 amended, 1953, 168; revised, 1960, 160.

SECT. 22 amended, 1937, 310; first sentence revised, 1954, 328 § 1. (See 1954, 328 § 4.)

SECT. 23 amended, 1950, 500 § 1.

SECT. 26 revised, 1937, 301 § 1; 1938, 365 § 1; amended, 1958, 138. (See 1937, 301 § 2; 1938, 365 § 2.)

SECT. 29 amended, 1932, 55.

SECT. 30 amended, 1941, 194 § 19.

SECT. 32 amended, 1958, 48 § 1.

SECT. 35A added, 1943, 349 § 1 (providing that certain persons against whom complaints are made in district courts may be given an opportunity to be heard before issuance of process); revised, 1945, 293. (See 1943, 349 § 2.)

SECT. 37 amended, 1945, 250 § 1; 1958, 48 § 2.

SECT. 38, second sentence revised, 1939, 347 § 2.

SECT. 40, fourth sentence revised, 1948, 398 § 1.

SECT. 43 amended, 1939, 347 § 3.

SECT. 43A, first paragraph amended, 1938, 324; section revised, 1941, 682 § 1; first paragraph amended, 1943, 101; 1956, 738 § 4. (See 1941, 682 §§ 1A, 2; 1956, 738 §§ 13, 14.)

SECT. 43B added, 1950, 210 (prescribing the use of uniform official blanks in certain district courts).

SECT. 52, third sentence amended, 1948, 398 § 2; last sentence revised, 1949, 462.

SECT. 53, first sentence revised, 1950, 245; first paragraph amended, 1948, 642 § 2; paragraph added after the first paragraph, 1936, 230.

SECT. 53A added, 1951, 604 § 3 (relative to the appointment and salaries of temporary assistant clerks in the Boston Municipal Court).

SECT. 58 revised, 1936, 282 § 2; sentence added at end, 1955, 343. (See 1936, 282 § 3.)

SECT. 59, paragraph added at end, 1948, 248 § 1.

SECT. 62 amended,\* 1932, 235 § 1; revised,\* 1932, 247 § 1; amended, 1935, 71 § 1; 1937, 298; revised, 1939, 305; amended, 1941, 309 § 3, 348; 1945, 294; 1946, 264 § 1, 300; 1949, 668; 1953, 138 § 1; 1955, 633 § 1; revised, 1957, 601 § 1. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2.)

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\* Void for non-acceptance.

SECT. 63 revised, 1935, 341.

SECT. 65, last sentence stricken out, 1949, 621.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1. (See 1946, 609 § 3; 1951, 749 § 2A; 1954, 347, 527; 1955, 748 §§ 1A, 1B, 2.)

SECT. 75A added, 1946, 512 § 2 (relative to the compensation of clerks and assistant clerks of the municipal court of the city of Boston); revised, 1946, 609 § 2; 1949, 261; 1951, 749 § 2. (See 1946, 512 § 3, 609 § 3.)

SECT. 76 amended, 1932, 269 § 1; 1935, 366 § 1; 1937, 378 § 1; revised, 1939, 451 § 60; amended, 1945, 476 § 1; 1946, 453, 498 § 1; revised, 1946, 530, 578; amended, 1946, 600; revised, 1947, 576; 1948, 667 § 1; 1949, 461 § 1; 1951, 768 § 1A; 1959, 609 § 6. (See 1935, 366 § 3; 1945, 476 § 2; 1948, 667 §§ 6, 7; 1949, 461 § 2; 1951, 768 § 3B; 1952, 114 § 1.)

SECT. 77 revised, 1937, 294; 1948, 667 § 2; 1951, 768 § 1; repealed, 1955, 741 § 1A. (See 1948, 667 § 5A; 1949, 312 § 2; 1951, 768 § 3B; 1952, 114 § 1; 1955, 741 §§ 2, 3.)

SECT. 77A added, 1948, 656 § 1 (relative to the salaries and retirement of justices and clerks in the district court of Springfield, the central district court of Worcester and the first and third district courts of eastern Middlesex); sentence inserted after first sentence, 1949, 805 § 1; amended, 1951, 762 § 2; revised, 1951, 768 § 2; amended, 1952, 603 § 1; 1955, 334; section revised, 1956, 738 § 2; 1958, 675 § 1; first paragraph amended, 1959, 568 § 1, 586 § 1; 1960, 745 § 1, 796 § 1, 705 § 1, 746 § 1; third paragraph amended, 1959, 77. (See 1948, 656 §§ 2, 3; 1949, 805 § 3; 1951, 768 § 3B; 1952, 114; 1953, 298, 380; 1956, 738 §§ 13, 14; 1957, 125; 1958, 675 §§ 3, 4; 1960, 745 § 3, 746 § 3, 796 § 3.)

SECT. 78 revised, 1948, 667 § 3; sentence inserted before first sentence, 1949, 710; section amended, 1949, 312 § 1, 805 § 2, 611, 482; 1951, 762 § 3; revised, 1951, 768 § 3; amended, 1952, 603 § 2; 1953, 453; revised, 1955, 741 § 1; 1956, 738 § 3; 1958, 675 § 2; amended, 1959, 568 § 2, 586 § 2; 1960, 745 § 2, 746 § 2, 796 § 2, 705 § 2; paragraph added at end, 1959, 583. (See 1948, 667 §§ 6, 7; 1949, 312 § 2, 805 § 3; 1951, 768 § 3B; 1952, 114 § 1; 1955, 741 §§ 2, 3; 1956, 738 §§ 13, 14; 1958, 675 §§ 3, 4; 1960, 745 § 3, 746 § 3, 796 § 3.)

SECT. 79 amended, 1941, 309 § 2; revised, 1941, 447 § 2; amended, 1943, 136 § 2; revised, 1948, 667 § 4; 1956, 738 § 6; amended, 1957, 735; revised, 1959, 609 § 1; paragraph (1) amended, 1960, 801 § 1, 816; paragraph (2) amended, 1960, 801 § 2. (See 1941, 447 §§ 4, 5; 1943, 136 § 3; 1948, 667 §§ 6, 7; 1953, 421; 1956, 738 §§ 11, 13, 14; 1959, 609 §§ 4, 5, 8, 9.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2; revised, 1948, 667 § 5; 1949, 799; 1951, 768 § 3A; amended, 1957, 559 § 1; revised, 1959, 609 § 2; amended, 1960, 801 § 3. (See 1935, 366 § 3; 1936, 229 § 2; 1941, 447 §§ 4, 5; 1948, 667 §§ 6, 7; 1951, 768 § 3B; 1952, 114 § 1; 1957, 559 § 2; 1959, 609 §§ 4, 5, 8, 9.)

SECT. 80A added, 1947, 400 § 2 (relative to the salaries of the secretary and assistant secretary to the justices of the municipal court of the city of Boston); revised, 1951, 288 § 1. (See 1947, 400 §§ 3, 4; 1951, 288 § 2.)

SECT. 81 revised, 1939, 296 § 1; amended, 1956, 738 § 7. (See 1939, 296 § 3; 1956, 738 §§ 13, 14.)



SECT. 82 repealed, 1956, 738 § 8. (See 1956, 738 §§ 13, 14.)

SECT. 82A added, 1945, 486 § 1 (relative to salaries of court officers of the municipal court of the city of Boston); revised, 1949, 381; 1951, 788 § 1. (See 1945, 486 § 3; 1951, 788 § 2.)

#### Chapter 219. — Trial Justices.

Chapter repealed, 1953, 319 § 1. (See 1953, 319 §§ 39, 40.)

For prior changes see Table of Changes contained in Acts and Resolves of 1952.

#### Chapter 220. — Courts and Naturalization.

SECT. 2 amended, 1953, 319 § 25. (See 1953, 319 §§ 39, 40.)

SECT. 6 revised, 1947, 449 § 6. (See 1947, 449 § 7.)

SECT. 13 amended, 1953, 319 § 26. (See 1953, 319 §§ 39, 40.)

SECTS. 13A and 13B added, 1935, 407 § 5 (regulating procedure in trials for contempt arising out of disobedience to decrees or process of courts in labor dispute cases). (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (h) inserted by 1938, 345 § 2.)

SECT. 14A added, 1936, 206 § 1 (relative to the time within which certain justices shall render their decisions). (See 1936, 206 § 2.)

SECTS. 16 and 17 repealed, 1932, 144 § 3.

SECT. 19 repealed, 1932, 16.

#### Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Court.

SECT. 4 amended, 1935, 89 § 1; 1937, 158 § 1; 1943, 336 § 1; revised, 1946, 248 § 1; amended, 1955, 354 § 1; revised, 1957, 634. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3; 1955, 354 § 2.)

SECT. 5 amended, 1932, 51; 1943, 336 § 2; second paragraph revised, 1958, 327 § 1; fourth paragraph revised, 1957, 585 § 1; fifth paragraph revised, 1951, 228; 1959, 557; paragraph inserted after fifth paragraph, 1956, 432 § 1; sixth paragraph revised, 1949, 379; 1950, 324. (See 1943, 336 § 3; 1958, 327 § 2.)

SECT. 6 amended, 1954, 342 § 1; 1957, 555 § 1.

SECT. 6A added, 1947, 443 (providing for the appointment of an equity clerk of the superior court for the county of Middlesex); revised, 1949, 774 § 3. (See 1949, 774 § 5.)

SECT. 6B added, 1953, 300 (providing for the designation of an assistant clerk to perform duties of equity clerk in the superior court for the county of Essex).

SECT. 12 revised, 1937, 219 § 4; 1939, 214 § 6.

SECT. 24 revised, 1936, 31 § 3; repealed, 1956, 707 § 3.

SECT. 25 stricken out, 1953, 319 § 27. (See 1953, 319 §§ 39, 40.)

SECT. 27 revised, 1939, 157 § 2. (See 1939, 157 § 4.)

SECT. 27A added, 1939, 157 § 3 (relative to the disposal of certain obsolete and useless papers of courts); revised, 1945, 323 § 1; amended, 1946, 150; subdivision (1) of first paragraph revised, 1952, 276 § 1. (See 1939, 157 § 4; 1945, 323 § 2.)

SECT. 34C amended, 1947, 601.

SECT. 34D added, under caption, 1960, 565 § 1 (establishing the Massachusetts defenders committee). (See 1960, 565 § 2.)

SECT. 35 amended, 1949, 574 § 1.

SECT. 36 amended, 1945, 157; last sentence revised, 1957, 748 § 1.

SECT. 36A added, 1945, 261 (relative to educational requirements for admission to the bar of persons serving in the armed forces in World War II).

SECT. 37, third sentence stricken out and two sentences inserted, 1957, 748 § 2.

SECT. 43 revised, 1939, 197 § 1.

SECTS. 44A and 44B added, 1939, 197 § 2 (prohibiting employees and other persons connected with hospitals from furnishing certain information about certain personal injury cases to attorneys at law).

SECT. 44A amended, 1943, 293.

SECT. 46 revised, 1935, 346 § 1.

SECTS. 46A and 46B added, 1935, 346 § 2 (prohibiting individuals not members of the bar from practicing law or attempting so to do and providing a means of restraining unauthorized practice of law).

SECT. 46B amended, 1947, 75; 1955, 697 § 2.

SECT. 46C added, 1955, 697 § 1 (relative to debt pooling plans).

SECT. 47 repealed, 1935, 346 § 3.

SECT. 49 repealed, 1935, 346 § 3.

SECT. 50 stricken out, and sections 50, 50A, 50B inserted, 1945, 397 § 1. (See 1945, 397 § 3.)

SECT. 53 amended, 1939, 151; 1954, 385 § 1. (See 1954, 385 § 2.)

SECT. 58 amended, 1932, 40 § 1.

SECT. 60 repealed, 1932, 40 § 2.

SECT. 63 amended, 1939, 6 § 1. (See 1939, 6 §§ 2, 3.)

SECT. 68 amended, 1946, 591 § 46A; 1952, 588.

SECT. 70, first paragraph amended, 1954, 172 § 1; revised, 1957, 228 § 1; paragraph inserted after second paragraph, 1954, 172 § 1; paragraph inserted after paragraph so inserted, 1957, 228 § 1; section revised, 1957, 697; third paragraph revised, 1960, 719; fifth paragraph revised, 1958, 676.

SECT. 71 amended, 1957, 228 § 2.

SECT. 71A added, 1949, 177 (establishing the office of assistant chief deputy sheriff for attendance upon the superior court in Suffolk county).

SECT. 72 amended, 1957, 228 § 3.

SECT. 73 revised, 1935, 182 § 2; 1938, 347 § 2; 1941, 448 § 1; 1945, 388 § 1; 1946, 427 § 1; amended, 1946, 593 § 1; revised, 1949, 718; first sentence revised, 1951, 792. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2.)

SECT. 73A added, 1938, 347 § 2; amended, 1941, 448 § 2; repealed, 1945, 388 § 2. (See 1938, 347 § 3; 1941, 448 § 3.)

SECT. 76 revised, 1935, 182 § 3; first sentence stricken out and two new sentences added, 1939, 258 § 1; second and third sentences revised, 1939, 165 § 2. (See 1935, 182 §§ 5, 6; 1939, 165 § 3, 258 § 2.)

SECT. 76A added, 1945, 179 § 1 (providing for the appointment of an assistant messenger of the superior court in Suffolk county).

SECT. 77 revised, 1951, 120; amended, 1954, 172 § 2; revised, 1957, 228 § 4.

SECT. 80 amended, 1935, 182 § 4; 1954, 172 § 3; revised, 1957, 228 § 5. (See 1935, 182 § 6.)

SECT. 88 amended, 1947, 179; 1957, 85; revised, 1958, 56.

SECT. 90A, last sentence revised, 1951, 82.

SECT. 91 revised, 1947, 469 § 2. (See 1947, 469 §§ 4, 5.)

SECT. 91A added, 1947, 469 § 3 (relative to establishing salaries of official stenographers and compensation of additional stenographers and temporary stenographers of the superior court in the county of Suffolk). (See 1947, 469 §§ 4, 5.)

SECT. 93 amended, 1945, 515; revised, 1951, 559; 1955, 733 § 6; amended, 1960, 743 § 1.

SECT. 94, first sentence amended, 1932, 180 § 39; section revised, 1946, 262 § 2; amended, 1947, 290 § 2; revised, 1948, 183 § 2; fourth sentence revised, 1949, 221; section revised, 1949, 774 § 2; amended, 1960, 743 § 2. (See 1946 262 §§ 4, 5; 1949, 774 § 5.)

SECT. 94A added, 1946, 262 § 3 (relative to the salaries of the clerk and assistant clerks of the superior court for civil business in the county of Suffolk); repealed, 1949, 774 § 4. (See 1946, 262 §§ 4, 5; 1949, 774 § 5.)

#### **Chapter 222. — Justices of the Peace, Notaries Public and Commissioners.**

SECT. 8 amended, 1947, 256 § 1.

SECT. 8A added, 1952, 184 § 1 (relative to printing or typing names of persons whose signatures appear on certain instruments filed in probate courts). (See 1952, 184 § 4.)

SECT. 11 added, 1953, 191 (relative to the acknowledgment of written instruments by persons serving in or with the armed forces of the United States.)

#### **Chapter 223. — Commencement of Actions, Service of Process.**

SECT. 2 revised, 1934, 387 § 2; last sentence of first paragraph revised, 1943, 296 § 2; 1954, 616 § 2; amended, 1955, 158; 1958, 369 § 1A; section revised, 1960, 210. (See 1934, 387 § 5; 1943, 296 § 6, 437; 1954, 616 § 5; 1958, 369 § 4.)

SECT. 2A added, 1935, 483 § 1 (providing for trial together of two or more actions arising out of the same motor vehicle accident pending in district courts). (See 1935, 483 §§ 2, 3.) Section stricken out and new sections 2A-2C inserted, 1943, 369 § 1 (relative to the trial and disposition of certain actions and proceedings pending in different courts). (See 1943, 369 § 2.)

SECT. 2A revised, 1952, 460.

SECT. 2B amended, 1945, 373 § 1. (See 1945, 373 § 2.)

SECT. 8A added, 1947, 488 § 6 (relative to transitory actions by or against subscribers to a reciprocal or inter-insurance exchange).

SECT. 19A added, 1947, 488 § 7 (providing that actions by or against subscribers to a reciprocal or inter-insurance exchange shall be brought in the name under which the contracts are issued).

SECT. 24 amended, 1938, 115 § 2; sentence inserted after second sentence, 1957, 312 § 1.

SECT. 25, sentence inserted after first sentence, 1957, 312 § 2.

SECT. 37, last sentence stricken out and new paragraph added at end, 1945, 306 § 1; fourth sentence of last paragraph amended, 1948, 308; revised, 1955, 611 § 7. (See 1945, 306 § 2.)

SECT. 38 amended, 1939, 451 § 61.

SECT. 39B added, 1947, 488 § 8 (providing that, in actions against subscribers of a domestic reciprocal or inter-insurance exchange, service may be made upon the attorney in fact if a domestic exchange).

SECT. 42 amended, 1937, 295 § 1.

SECT. 42A added, 1943, 234 § 1 (relative to the amount for which attachments may be made on liquidated claims). (See 1943, 234 § 3.)

SECT. 44A added, 1937, 295 § 2 (further regulating the attachment of motor vehicles on mesne process in actions of contract).

SECT. 45A, sentence added at end, 1954, 181.

SECT. 48 revised, 1937, 308; amended, 1938, 348 § 1; sentence inserted after first sentence, 1959, 229. (See 1938, 348 § 2.)

SECT. 50 amended, 1957, 765 § 8. (See 1957, 765 §§ 18, 21.)

SECT. 51 revised, 1948, 550 § 43.

SECT. 62, sentence added at end, 1947, 105.

SECT. 65 revised, 1953, 338 § 1. (See 1953, 338 § 5.)

SECT. 74 revised, 1943, 298 § 1. (See 1943, 298 § 10.)

SECT. 75 revised, 1943, 298 § 2; 1959, 580 § 19. (See 1943, 298 § 10.)

SECT. 76 revised, 1943, 298 § 3. (See 1943, 298 § 10.)

SECT. 78 revised, 1943, 298 § 4. (See 1943, 298 § 10.)

SECT. 79 revised, 1943, 298 § 5. (See 1943, 298 § 10.)

SECT. 80 revised, 1943, 298 § 6. (See 1943, 298 § 10.)

SECT. 81 revised, 1943, 298 § 7. (See 1943, 298 § 10.)

SECT. 82 revised, 1943, 298 § 8. (See 1943, 298 § 10.)

SECT. 83A added, 1943, 298 § 9 (providing that sections 74-83 shall not apply to conditional sales, notices of which are recordable under G. L. 184 § 13); revised, 1957, 765 § 9. (See 1943, 298 § 10; 1957, 765 §§ 18, 21.)

SECT. 114 amended, 1938, 325 § 1; revised, 1943, 234 § 2. (See 1938, 325 § 2; 1943, 234 § 3.)

SECT. 114A added, 1945, 339 § 1 (relative to the dissolution of certain real estate attachments by operation of law); last sentence revised, 1953, 338 § 2. (See 1945, 339 § 2; 1952, 246; 1953, 338 § 5.)

SECT. 132 revised, 1953, 338 § 3. (See 1953, 338 § 5.)

#### **Chapter 224. — Arrest on Mesne Process and Supplementary Proceedings in Civil Actions.**

SECT. 12 amended, 1945, 101 § 1.

SECT. 16 amended, 1943, 292 § 1. (See 1943, 292 § 2.)

SECT. 18, paragraph inserted after first paragraph, 1946, 177.

#### **Chapter 226. — Bail.**

SECT. 23 amended, 1945, 101 § 2.

#### **Chapter 227. — Proceedings against Absent Defendants and upon Insufficient Service.**

SECT. 1 amended, 1949, 612 § 1.

SECT. 5, last sentence stricken out and two sentences inserted, 1955, 360; same sentences revised, 1958, 444.

SECT. 5A added, 1949, 612 § 2 (relative to the service of process on certain non-residents doing business in the commonwealth).

**Chapter 228. — Survival of Actions and Death and Disabilities of Parties.**

SECT. 1 revised, 1934, 300 § 1. (See 1934, 300 § 2.)

SECT. 5 amended, 1933, 221 § 7; revised, 1937, 406 § 1; amended, 1950, 391. Affected, 1938, 16. (See 1933, 221 § 8.)

**Chapter 229. — Actions for Death and Injuries Resulting in Death.**

SECT. 1 revised, 1943, 444 § 1.

SECT. 2 amended, 1941, 460 § 1, 504 § 1.

SECT. 3, first sentence revised, 1941, 460 § 2; section amended, 1941, 504 § 2.

SECT. 5 amended, 1937, 406 § 3; 1941, 504 § 3.

SECTS. 1-5 stricken out and sections 1 and 2 inserted, 1946, 614 § 1. (See 1946, 614 § 7.)

SECT. 1 amended, 1947, 506 § 1; revised, 1949, 427 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11.)

SECT. 2 revised, 1947, 506 § 1A; 1949, 427 § 2; 1958, 238 § 1. (See 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10.)

SECTS. 2A-2C added, 1949, 427 § 3 (relative to actions against certain corporations and others for death and injuries resulting in death). (See 1949, 427 § 11.)

SECT. 2A repealed, 1958, 238 § 2. (See 1958, 238 § 10.)

SECT. 2C amended, 1951, 250; repealed, 1958, 238 § 3. (See 1958, 238 § 10.)

SECT. 5A added, 1938, 278 § 1 (to permit recovery in certain death cases notwithstanding that the death of the tortfeasor occurred before that of the person whose death he caused); amended, 1946, 614 § 2; revised, 1949, 427 § 4; 1958, 238 § 4. (See 1938, 278 § 2; 1946, 614 § 7; 1949, 427 § 11; 1958, 238 § 10.)

SECT. 6 amended, 1939, 451 § 62; revised, 1946, 614 § 3; 1947, 506 § 2; 1949, 427 § 5; 1958, 238 § 5. (See 1946, 614 § 7; 1947, 506 §§ 3, 3A; 1949, 427 § 11; 1958, 238 § 10.)

SECTS. 6A and 6B added, 1943, 444 § 2 (relative to the disposition of money recovered in certain actions for death).

SECT. 6A revised, 1946, 614 § 4; 1949, 427 § 6; 1958, 238 § 6. (See 1946, 614 § 7; 1949, 427 § 11; 1958, 238 § 10.)

SECT. 6B amended, 1946, 614 § 5; revised, 1949, 427 § 6; 1958, 238 § 6. (See 1946, 614 § 7; 1949, 427 § 11; 1958, 238 § 10.)

SECTS. 6C-6F added, 1949, 427 § 7 (relative to actions against certain employers for death and injuries resulting in death). (See 1949, 427 § 11.)

SECT. 6E, second paragraph revised, 1958, 238 § 7. (See 1958, 238 § 10.)

SECT. 6F revised, 1958, 238 § 8. (See 1958, 238 § 10.)

SECTS. 7 and 8 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 9 amended, 1941, 504 § 4; repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 10 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 11 amended, 1960, 298 § 2.

**Chapter 230. — Actions By and Against Executors and Administrators.**

SECT. 5 amended, 1934, 116.

**Chapter 231. — Pleading and Practice.**

SECT. 1A added, 1951, 403 (relative to the commencement of actions arising out of tort and contract).

SECT. 4A added, 1943, 350 § 1 (providing for the joinder of parties in one action in certain cases); sentence inserted after first sentence, 1947, 408 § 1. (See 1943, 350 §§ 3, 4; 1947, 408 § 2.)

SECT. 5 amended, 1945, 141 § 2.

SECT. 6A added, 1939, 372 § 1 (relative to the recovery of certain medical expenses by the husband of a married woman or the parent or guardian of a minor, in actions to recover for personal injuries by married women and minors). (See 1939, 372 § 2.)

SECT. 6B added, 1946, 212 § 1 (providing for interest from the date of the writ in certain civil actions); amended, 1951, 244; 1960, 298 § 3. (See 1946, 212 § 3.)

SECT. 7, clause Sixth revised, 1939, 67 § 1. (See 1939, 67 § 2.)

SECT. 29 revised, 1960, 263.

SECT. 30 amended, 1949, 179.

SECT. 55 amended, 1935, 318 § 6. (See 1935, 318 § 8.)

SECT. 59, sentence inserted after fourth sentence, 1955, 359; section and caption preceding it stricken out and new section under new caption inserted, 1955, 674 § 1.

SECT. 59A stricken out and new section under new caption inserted, 1955, 674 § 2.

SECT. 59C added, under caption, 1935, 118 § 1 (relative to the advancement for speedy trial in the superior court of actions against physicians and others for malpractice, error or mistake); revised, 1960, 69. (See 1935, 118 § 2.)

SECT. 59D added, 1952, 139 (providing speedy trials of certain actions under election laws).

SECT. 62, sentence added at end, 1958, 270.

SECT. 63 amended, 1932, 84 § 1.

SECT. 69 amended, 1932, 177 § 1; revised, 1946, 450. (See 1932, 177 § 2.)

SECT. 72 amended, 1958, 50.

SECT. 73 repealed, 1932, 180 § 40.

SECT. 78 repealed, 1932, 180 § 40.

SECT. 84A added, 1933, 247 § 1 (relative to the joint trial in the superior court of actions involving the same subject matter). (See 1933, 247 § 2.)

SECT. 85 revised, 1947, 386 § 1; 1952, 533 § 1. (See 1947, 386 § 2; 1952, 533 § 2.)

SECTS. 85B and 85C added, 1937, 439 § 1 (relative to procedure in certain actions to recover damages arising out of motor vehicle accidents and in suits by judgment creditors in actions to reach and apply the proceeds of motor vehicle liability policies and in actions to recover on motor vehicle liability bonds). (See 1937, 439 § 2.)

SECT. 85D added, 1945, 352 § 1 (providing that negligence of parent or custodian shall not be imputed to an infant because of such parenthood or custodianship). (See 1945, 352 §§ 3, 4.)

SECT. 85E added, 1959, 300 (relative to subrogated automobile property damage claims).

SECT. 91 revised, 1943, 365 § 1. (See 1943, 365 § 2.)

SECT. 91A added, 1957, 378 (exempting radio and television stations from liability for damages on account of the utterance of defamatory matter by persons over whom such stations have no right of censorship or control).

SECT. 93 revised, 1943, 360.

SECT. 94 amended, 1943, 361.

SECT. 94A added, 1953, 169 (relative to defenses in actions for false arrest or imprisonment).

SECT. 94B added, 1958, 337 (relative to defenses in actions for false arrest brought by persons suspected of shoplifting).

SECT. 96A added, 1945, 530 § 1 (relative to the filing of bills of exceptions in suits in equity); repealed, 1947, 361. (See 1945, 530 § 2; 1946, 94, 610 § 2; 1947, 97 § 2.)

SECT. 102A added, 1934, 387 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); amended, 1937, 133 § 1; revised, 1938, 338 § 1; first paragraph amended, 1941, 203 § 1; second paragraph amended, 1941, 203 § 2; section repealed, 1943, 296 § 3. (See 1934, 387 § 5; 1937, 133 § 2; 1938, 338 § 2; 1941, 203 § 3; 1943, 296 § 6.)

SECT. 102B added, 1954, 616 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); repealed, 1958, 369 § 2. (See 1954, 616 § 5; 1958, 369 § 4.)

SECT. 102C added, 1958, 369 § 3 (authorizing the transfer of certain actions at law from the superior court to a district court); third and fourth paragraphs stricken out and two paragraphs inserted, 1960, 303. (See 1958, 369 § 4.)

SECT. 104 amended, 1950, 500 § 2; revised, 1956, 302 § 1; 1960, 352 § 1.

SECT. 104A added, 1960, 352 § 2 (relative to the removal of certain actions from the district courts to the superior court).

SECT. 105 repealed, 1956, 302 § 2.

SECT. 107 revised, 1943, 296 § 4. (See 1943, 296 § 6.)

SECT. 108, first paragraph, sentence inserted after fifth sentence, 1958, 300; second paragraph revised, 1939, 382; amended, 1948, 322; revised, 1949, 683; second sentence of third paragraph revised, 1933, 255 § 1. (See 1933, 255 § 2.)

SECT. 113, two sentences added at end, 1945, 328.

SECT. 115 amended, 1939, 451 § 63.

SECT. 117 revised, 1960, 207 § 4.

SECT. 118 revised, 1960, 207 § 5.

SECT. 125A added, 1949, 171 § 1 (relative to the further report of material facts in equity and probate appeals when evidence is not reported).

SECT. 127, sentence added at end, 1945, 578 § 1. (See 1945, 578 § 3.)

SECT. 128 amended, 1945, 578 § 2. (See 1945, 578 § 3.)

SECT. 133 amended, 1933, 300 § 2. (See 1933, 300 § 4.)

SECT. 135, two paragraphs inserted after first paragraph, 1941, 187 § 1; last paragraph amended, 1959, 109; 1960, 171. (See 1941, 187 § 2.)

SECT. 140A added, 1932, 130 § 1 (relative to the effect of a settlement by agreement of an action of tort growing out of a motor vehicle accident upon the right of a defendant in such action to maintain a cross action); revised, 1947, 431 § 1. (See 1947, 431 § 2.)

SECT. 141 amended, 1932, 130 § 2; 1933, 300 § 3; 1934, 387 § 4; 1943, 296 § 5, 350 § 2; 1945, 352 § 2; 1946, 212 § 2; 1954, 616 § 4; 1958, 369 § 3A; 1960, 352 § 3; 1956, 302 § 3. (See 1933, 300 § 4; 1934, 387 § 5; 1943, 296 § 6, 350 §§ 3, 4; 1946, 212 § 3; 1954, 616 § 5; 1958, 369 § 4.)

SECT. 142 amended, 1935, 318 § 7. (See 1935, 318 § 8.)

SECT. 145 amended, 1939, 451 § 64; 1953, 104.

SECT. 147, first paragraph revised, 1956, 313; Form 8 repealed, 1938, 350 § 2.

#### **Chapter 231A. — Procedure for Declaratory Judgments.**

**New chapter inserted, 1945, 582 § 1. (See 1945, 582 § 5.)**

#### **Chapter 233. — Witnesses and Evidence.**

SECT. 1 revised, 1945, 250 § 2.

SECT. 3A added, 1933, 262 (authorizing the commissioner of banks to respond to summonses or subpoenas by an employee or other assistant in his department).

SECT. 8 amended, 1933, 269 § 3, 376 § 3; 1949, 292.

SECTS. 13A-13D added, 1937, 210 § 1 (making uniform the law securing the attendance of witnesses from without a state in criminal proceedings). (See 1937, 210 § 2.)

SECT. 20, second paragraph revised, 1951, 657 § 3.

SECT. 21, paragraph Second revised, 1950, 426.

SECT. 21A added, 1947, 410 § 1 (making admissible evidence relating to the reputation of a person in a group with whom he habitually associates). (See 1947, 410 § 2.)

SECT. 22 amended, 1932, 97 § 1.

SECT. 23A added, 1945, 424 § 1 (relative to the admissibility in evidence of written statements obtained from persons sustaining personal injuries in accidents); amended, 1953, 242. (See 1945, 424 § 2.)

SECT. 23B added, 1958, 256 (relative to the admissibility in evidence against a defendant in a criminal trial of statements made by him while undergoing a psychiatric examination).

SECT. 26 amended, 1932, 71 § 1.

SECT. 29 amended, 1932, 71 § 2.

SECT. 30 amended, 1932, 71 § 3.

SECT. 32 amended, 1932, 71 § 4.

SECT. 33 amended, 1932, 71 § 5.

SECT. 34 amended, 1932, 71 § 6.

SECT. 45 amended, 1932, 71 § 7.

SECT. 46 amended, 1932, 71 § 8.

SECT. 47 amended, 1932, 71 § 9.

SECT. 48 amended, 1932, 71 § 10.

SECT. 49 amended, 1932, 71 § 11.

SECT. 65 amended, 1941, 363 § 1; 1943, 105 § 1; revised, 1943, 232 § 1. (See 1941, 363 § 2; 1943, 105 § 2, 232 § 2.)

SECT. 75, sentence added at end, 1943, 190 § 1. (See 1943, 190 § 2.)

SECT. 76A added, 1938, 213 § 1 (relative to the use of authenticated copies of certain papers and documents filed with the federal securities and exchange commission). (See 1938, 213 § 2.)



SECT. 76B added, 1954, 292 (relative to the use of printed copies of schedules on file with the interstate commerce commission as evidence).

SECT. 77 amended, 1957, 205.

SECT. 78 revised, 1954, 442 § 1. (See 1954, 442 § 2.)

SECT. 79 revised, 1941, 389 § 2; amended, 1943, 233 § 1; 1946, 473 § 1; 1948, 74; paragraph added at end, 1957, 206 § 1; section revised, 1959, 200. (See 1943, 233 § 2; 1946, 473 § 2; 1957, 206 § 2.)

SECT. 79A added, 1941, 662 § 2 (relative to the use in evidence of photographic and microphotographic records and copies); amended, 1948, 154.

SECT. 79B added, 1947, 385 § 1 (making admissible in evidence in civil cases certain publicly issued compilations of facts and statistics). (See 1947, 385 § 2.)

SECT. 79C added, 1949, 183 § 1 (making admissible in evidence in cases of contract or tort for malpractice certain statements of recognized experts contained in certain publications). (See 1949, 183 § 2.)

SECT. 79D added, 1949, 240 (making admissible in evidence certain copies of newspapers and documents made by the photographic or microphotographic process).

SECT. 79E added, 1952, 120 (relative to the admissibility in evidence of business and public records); amended, 1955, 125.

SECT. 79F added, 1952, 476 (relating to proof of the existence of a public way).

SECT. 79G added, 1958, 323 (making certain bills for services of physicians, dentists and certain hospitals admissible in evidence in actions of tort for personal injuries).

#### Chapter 234. — Juries.

SECT. 1 amended, 1935, 257 § 11; 1936, 25; revised, 1949, 347 § 1. (See 1935, 257 § 12; 1949, 347 § 5.)

SECT. 1A added, 1949, 347 § 2 (relative to excusing certain persons from jury service). (See 1949, 347 § 5.)

SECT. 4, first paragraph revised, 1949, 347 § 3; last sentence stricken out and two sentences inserted, 1955, 38 § 1. (See 1949, 347 § 5.)

SECT. 5 amended, 1955, 38 § 2.

SECT. 11 amended, 1934, 150.

SECT. 15 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 24 amended, 1941, 90; sentence added at end, 1956, 278.

SECTS. 25 and 26 stricken out, and sections 25, 26, 26A, 26B inserted, 1945, 428 § 1 (providing for emergency jurors and for the waiver of a full jury). (See 1945, 428 § 3.)

SECT. 25, first sentence amended, 1955, 38 § 3; third sentence amended, 1949, 347 § 4. (See 1949, 347 § 5.)

SECT. 29 revised, 1945, 428 § 2; 1955, 485 § 1; amended, 1957, 335. (See 1945, 428 § 3; 1955, 485 § 2.)

#### Chapter 235. — Judgment and Execution.

SECT. 17, paragraph added at end, 1948, 113.

SECT. 34, clause Second amended, 1951, 35.

**Chapter 236. — Levy of Executions on Land.**

SECT. 5 revised, 1953, 338 § 4. (See 1953, 338 § 5.)

SECT. 18 revised, 1939, 32 § 4. (See 1939, 32 § 5.)

SECT. 49A added, 1953, 455 § 1 (relative to the dissolution of certain levies on execution on real estate by operation of law). (See 1953, 455 § 2.)

**Chapter 239. — Summary Process for Possession of Land.**

SECT. 1 amended, 1941, 242 § 1; first sentence amended, 1952, 151 § 1; 1953, 106.

SECT. 2 revised, 1960, 463 § 1. (See 1960, 463 § 2.)

SECT. 3 revised, 1960, 463 § 1. (See 1960, 463 § 2.)

SECT. 5 revised, 1946, 175 § 1. (See 1946, 175 § 2.)

SECT. 6, two sentences added at end, 1952, 151 § 2.

SECT. 6A added, 1941, 242 § 2 (relative to conditions of bonds in actions of summary process for recovery of possession of land after tax title foreclosures).

SECTS. 9-13 affected, 1941, 700; 1946, 43; 1947, 78; 1948, 2; 1949, 87; 1950, 33, 301; 1951, 30; 1952, 25; 1954, 264; 1955, 226; 1956, 50; 1957, 51; 1958, 88.

SECT. 9 amended, 1953, 485.

**Chapter 240. — Proceedings for Settlement of Title to Land.**

SECT. 14A added, 1934, 263 § 2 (providing for determination by the land court by declaratory judgment as to the validity and extent of municipal zoning ordinances, by-laws and regulations).

**Chapter 241. — Partition of Land.**

SECT. 34 revised, 1950, 64 § 2; 1954, 312 § 2.

**Chapter 244. — Foreclosure and Redemption of Mortgages.**

For legislation concerning judicial determination of rights to foreclose real estate mortgages in which soldiers or sailors may be interested, see 1941, 25; 1943, 57; 1945, 120.

SECT. 15, sentence added at end, 1946, 204.

SECTS. 17A-17C added, 1945, 604 § 1 (relative to actions for deficiencies on mortgage notes following foreclosures, etc.). (See 1945, 604 § 2.)

**Chapter 246. — Trustee Process.**

SECT. 1 revised, 1938, 303 § 1; amended, 1943, 17 § 1. (See 1938, 303 § 2; 1943, 17 § 2.)

SECT. 28 revised, 1935, 410 § 1; 1941, 338 § 1; amended, 1947, 264 § 1; 1951, 78; first two sentences revised, 1956, 155; first sentence revised, 1959, 187 § 1. (See 1935, 410 §§ 2, 3; 1941, 338 § 2; 1947, 264 § 2; 1959, 187 § 3.)

SECT. 32, paragraph First revised, 1959, 187 § 2; paragraph Eighth added at end, 1938, 343; revised, 1950, 260, 558; 1954, 467; 1960, 235. (See 1959, 187 § 3.)

**Chapter 249. — Audita Querela, Certiorari, Mandamus and Quo Warranto.**

SECT. 4 amended, 1943, 374 § 1; sentence added at end, 1953, 586 § 1. (See 1939, 257; 1941, 28, 180; 1943, 374 §§ 3, 4; 1953, 586 § 2.)

SECT. 5 amended, 1938, 202; 1943, 374 § 2; 1949, 176. (See 1939, 257; 1941, 28, 180; 1943, 374 § 4.)

**Chapter 250. — Writs of Error, Vacating Judgment, Writs of Review.**

SECT. 16 amended, 1933, 244 § 1. (See 1933, 244 § 2.)

**Chapter 251. — Uniform Arbitration Act for Commercial Disputes  
(former title, Arbitration).**

**Chapter stricken out and new chapter 251 (with new title) inserted, 1960, 374 § 1. (See 1960, 374 § 3.)**

**Chapter 252. — Improvement of Low Land and Swamps.**

SECT. 5A, sentence added at end, 1960, 199.

SECT. 22 revised, 1948, 550 § 44.

SECT. 24 added, under caption, 1948, 391 § 1 (providing for the establishment of greenhead fly control projects); revised, 1954, 388 § 1; 1955, 433. (See 1948, 391 § 2; 1954, 388 § 2.)

**Chapter 254. — Liens on Buildings and Land.**

SECT. 4, paragraph added at end, 1959, 594 § 2.

SECT. 5 amended, 1954, 461 § 2. (See 1954, 461 §§ 3, 4.)

SECT. 20 revised, 1959, 594 § 1.

SECT. 30 added, 1953, 405 § 1 (providing for the recording of liens for labor and notices of contract by the registers of deeds).

**Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.**

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 2 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 3 amended, 1935, 86 § 2; revised, 1948, 550 § 45; 1949, 404 § 4; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 4-7 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7A-7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECTS. 7A-7C repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECTS. 7E-10 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 11 revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1; 1956, 158; 1957, 765 § 10; sentence added at end, 1958, 674 § 2; 1959, 580 § 20. (See 1943, 410 § 2; 1957, 765 §§ 18, 21.)

SECT. 12A added, 1950, 81 (providing that notice relative to finance charges be printed in certain contracts of sale); revised, 1957, 765 § 11; sentence added at end, 1959, 580 § 21. (See 1957, 765 §§ 18, 21.)

SECT. 12B added, 1955, 455 (relative to prepayment of contracts of

conditional sales of personal property); revised, 1957, 765 § 12; amended, 1958, 674 § 3; revised, 1959, 593. (See 1957, 765 §§ 18, 21.)

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285; revised, 1957, 765 § 13. (See 1957, 765 §§ 18, 21.)

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1; repealed, 1957, 765 § 2. (See 1935, 348 § 2; 1957, 765 § 21.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects); amended, 1957, 765 § 14. (See 1957, 765 §§ 18, 21.)

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECT. 13C and 13D stricken out, and new sections 13C–13G inserted, 1939, 509 § 2.

SECT. 13C revised, 1957, 765 § 15. (See 1957, 765 §§ 18, 21.)

SECTS. 13D–13F repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 13G revised, 1957, 160, 765 § 16. (See 1957, 765 §§ 18, 21.)

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly, and parts, accessories, appliances and equipment therefor); repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

SECT. 15 revised, 1948, 550 § 46.

SECT. 25A added, 1950, 326 § 9 (relative to liens on trailer coaches for certain charges).

SECT. 26 amended, 1950, 326 § 10.

SECT. 27 amended, 1950, 326 § 11.

SECT. 31 revised, 1950, 326 § 12.

SECT. 31D added, 1945, 607 (creating a lien in favor of certain persons performing work upon, or storing articles of clothing or household goods); revised, 1960, 285.

SECT. 31E added, 1948, 637 § 12 (creating a lien in favor of certain persons for proper charges due them for landing, parking, etc., of aircraft). (See 1948, 637 §§ 9, 13.)

SECT. 35 amended, 1938, 83 § 1. (See 1938, 83 § 2.)

SECT. 39A added, 1954, 585 (providing for the sale by garage owners of certain motor vehicles placed for storage and not claimed within a certain period).

SECTS. 40–47 added, under caption, 1945, 285 (providing for the creation of liens upon merchandise without the necessity of custody or possession in the lienor).

SECT. 40 amended, 1946, 514 § 1; revised, 1947, 273 § 1.

SECT. 41, first paragraph amended, 1946, 514 § 2; section revised, 1947, 273 § 2.

SECT. 42 revised, 1947, 273 § 3; last sentence revised, 1950, 454 § 1; 1957, 698 § 19.

SECT. 43 revised, 1947, 273 § 4.

SECT. 44 revised, 1947, 273 § 5; amended, 1950, 454 § 2; third sentence revised, 1957, 698 § 20.

SECT. 45 amended, 1947, 273 § 6.

SECTS. 40–47 repealed, 1957, 765 § 2. (See 1957, 765 § 21.)

**Chapter 255A. — Trust Receipts and Pledges without Possession in the Pledgee.**

**New chapter inserted, 1936, 264.**

SECT. 13, subsection 3 amended, 1951, 445; 1957, 698 § 21.

**Chapter repealed, 1957, 765 § 2. (See 1957, 765 § 21.)**

**Chapter 255B. — Retail Instalment Sales of Motor Vehicles.**

**New chapter inserted, 1958, 674 § 1.**

SECT. 20A added, 1960, 173 (requiring the filing of an affidavit executed by the purchaser of a repossessed motor vehicle in suits brought for a deficiency under a mortgage or conditional sale contract).

**Chapter 258. — Claims against the Commonwealth.**

SECTS. 1A-1C added, 1956, 709 § 1 (providing for jurisdiction of certain claims against the commonwealth with relation to the General Edward Lawrence Logan Airport). (See 1956, 709 § 2.)

SECT. 3 revised, 1932, 180 § 41; 1951, 518.

SECT. 4A added, 1945, 552 (to prevent the running of interest on claims against the commonwealth after an offer of judgment).

SECT. 5 repealed, 1943, 566 § 2.

**Chapter 260. — Limitation of Actions.**

SECT. 2 revised, 1948, 274 § 1. (See 1948, 274 § 3.)

SECT. 2A added, 1948, 274 § 2 (further limiting the time within which actions of replevin, and certain actions of contract and tort, may be commenced). (See 1948, 274 § 3.)

SECT. 3A added, 1943, 566 § 1 (limiting the time within which petitions founded upon claims against the commonwealth may be brought).

SECT. 4 amended, 1933, 318 § 5; 1934, 291 § 4; 1937, 385 § 9; first paragraph amended, 1955, 235 § 1; revised, 1960, 271; paragraph added at end, 1943, 409 § 4. (See 1933, 318 § 9; 1934, 291 § 6; 1937, 385 § 10; 1955, 235 § 2.)

SECT. 4A added, 1947, 333 § 1 (limiting the time within which certain actions to recover back wages may be commenced). (See 1947, 333 § 2.)

SECT. 4B added, 1949, 531 (relative to the commencement of actions arising out of motor vehicle hit and run accidents, so called); amended, 1954, 107.

SECT. 10, sentence added at end, 1937, 406 § 2.

SECT. 25 amended, 1959, 269 § 1. (See 1959, 269 § 3.)

SECT. 26 amended, 1959, 269 § 2. (See 1959, 269 § 3.)

SECT. 31A added, 1956, 258 § 2 (limiting the time for bringing proceedings to enforce certain possibilities of reverter to which a fee simple or fee simple determinable is subject).

SECTS. 33-35 added, under caption, 1957, 370 (providing for a limitation of mortgage foreclosures and to protect land titles against obsolete mortgages).

**Chapter 261. — Costs in Civil Actions.**

SECT. 4 amended, 1937, 44 § 1. (See 1937, 44 § 2; 1943, 296 §§ 3, 6.)  
SECT. 25A revised, 1957, 497.

**Chapter 262. — Fees of Certain Officers.**

SECT. 1, paragraph 6 amended, 1948, 295; revised, 1949, 129; amended, 1951, 40.

SECT. 2 revised, 1939, 345 § 1; third paragraph amended, 1950, 119 § 1; section revised, 1954, 328 § 2; paragraph inserted after third paragraph, 1954, 556 § 5. (See 1939, 345 § 3; 1954, 328 § 4, 556 §§ 8, 10.)

SECT. 4 amended, 1954, 328 § 3; sixth paragraph revised, 1950, 119 § 2; 1953, 632; amended, 1954, 582; seventh paragraph amended, 1937, 188; seventh to tenth paragraphs stricken out, 1939, 345 § 2; paragraph in lines 30–31 revised, 1954, 624. (See 1939, 345 § 3; 1954, 328 § 4.)

SECT. 5 amended, 1933, 201.

SECT. 8 revised, 1947, 135; paragraph added at end, 1954, 556 § 6.

SECT. 21 amended, 1959, 581.

SECT. 23 amended, 1953, 96.

SECT. 24 amended, 1953, 89; 1955, 244; revised, 1959, 307.

SECT. 25 amended, 1933, 162; 1934, 141; 1945, 236 § 1; 1949, 335; 1955, 328; revised, 1960, 435. (See 1945, 236 § 2.)

SECT. 29 amended, 1949, 697.

SECT. 32 revised, 1935, 280.

SECT. 34 amended, 1933, 21; revised, 1948, 550 § 1; clauses (5)–(10), (26), (37)–(41), (70), (71), (73) and (77) stricken out, 1949, 297 § 1; clause (13) revised, 1957, 17 § 1; clauses (17)–(19) stricken out, 1949, 404 § 3; clause (21) revised, 1952, 32 § 2; clause (30) revised, 1957, 17 § 2; clause (42) revised, 1960, 17; clause (44) revised, 1957, 17 § 3; clauses (47) and (48) revised, 1949, 404 § 1; clauses (47)–(53) repealed, 1957, 765 § 2 (see 1957, 765 § 21); clause (56) amended, 1951, 58; repealed, 1957, 765 § 2 (see 1957, 765 § 21); clause (69) revised, 1953, 164 § 3; clause (79) revised, 1949, 404 § 2.

SECT. 34A added, 1938, 380 (authorizing the charging of certain fees by city and town clerks or registrars for the expense of the examination or copying by them of records of births, marriages and deaths); revised, 1948, 550 § 47.

SECT. 36 revised, 1952, 301; amended, 1959, 357.

SECT. 38, second paragraph amended, 1937, 97; two paragraphs inserted after paragraph in line 23, 1945, 569 § 2; section revised, 1946, 353 § 1; second paragraph amended, 1951, 179; paragraph inserted after third paragraph, 1950, 539 § 2; section revised, 1953, 348 § 1; 1957, 332 § 1; 1960, 421 § 3.

SECT. 39, paragraph in lines 15, 16 amended, 1945, 522; paragraph added at end, 1939, 13; section revised, 1946, 353 § 2; 1950, 589; 1953, 348 § 2; sixth paragraph amended, 1956, 568 § 1; eighth paragraph amended, 1956, 568 § 2; last paragraph amended, 1957, 332 § 2; section revised, 1960, 421 § 4.

SECT. 40 revised, 1934, 324 § 1; paragraph inserted after second paragraph, 1951, 657 § 4; stricken out, 1954, 556 § 4; two paragraphs added at end, 1954, 562 § 6; section revised, 1955, 418 § 1; paragraph inserted

after fourth paragraph, 1956, 7 § 2; eighth paragraph revised, 1955, 744 § 1; 1956, 632 § 1; 1958, 500; eleventh paragraph stricken out, 1956, 632 § 2. (See 1934, 324 § 2; 1954, 556 § 10; 1955, 418 § 3, 744 § 2.)

SECT. 44 revised, 1953, 308.

SECT. 46A added, 1938, 232 (to provide for furnishing without charge copies of records relating to soldiers, sailors and marines in certain cases); revised, 1943, 484; 1945, 218; 1954, 627 § 34. (See 1954, 627 §§ 65, 67.)

SECT. 47 amended, 1958, 48 § 3.

SECT. 50 amended, 1958, 48 § 4.

SECT. 51 revised, 1951, 605; amended, 1958, 48 § 5.

SECT. 53 amended, 1936, 251; fourth sentence revised, 1947, 181; amended, 1948, 340.

SECT. 53 stricken out and new sections 53 and 53A inserted, 1949, 455 (relative to the payment of witness fees to certain police officers in criminal cases).

SECT. 53 revised, 1952, 364; amended, 1958, 48 § 6; revised, 1958, 422.

SECT. 53A amended, 1958, 48 § 7.

SECT. 53B added, 1952, 235 (providing for payment of witness fees to state police officers); revised, 1954, 393; 1957, 605; 1959, 567.

SECT. 53C added, 1955, 223 § 1 (granting compensatory time off to certain police officers in certain criminal cases). (See 1955, 223 § 2.)

SECT. 56 amended, 1958, 48 § 8.

SECT. 57 amended, 1958, 48 § 9.

SECT. 58 amended, 1958, 48 § 10.

SECT. 59 amended, 1958, 48 § 11.

SECT. 62 amended, 1958, 48 § 12.

#### **Chapter 263. — Rights of Persons Accused of Crime.**

SECT. 4 amended, 1953, 319 § 28. (See 1953, 319 §§ 39, 40.)

SECT. 4A added, 1934, 358 (expediting the arraignment of persons charged with crimes not punishable by death by permitting them to waive indictment proceedings).

SECT. 5A added, 1958, 401 (providing that a person held in custody, charged with operating a motor vehicle while under the influence of intoxicating liquor, shall have the right to an immediate medical examination); revised, 1960, 237.

SECT. 6 amended, 1933, 246 § 1. (See 1933, 246 § 2.)

SECT. 8A amended, 1953, 319 § 29. (See 1953, 319 §§ 39, 40.)

#### **Chapter 264. — Crimes against Governments.**

SECT. 5 revised, 1932, 298; amended, 1933, 153 § 3; 1934, 56; revised, 1941, 117 § 1; third sentence revised, 1959, 59 § 4. (See 1941, 117 § 2.)

SECT. 10A revised, 1933, 276.

SECT. 11 revised, 1948, 160 § 1; 1954, 584 § 1.

SECT. 12 repealed, 1954, 584 § 2.

SECTS. 13-15 added, 1949, 619 (barring certain persons from the public service and requiring an oath of allegiance by certain public employees).

SECT. 13 repealed, 1951, 805 § 1. (See 1951, 805 §§ 6, 7.)

SECT. 14A added, 1954, 677 (enabling cities and towns to participate in the United States educational exchange program).

SECT. 15 amended, 1951, 805 § 2. (See 1951, 805 §§ 6, 7.)

SECTS. 16-23 added, 1951, 805 § 3 (relative to subversive organizations).

SECT. 18 amended, 1952, 380.

SECT. 19 revised, 1954, 584 § 4.

SECT. 21 revised, 1954, 584 § 3.

SECT. 23 revised, 1954, 584 § 5.

#### **Chapter 265. — Crimes against the Person.**

SECT. 2 revised, 1951, 203; last sentence revised, 1955, 770 § 78; 1956, 731 § 12. (See 1955, 770 §§ 117, 123.)

SECT. 13A added, 1943, 259 § 1 (providing a penalty for the crimes of assault and assault and battery); paragraph added at end, 1945, 230. (See 1943, 259 § 2.)

SECT. 13B added, 1953, 299 (providing a separate penalty for indecent assault on a child); amended, 1958, 189.

SECT. 15B added, 1955, 112 (providing a penalty for assault by means of a dangerous weapon).

SECT. 17 revised, 1943, 250 § 1; 1952, 406 § 1. (See 1943, 250 § 2; 1952, 406 § 2.)

SECT. 18A added, 1956, 408 (increasing the penalty for certain armed assaults in dwelling houses).

SECT. 22A added, 1955, 763 § 2 (providing a mandatory prison sentence for persons convicted of rape).

SECT. 24B added, 1955, 763 § 3 (providing a mandatory prison sentence for persons convicted of assault with intent to commit rape).

SECT. 25 revised, 1932, 211; 1953, 294.

SECT. 26 amended, 1934, 1.

SECT. 34 added, 1957, 76 (prohibiting the marking of the body of a person under eighteen years of age by means of tattooing).

#### **Chapter 266. — Crimes against Property.**

SECT. 1 revised, 1932, 192 § 1; amended, 1948, 43 § 1.

SECT. 2 revised, 1932, 192 § 2; amended, 1948, 43 § 2.

SECTS. 3 and 4 repealed, 1932, 192 § 3.

SECT. 5 revised, 1932, 192 § 4.

SECT. 5A added, 1932, 192 § 5 (defining and providing penalties for attempts to commit arson).

SECT. 6 repealed, 1932, 192 § 3.

SECT. 7 revised, 1958, 526 § 1.

SECT. 8 revised, 1932, 192 § 6; 1948, 370 § 1; 1958, 526 § 2.

SECT. 10 revised, 1932, 192 § 7.

SECT. 16 revised, 1943, 343 § 1. (See 1943, 343 § 2.)

SECT. 16A added, 1945, 229 (providing a penalty for breaking and entering a building, ship or vessel with intent to commit a misdemeanor).

SECT. 22 amended, 1935, 365; revised, 1950, 30.

SECT. 25 amended, 1943, 518 § 1. (See 1943, 518 § 2.)

SECT. 26 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 27A revised, 1959, 160 § 1.



SECT. 28 revised, 1959, 160 § 2.

SECT. 30 revised, 1945, 282 § 2. (See 1945, 282 § 5.)

SECT. 33 revised, 1945, 282 § 3. (See 1945, 282 § 5.)

SECT. 36 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 37 revised, 1937, 99; amended, 1955, 133.

SECT. 37A added, 1960, 456 (providing that the use of a revoked or forged credit card or the unauthorized use of the credit card of another shall constitute larceny).

SECTS. 44-46 repealed, 1945, 282 § 1. (See 1945, 282 § 5.)

SECT. 47 amended, 1945, 282 § 4. (See 1945, 282 § 5.)

SECT. 52 amended, 1934, 270 § 3.

SECT. 53A revised, 1956, 297.

SECT. 54 revised, 1958, 58. (See 1933, 59 § 3.)

SECT. 70 amended, 1933, 245 § 4; 1939, 144 § 2; 1941, 217 § 3; 1946, 209 § 3, 409 § 4; revised, 1947, 468 § 4; amended, 1948, 445 § 2; 1949, 118 § 4; revised, 1950, 27 § 3; amended, 1950, 240, 354 § 3, 492 § 3; 1955, 271 § 2; revised, 1957, 117; amended, 1959, 59 § 5; 1960, 626 § 5.

SECT. 71A added, 1950, 718 (prohibiting the unauthorized use of names or imitations thereof of certain organizations).

SECTS. 75A and 75B added, 1932, 11 (penalizing the fraudulent operation of slot machines, coin-box telephones and other coin receptacles, and the manufacture and sale of devices intended to be used in such operation); revised, 1954, 145.

SECT. 89 revised, 1943, 549 § 7.

SECT. 91 amended, 1958, 217 § 1.

SECT. 91A added, 1953, 250 (further regulating advertising relative to the sale or offering for sale of merchandise, commodities or service); amended, 1958, 217 § 2.

SECT. 91B added, 1958, 217 § 3 (providing for the issuance of an injunction for violation of the laws relative to deceptive advertising of merchandise for sale).

SECT. 92A added, 1956, 216 (relative to the sale of motor vehicles which have been submerged in water); amended, 1957, 261; revised, 1959, 235.

SECT. 94 amended, 1939, 451 § 65.

SECT. 98 revised, 1960, 169.

SECT. 101 amended, 1957, 688 § 21.

SECT. 102 revised, 1957, 688 § 22.

SECT. 104A added, 1960, 610 (providing a penalty for the destruction, injury or removal of goal posts on football fields).

SECT. 116A added, 1935, 116 (providing for the protection of wild azaleas, wild orchids and cardinal flowers).

SECT. 119 revised, 1948, 660 § 25; amended, 1949, 761 § 14. (See 1948, 660 § 26.)

SECT. 120A added, 1955, 269 (relative to the burden of proof in certain prosecutions for trespass).

SECT. 123 revised, 1941, 344 § 27; amended, 1958, 613 § 8E; revised, 1959, 213; 1960, 315.

SECT. 129 revised, 1955, 770 § 79. (See 1955, 770 §§ 117, 123.)

SECT. 130 revised, 1955, 770 § 80. (See 1955, 770 §§ 117, 123.)

**Chapter 268. — Crimes against Public Justice.**

SECT. 1A amended, 1947, 106.

SECT. 13A added, 1950, 109 (prohibiting the picketing of courts and certain other places).

SECT. 14A added, 1936, 168 (imposing a penalty for depriving employees of their employment because of jury service).

SECT. 15 amended, 1955, 770 § 81. (See 1955, 770 §§ 117, 123.)

SECT. 16 revised, 1934, 344; last sentence stricken out, 1941, 344 § 28; section amended, 1943, 19 § 1; 1955, 770 § 82. (See 1955, 770 §§ 117, 123.)

SECT. 16A added, 1943, 19 § 2 (relative to the penalty for escapes or attempted escapes from the reformatory for women); amended, 1955, 770 § 83. (See 1955, 770 §§ 90, 117, 123.)

SECT. 26 amended, 1934, 328 § 24; 1955, 770 § 84; revised, 1957, 777 § 33. (See 1955, 770 §§ 117, 123.)

SECT. 27 amended, 1934, 328 § 25.

SECT. 28 amended, 1955, 770 § 85; revised, 1957, 777 § 34. (See 1955, 770 §§ 117, 123.)

SECT. 29 amended, 1934, 328 § 26; 1955, 770 § 86. (See 1955, 770 §§ 117, 123.)

SECT. 30 amended, 1955, 770 § 87. (See 1955, 770 §§ 117, 123.)

SECT. 31 amended, 1955, 770 § 88; revised, 1957, 777 § 35. (See 1955, 770 §§ 117, 123.)

SECT. 33 amended, 1935, 440 § 44; 1941, 71; 1945, 400 § 7.

SECT. 37 amended, 1955, 770 § 89. (See 1955, 770 §§ 117, 123.)

**Chapter 269. — Crimes against Public Peace.**

SECT. 10 amended, 1935, 290; 1936, 227 § 1; 1937, 250 § 1; first sentence amended, 1955, 160; section revised, 1956, 172; 1957, 688 § 23. (See 1936, 227 § 2; 1937, 250 § 2.)

SECT. 10A amended, 1957, 688 § 24.

SECT. 10B added, 1934, 359 § 2 (further regulating the sale, rental and leasing of rifles and shotguns); repealed, 1957, 688 § 25.

SECT. 11 revised, 1957, 688 § 26.

SECTS. 11A–11D added, under caption, 1937, 199 (relative to certain firearms, the serial or identification numbers of which have been removed, defaced, altered, obliterated or mutilated).

SECT. 11B, sentence added at end, 1957, 688 § 27.

SECT. 11C, amended and sentence added at end, 1957, 688 § 28.

SECT. 11D repealed, 1957, 688 § 29.

SECT. 12 revised, 1951, 219; 1952, 286; amended, 1957, 688 § 30; 1956, 280.

SECTS. 12A and 12B added, 1951, 263 (regulating the sale and use of air rifles or so-called BB guns).

SECT. 12A revised, 1959, 296 § 9.

SECT. 12B revised, 1957, 688 § 31.

SECT. 12C added, 1951, 296 (prohibiting the sale or possession of certain knives having a spring release); repealed, 1957, 688 § 32.

SECT. 12D added, 1957, 688 § 33 (imposing a penalty upon persons carrying a rifle or shotgun in a public way without a valid license to do so).

SECT. 14 added, 1957, 210 (imposing a penalty upon persons making

false reports relative to the location of explosives or other dangerous substances); revised, 1958, 322.

### **Chapter 270. — Crimes against Public Health.**

SECT. 2, first sentence amended, 1949, 658; section repealed, 1960, 727 § 1. (See 1960, 727 § 3.)

SECT. 2A repealed, 1960, 727 § 1. (See 1960, 727 § 3.)

SECT. 2B added, 1946, 517 § 1 (regulating the labelling of preparations containing DDT and certain other preparations dangerous to public health); repealed, 1960, 727 § 1. (See 1960, 727 § 3.)

SECT. 3A added, 1951, 444 (relative to the placing of poison or poisoned food for the control of rats, mice or other rodents).

SECT. 5 amended, 1934, 328 § 27.

SECT. 16 added, 1949, 416 (imposing a penalty on persons who dispose of garbage or refuse on highways or private property without permission).

### **Chapter 271. — Crimes against Public Policy.**

SECT. 1A added, 1948, 299 (providing that, for the purpose of the enforcement of laws relative to gaming and certain other crimes the words "house", "building" and "place" shall include certain ships and vessels).

SECT. 5A added, 1951, 483 (prohibiting the manufacture, sale, transportation or use of certain slot machines as gambling devices).

SECT. 6A added, 1938, 144 (making certain endless chain transactions subject to the laws relative to lotteries).

SECT. 6B added, 1953, 243 (making the game commonly known as skilo, and similar games, subject to the laws relative to lotteries).

SECT. 10 revised, 1957, 390 § 1. (See 1957, 390 § 2.)

SECT. 17A added, 1958, 246 (making it a criminal offense to use the telephone for certain gaming purposes).

SECT. 22A revised, 1934, 371; paragraphs added at end, 1936, 222, 283; section revised, 1943, 267.

SECT. 23 amended, 1934, 235 § 3, 303 § 1; 1953, 319 § 30. (See 1953, 319 §§ 39, 40.)

SECTS. 31, 33, 34 affected by 1935, 454 § 8, 471 § 2.

SECT. 39A added, 1947, 405 (imposing a penalty on persons who offer or accept bribes in certain athletic contests and sporting events).

SECT. 40 revised, 1954, 323.

SECT. 43 added, 1941, 630 § 4 (imposing a penalty for the misuse of information relative to recipients of general public assistance, old age assistance, aid to dependent children and aid to the blind); amended, 1945, 240 § 3.

SECT. 44 added, 1950, 166 § 1 (making certain settlements and releases obtained from injured persons confined in hospitals invalid). (See 1950, 166 § 2.)

SECT. 45 added, 1952, 346 (prohibiting the charging of fees solely for the registration of prospective tenants of dwellings).

SECT. 46 added, 1953, 187 (regulating the disposal of containers used

for refrigerative purposes); revised, 1954, 191 § 1; 1958, 604; amended, 1959, 107; revised, 1959, 431 § 1. (See 1954, 191 § 2.)

SECT. 47 added, 1958, 347 (relative to reinstallation of telephones used in connection with gambling).

**Chapter 272. — Crimes against Chastity, Morality, Decency and Good Order.**

SECT. 5 revised, 1948, 137.

SECT. 9 amended, 1959, 313 § 9.

SECT. 25 revised, 1933, 376 § 4.

SECT. 26 amended, 1939, 451 § 66.

SECT. 28 amended, 1934, 231; 1943, 239.

SECT. 28 stricken out, and new sections 28–28H (relative to obscene books and other obscene matter) inserted, 1945, 278 § 1. (See 1945, 278 § 2.)

SECT. 28, sentence added at end, 1948, 328; section revised, 1959, 492 § 1.

SECT. 28A revised, 1959, 492 § 2.

SECT. 28B revised, 1959, 492 § 2; amended, 1960, 311.

SECT. 30 stricken out and sections 30 and 30A inserted, 1956, 724 § 1. (See 1956, 724 § 2.)

SECT. 35A added, 1955, 763 § 4 (providing a mandatory prison sentence for certain persons convicted of committing an unnatural act).

SECT. 43A added, 1947, 358 (providing a penalty for smoking in public conveyances).

SECT. 45 amended, 1946, 274; revised, 1947, 409; 1959, 313 § 10.

SECT. 47 amended, 1959, 313 § 11.

SECT. 48 revised, 1956, 715 § 20.

SECTS. 51 and 52 stricken out, 1957, 660 § 2. (See 1957, 660 §§ 6, 7.)

SECT. 53 revised, 1943, 377; amended, 1956, 715 § 21; revised, 1959, 304 § 1.

SECT. 62 amended, 1956, 715 § 22.

SECT. 64 amended, 1951, 119 § 1; 1956, 715 § 23; revised, 1957, 315.

SECT. 66 amended, 1939, 451 § 67; 1951, 119 § 2.

SECT. 67 amended, 1959, 313 § 12.

SECT. 69 amended, 1959, 313 § 13.

SECT. 73 revised, 1958, 352.

SECTS. 79A and 79B added, 1934, 234 § 1 (relative to the cutting of the muscles or tendons of horses' tails and to the showing or exhibiting of horses whose tails have been so cut or have been docked). (See 1934, 234 § 2.)

SECT. 79B revised, 1946, 131.

SECT. 80 repealed, 1934, 234 § 1. (See 1934, 234 § 2.)

SECT. 80C added, 1945, 272 (penalizing the unauthorized taking of cats, dogs or birds for certain purposes); sentence added at end, 1957, 298 § 6.

SECT. 80D added, 1947, 168 (regulating the sale at retail of certain living baby chicks, ducklings and other fowl).

SECT. 84 amended, 1951, 34 § 1.

SECT. 85 repealed, 1951, 34 § 2.

SECT. 85A added, 1945, 276 § 1 (relative to killing, etc., of dogs and

other domesticated animals and certain birds); first sentence amended, 1951, 185.

SECT. 90 amended, 1959, 313 § 14.

SECT. 91 amended, 1959, 313 § 15.

SECT. 92A added, 1933, 117 (preventing advertisements tending to discriminate against persons of any religious sect, creed, class, denomination or nationality by places of public accommodation, resort or amusement); second paragraph revised, 1953, 437.

SECT. 97A added, 1934, 164 (prohibiting the use of documents drawn to imitate judicial process).

SECT. 98 amended, 1934, 138; revised, 1950, 479 § 3.

SECT. 98A added, 1938, 155 § 1 (entitling blind persons accompanied by "seeing eye" dogs, so called, to certain accommodations, advantages, etc.).

SECT. 98B added, 1941, 170 (to prevent discrimination in employment on public works and projects and in the dispensing of public welfare because of race, color, religion or nationality).

SECT. 98C added, 1943, 223 (penalizing the libel of groups of persons because of race, color or religion).

SECT. 99 revised, 1959, 449 § 1.

SECT. 99A added, 1956, 48 § 1 (prohibiting wire tapping of juries or jury rooms).

SECT. 100 amended, 1956, 48 § 3; revised, 1959, 449 § 2.

SECT. 101 amended, 1956, 48 § 4.

SECT. 102 amended, 1956, 48 § 2.

SECT. 103 added, 1936, 417 (prohibiting marathon dances, other marathons or walkathons, so called).

#### **Chapter 273. — Desertion, Non-support and Illegitimacy.**

SECT. 1 amended, 1939, 177 § 1; first sentence revised, 1954, 539; amended, 1957, 49. (See 1939, 177 § 2.)

SECT. 2 amended, 1933, 224; revised, 1943, 87 § 1; amended, 1953, 319 § 31; revised, 1958, 200. (See 1943, 87 § 2; 1953, 319 §§ 39, 40.)

SECT. 4 amended, 1959, 313 § 16.

SECT. 8, sentence added at end, 1953, 505; revised, 1960, 791.

SECT. 9 repealed, 1938, 219 § 1.

SECT. 10 revised, 1938, 219 § 2.

SECT. 12A added, 1954, 232 (providing for blood grouping tests to aid in the determination of paternity).

SECT. 14, sentence added at end, 1943, 13.

SECT. 17 revised, 1953, 163.

SECTS. 20-22. See 1937, 440 § 2; 1941, 597 § 1, 729 § 2; 1943, 489 § 2; 1945, 683 § 2.

SECT. 23 added, 1959, 402 (providing a penalty for the failure by a father or mother to support a needy disabled son or daughter).

#### **Chapter 273A. — Uniform Reciprocal Enforcement Act (former title, Enforcement of the Duty to Support Dependents).**

**New chapter inserted, 1951, 657 § 1.**

**Chapter stricken out and new chapter 273A (with new title) inserted, 1954, 556 § 1. (See 1954, 556 §§ 7-10.)**

For prior changes see Table of Changes contained in Acts and Resolves of 1953.

The following references are to chapter 273A, as so inserted:

SECT. 6 revised, 1958, 239 § 1.

SECT. 9, sentence added at end, 1957, 74; 1960, 42.

SECT. 10 revised, 1958, 239 § 2.

SECT. 12 revised, 1958, 239 § 3.

SECT. 15, first and second paragraphs revised, 1957, 110 § 1.

SECT. 15A added, 1957, 110 § 2 (excusing petitioners in proceedings under the uniform reciprocal enforcement of support act from payment of entry fees and costs in certain cases).

#### **Chapter 274. — Felonies, Accessories and Attempts to Commit Crimes.**

SECT. 4 revised, 1943, 488 § 1. (See 1943, 488 §§ 2, 3.)

#### **Chapter 275. — Proceedings to Prevent Crimes.**

SECT. 1 amended, 1959, 313 § 17.

SECT. 8 amended, 1959, 313 § 18.

SECT. 15 repealed, 1932, 180 § 42.

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SECT. 1, first paragraph amended, 1934, 303 § 2; clause Sixth amended, 1943, 508 § 5; clause Eleventh amended, 1934, 235 § 1; clause Sixteenth added, 1947, 93.

SECT. 1A added, 1955, 272 § 1 (providing for the issuance of search warrants for books, records and material belonging to subversive organizations). (See 1955, 272 § 2.)

SECT. 2 amended, 1959, 313 § 19.

SECT. 3 amended, 1934, 340 § 15; 1957, 660 § 3. (See 1934, 340 § 18; 1957, 660 §§ 6, 7.)

SECT. 3A added, 1934, 247 (concerning the service of search warrants).

SECT. 7 amended, 1934, 235 § 2; 1957, 660 § 4. (See 1957, 660 §§ 6, 7.)

SECT. 8 amended, 1959, 313 § 20.

SECT. 9 amended, 1947, 359.

SECTS. 10A-10D added, under caption, 1937, 208 § 1 (making uniform the law as to extraterritorial arrest on fresh pursuit and authorizing this commonwealth to co-operate with other states in connection therewith). (See 1937, 208 § 2.)

SECTS. 11-20 and caption "FUGITIVES FROM JUSTICE" stricken out and new sections 11-20R inserted, under caption "PROCEDURE ON INTERSTATE RENDITION", 1937, 304 § 1. (See 1937, 304 §§ 2, 3.)

SECT. 21 amended, 1953, 319 § 32. (See 1953, 319 §§ 39, 40.)

SECT. 22 amended, 1959, 313 § 21.

SECT. 28 amended, 1949, 184.

SECT. 33A added, 1945, 205 (providing that certain persons held in custody shall be permitted to communicate by telephone with relatives

and others); amended, 1946, 277; sentence added at end, 1958, 113; section revised, 1960, 269.

SECT. 34 amended, 1959, 313 § 22.

SECT. 37A added, 1932, 180 § 43 (relative to the assignment of counsel to appear, on behalf of a person accused of a capital crime, at his preliminary examination); amended, 1959, 313 § 23. [For prior legislation, see G. L. chapter 277 §§ 48, 49, repealed by 1932, 180 § 44.]

SECT. 44 amended, 1959, 313 § 24.

SECT. 52A added, 1943, 131 (providing that persons held in jail for trial may be removed in certain cases to a jail in another county).

SECT. 57, first paragraph amended, 1953, 319 § 33; sentence added at end of second paragraph, 1943, 330; same paragraph revised, 1945, 235; paragraph added at end, 1939, 299 § 4. (See 1953, 319 §§ 39, 40.)

SECT. 61 amended, 1959, 313 § 25.

SECT. 79 amended, 1959, 313 § 26.

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SECT. 83A added, 1941, 677 § 1 (providing that certain district courts may join in the appointment of probation officers to act exclusively in juvenile cases therein); first paragraph amended, 1947, 566 § 2; revised, 1947, 655 § 1; amended, 1951, 563 § 1; stricken out and two paragraphs inserted, 1956, 731 § 14; paragraph added at end, 1951, 563 § 2. (See 1947, 655 § 3; 1956, 731 §§ 29-33.)

SECT. 83B added, 1947, 655 § 2 (providing for the appointment of probation officers to act exclusively in juvenile cases in certain district courts in Suffolk county); repealed, 1949, 783 § 2. (See 1947, 655 § 3; 1949, 783 § 4.)

SECTS. 83C-83F added, 1948, 640 § 1 (further regulating the compensation of certain probation officers of the district courts in Suffolk county, other than the municipal court of the city of Boston, and of the Boston juvenile court); repealed, 1949, 783 § 2. (See 1949, 783 § 4.)

SECT. 84 revised, 1937, 219 § 5; 1939, 214 § 7.

SECT. 85, sentence inserted after first sentence, 1950, 145 § 1; section amended, 1956, 731 § 15. (See 1956, 731 §§ 29-33.)

SECT. 87 amended, 1941, 264 § 2; 1955, 763 § 1.

SECT. 88, paragraph added at end, 1956, 731 § 16. (See 1956, 731 §§ 29-33.)

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SECT. 90 amended, 1938, 174 § 3.

SECT. 94 amended, 1939, 155; revised, 1939, 296 § 2; last sentence amended, 1947, 82. (See 1939, 296 § 3.)

SECT. 97 revised, 1941, 677 § 2; amended, 1956, 731 § 18. (See 1956, 731 §§ 29-33.)

SECT. 98 amended, 1932, 145; caption stricken out and section revised, 1956, 731 § 19. (See 1956, 731 §§ 29-33.)

SECT. 99, sentence inserted after third sentence, 1952, 348; section revised, 1956, 731 § 20. (See 1956, 731 §§ 29-33.)

SECT. 99A added, 1956, 731 § 21 (establishing a committee on probation). (See 1956, 731 §§ 29-33.)

SECT. 100 amended, 1943, 64; 1953, 319 § 34; revised, 1956, 731 § 22. (See 1953, 319 §§ 39, 40; 1956, 731 §§ 29-33.)

SECT. 101 amended, 1936, 30 § 1; revised, 1956, 731 § 23. (See 1936, 30 § 2; 1956, 731 §§ 29-33.)

SECT. 101A added, 1947, 364 § 1 (providing for uniform forms of blanks and records for use by district court probation offices); revised, 1956, 731 § 24. (See 1956, 731 §§ 29-33.)

SECT. 102 amended, 1947, 364 § 2; 1956, 731 § 25. (See 1956, 731 §§ 29-33.)

SECT. 103 revised, 1956, 731 § 26. (See 1956, 731 §§ 29-33.)

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SECT. 58A added, 1943, 311 § 1 (relative to the venue of the crime of buying, receiving or aiding in the concealment of stolen or embezzled property). (See 1943, 311 § 2.)

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SECT. 65 amended, 1936, 161 § 2. (See 1936, 161 § 3.)

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SECTS. 28A–28D added, 1943, 558 § 1 (establishing in the superior court an appellate division for the review of certain sentences in criminal cases). (See 1943, 558 § 2.)

SECT. 28A revised, 1945, 255 § 1. (See 1945, 255 § 4.)

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SECT. 28C amended, 1945, 255 § 3; 1955, 770 § 91; revised, 1957, 777 § 36. (See 1945, 255 § 4; 1955, 770 §§ 117, 123.)

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SECT. 29A added, 1959, 167 § 1 (permitting any district court to revise or revoke a sentence imposed without trial after a plea of guilty or nolo contendere). (See 1959, 167 § 2.)

SECT. 30A added, 1954, 528 (providing for interlocutory reports to the supreme judicial court in criminal cases).

SECT. 31, second sentence revised, 1953, 384.

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SECT. 48 revised, 1951, 515; amended, 1955, 770 § 111; revised, 1957, 777 § 44. (See 1955, 770 §§ 117, 123.)

SECT. 50 amended, 1955, 770 § 112; revised, 1956, 731 § 27; 1957, 777 § 45. (See 1955, 770 §§ 117, 123; 1956, 731 §§ 29-33.)

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## The Commonwealth of Massachusetts

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OFFICE OF THE SECRETARY, BOSTON, MARCH 10, 1961.

I hereby certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws and the index have been prepared, and are printed as an appendix to this edition of the laws, under the direction of the Committees on Rules of the two branches of the General Court, in accordance with the provisions of section 51 of chapter 3 of the General Laws.

KEVIN H. WHITE,  
*Secretary of the Commonwealth.*

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