ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1961

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

KEVIN H. WHITE

Secretary of the Commonwealth



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ACTS AND RESOLVES

OF

MASSACHUSETTS

1961

☞ The General Court, which was chosen November 8, 1960, assembled on Wednesday, the fourth day of January, 1961, for its first annual session.

The oaths of office were taken and subscribed by His Excellency JOHN A. VOLPE and His Honor EDWARD F. MCLAUGHLIN, JR., on Thursday, the fifth day of January, in the presence of the two Houses assembled in convention.

ACTS

Chap. 1. AN ACT PROHIBITING THE ISSUANCE OF LICENSES TO HOLD RACING MEETINGS AT WHICH THE PARI-MUTUEL SYSTEM OF WAGERING IS PERMITTED AT CERTAIN LOCATIONS WITHIN TWO MILES OF CHURCHES, SCHOOLS OR HOUSING DEVELOPMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to prohibit without delay the issuance of licenses to hold certain racing meetings at certain locations in the vicinity of churches, schools or housing developments, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 3 of chapter 128A of the General Laws is hereby amended by inserting after clause (*o*) the following clause: —

(*p*) No license shall be issued to permit a racing meeting to be held or conducted at any location within two miles of a church, school or housing development; provided, however, that this clause shall not apply to the issuance of a license to hold or conduct a racing meeting at any location at which a racing meeting had been held or conducted, pursuant to a license issued under the provisions of this chapter, prior to January first, nineteen hundred and sixty-one.

As used in this clause the word "church" shall mean a church or synagogue building or chapel, dedicated to divine worship and regularly used for that purpose, the word "school" shall mean a recognized elementary, secondary or high school, public or private, and the words "housing development" shall mean multiple housing accommodations erected in whole or in part with funds provided by the commonwealth, by any county, city or town, or by the United States or any agency thereof.

Approved January 26, 1961.

Chap. 2. AN ACT RELATIVE TO APPROPRIATIONS BY THE TOWN OF ORLEANS FOR MUNICIPAL ADVERTISING.

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty of the acts of nineteen hundred and fifty-eight is hereby repealed.

SECTION 2. The town of Orleans may appropriate annually a sum not exceeding three thousand dollars for the purpose of advertising and promoting the advantages of said town, and for the erection and maintenance of information booths therein. The money so appropriated shall be expended under the direction of the board of selectmen.

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

Approved January 27, 1961.

Chap. 3. AN ACT INCREASING THE AMOUNT THE TOWN OF NANTUCKET MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 139 of the acts of 1937, as most recently amended by section 1 of chapter 295 of the acts of 1952, is hereby further amended by striking out, in line 3, the word "twenty", and inserting in place thereof the word: — thirty, — so as to read as follows: — *Section 1.* The town of Nantucket may, by a majority vote, appropriate each year a sum not exceeding thirty thousand dollars for advertising the advantages of the town and 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 January 27, 1961.

Chap. 4. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF EASTHAM MAY APPROPRIATE FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Eastham may, by a majority vote, appropriate each year a sum not exceeding twelve hundred dollars for advertising the advantages of the town and 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. Chapter one hundred and fifty-four of the acts of nineteen hundred and fifty is hereby repealed.

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

Approved January 27, 1961.

Chap. 5. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF DENNIS MAY SPEND FOR ADVERTISING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Dennis 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 the town shall be expended under the direction of the board of selectmen.

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

Approved January 27, 1961.

Chap. 6. AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO USE THE UNEXPENDED BALANCE OF A CERTAIN LOAN FOR THE PURPOSE OF INSTALLING WATER MAINS OF LESS THAN SIXTEEN INCHES IN DIAMETER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of Falmouth is hereby

authorized to appropriate, for the purpose of installing or extending water mains of not less than six inches but less than sixteen inches in diameter, the unexpended balance of seventy-three thousand ninety-one dollars and twenty-nine cents remaining from a loan issued by said town under the provisions of clause (6) of section eight of chapter forty-four of the General Laws for constructing and laying water mains of sixteen inches or more in diameter.

SECTION 2. Any appropriation voted by said town at its annual town meeting in the year nineteen hundred and sixty-one, 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 January 27, 1961.

Chap. 7. AN ACT TO INCREASE THE AMOUNT THE TOWN OF FALMOUTH IS AUTHORIZED TO APPROPRIATE FOR THE PURPOSES OF ADVERTISING THE ADVANTAGES OF THE TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 149 of the acts of 1911, as amended by section 1 of chapter 212 of the acts of 1951, 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: — *Section 1.* The town of Falmouth is hereby authorized to appropriate annually a sum of money not exceeding five thousand five hundred dollars, for the purpose of promoting the interests of the town by advertising its attractions, advantages and other matters tending to advance the interests of the town.

SECTION 1A. Any appropriation voted by said town at its annual town meeting in the year nineteen hundred and sixty-one, 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 2. This act shall take effect upon its passage.

Approved January 27, 1961.

Chap. 8. AN ACT TO EXTEND THE TIME WITHIN WHICH COUNTIES, CITIES, TOWNS AND DISTRICTS MAY INCUR DEBT TO SECURE THE BENEFITS PROVIDED BY THE FEDERAL GOVERNMENT TO ASSIST THEM IN PUBLIC WORKS PROJECTS.

Be it enacted, etc., as follows:

Section 6 of chapter 74 of the acts of 1945, as most recently amended by chapter 106 of the acts of 1959, is hereby further amended by striking out, in lines 3 and 4, the word "sixty-one" and inserting in place thereof the word: — sixty-three, — so as to read as follows: — *Section 6.* Loans by counties, cities, towns and districts may be authorized under the provisions of this act until July first, nineteen hundred and sixty-three.

Approved January 27, 1961.

Chap. 9. 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 chapter 35 of the acts of 1960, 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 sixty may be made not later than October first, nineteen hundred and sixty-one, notwithstanding any provision of law to the contrary.

Approved January 27, 1961.

Chap. 10. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO MAKE CERTAIN EXPENDITURES IN ANTICIPATION OF THE COUNTY APPROPRIATION ACT FOR THE CURRENT YEAR FOR THE PURPOSE OF EFFECTING ADJUSTMENTS IN THE SALARIES OF CERTAIN DISTRICT COURT JUSTICES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of chapter thirty-five of the General Laws, the county commissioners of Worcester county, shall, 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 second district court of southern Worcester, the justice of the third district court of southern Worcester and the justice of the second district court of eastern Worcester, as provided in chapters seven hundred and five, seven hundred and forty-six and seven hundred and ninety-six of the acts of nineteen hundred and sixty, respectively, and any money so expended shall be included in the appropriation for the current year for said county.

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

Approved February 1, 1961.

Chap. 11. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO MAKE CERTAIN EXPENDITURES IN ANTICIPATION OF THE COUNTY APPROPRIATION ACT FOR THE CURRENT YEAR FOR THE PURPOSE OF EFFECTING AN ADJUSTMENT IN THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF MARLBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of chapter thirty-five of the General Laws, the county commissioners of Middlesex county may, on and after January first in the current year, expend from any available funds such sums as may be necessary to effect an adjustment in the salary of the justice of the district court of Marlborough, as provided in chapter seven hundred and forty-five of the

acts of nineteen hundred and sixty, and any money so expended shall be included in the appropriation for the current year for said county.

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

Approved February 1, 1961.

Chap. 12. AN ACT INCREASING THE AMOUNT AND TERM OF INDEBTEDNESS A CITY OR TOWN MAY INCUR FOR HOUSING, REDEVELOPMENT AND RENEWAL PROJECTS.

Be it enacted, etc., as follows:

Section 26CC of chapter 121 of the General Laws, as most recently amended by section 2 of chapter 613 of the acts of 1957, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Such debt may be outside the limit of indebtedness prescribed in section ten of chapter forty-four, and shall be payable within twenty years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four; provided, that the total amount of such indebtedness of any city or town outstanding at any one time shall not exceed two and one-half per cent of the average of the assessors' valuations of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of chapter forty-four. *Approved February 1, 1961.*

Chap. 13. AN ACT FURTHER REGULATING THE USE OF FUNDS RECEIVED BY THE CITY OF BOSTON THROUGH ITS MAINTENANCE OF CEMETERIES.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting by its collector-treasurer, shall set up and maintain as a fund, separate from all other money and accounts of said city, all sums hereafter received by the city in the management of cemeteries owned by it or in its charge, excluding deposits for perpetual care but including proceeds from the sales of lots or rights of burial, charges paid for the opening of graves, the construction of monument foundations, and the use of cemetery facilities and devices, and interest and income from the investment of said fund. Said fund shall be placed at interest or invested by said collector-treasurer in conformity with section fifty-four of chapter forty-four of the General Laws notwithstanding the provisions of the last sentence thereof. Said city, acting as aforesaid, shall forthwith transfer to said fund all moneys now held under chapter one hundred and seventeen of the acts of nineteen hundred and thirteen, including all unappropriated income therefrom. Annually or oftener sums may be appropriated out of said fund pursuant to the provisions of section three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine to defray in whole or in part so much of the expenses of maintaining, improving and embellishing said cemeteries as is not met by the income of deposits for perpetual care.

SECTION 2. Chapter one hundred and seventeen of the acts of nineteen hundred and thirteen is hereby repealed.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter.

Approved February 1, 1961.

Chap. 14. AN ACT PLACING CERTAIN OFFICES AND POSITIONS IN THE TOWN OF TEWKSBURY UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter thirty-one of the General Laws shall apply to the following offices and positions in the town of Tewksbury wherever such offices and positions are on a full-time basis; wire inspector; building inspector; clerical positions in the selectmen's office; bookkeeper and custodial positions in the school department; positions in the classified official and classified labor services in the water department, including superintendent; positions in the classified official and classified labor services in the highway department, including superintendent; clerical positions in the tax collector's office; positions in the classified labor service in the tree department, and custodial positions in the town hall. The tenure of office of the permanent incumbents on the effective date of this act of any such offices or positions shall be unlimited subject, however, to the provisions of the civil service laws and rules, provided, that the incumbent of any such office or position in the classified official service on said effective date shall be subjected by the division of civil service to a qualifying examination, 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 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-one, entitled 'An Act placing certain offices and positions in the town of Tewksbury under the civil service laws and rules', 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.

If this act is not accepted at said town meeting, it shall be again submitted for acceptance to the voters of said town at the annual town meeting to be held in the year nineteen hundred and sixty-two, and if it is not accepted at said annual town meeting, it shall be again submitted for acceptance to the voters of said town at the annual town meeting to be held in the year nineteen hundred and sixty-three.

Approved February 2, 1961.

Chap. 15. AN ACT ESTABLISHING MINIMUM ANNUAL SALARIES FOR FIRE FIGHTERS AND UNIFORMED SUPERIORS OF THE FIRE DEPARTMENT OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

SECTION 1. The officers and members of the fire department of the town of Randolph shall receive such annual salary as shall from time to time be fixed by the town manager and personnel board of the town; provided, however, that the chief of the department shall receive an annual salary of not less than seven thousand six hundred and sixty-five dollars, a deputy chief an annual salary of not less than six thousand

eight hundred and seventy-seven dollars, a captain an annual salary of not less than six thousand one hundred and seventy-seven dollars, a lieutenant an annual salary of not less than five thousand eight hundred and twenty-seven dollars, and a fire fighter an annual salary of not less than five thousand dollars to start, five thousand one hundred and twenty-five dollars after six months of service, five thousand two hundred and fifty dollars after twelve months of service, five thousand three hundred and seventy-five dollars after eighteen months of service, and fifty-five hundred dollars after the second year of service.

SECTION 2. This act shall be submitted to the voters of the town of Randolph 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 fire fighters of the town of Randolph, who now receive a yearly salary of four thousand four hundred dollars to start, four thousand five hundred and fifty dollars after six months' service, four thousand seven hundred dollars after one year's service, four thousand eight hundred and fifty dollars after eighteen months' service and five thousand dollars after two years' service, receive an increase so that they shall receive a minimum yearly salary of five thousand dollars to start, five thousand one hundred and twenty-five dollars after six months' service, five thousand two hundred and fifty dollars after one year's service, five thousand three hundred and seventy-five dollars after eighteen months' service, and five thousand five hundred dollars after two years' service; with salary increases of at least five hundred dollars for their uniformed superiors?" If a majority of votes in answer to said question is in the affirmative, then this act shall take full effect as of the first Thursday of January, nineteen hundred and sixty-one, but not otherwise.

Approved February 2, 1961.

Chap. 16. AN ACT PROVIDING FOR A FIVE DAY AND FORTY HOUR WORK WEEK FOR MEMBERS OF THE POLICE FORCE OF THE TOWN OF HOLBROOK.

Be it enacted, etc., as follows:

Notwithstanding any provisions of any general or special law to the contrary, there shall be printed on the official ballot to be used for the election of town officers by the town of Holbrook at the annual town meeting in the current year the following question: — "Shall the town of Holbrook accept the provisions of section seventeen B of chapter one hundred and forty-seven of the General Laws, which provides that the services of all regular or permanent police officers of every city and town which accepts said section shall be restricted to five days and to forty hours in any one week, except that service in excess of said days and hours may be authorized and additional compensation paid for such additional service?" If a majority of the votes in answer to said question is in the affirmative, said section seventeen B shall be effective in said town of Holbrook, but not otherwise.

Approved February 2, 1961.

Chap. 17. AN ACT PROVIDING LIFE TENURE FOR RAYMOND P. DAIGLE, EUGENE J. PAQUETTE AND CHARLES K. PANAGEOTOPOULOS, INCUMBENTS OF THE OFFICE OF SERGEANT OF POLICE OF THE TOWN OF DRACUT.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Raymond P. Daigle, Eugene J. Paquette and Charles K. Panageotopoulos, incumbents of the office of sergeant of police of the town of Dracut, shall, upon the effective date of this act, be unlimited. Said incumbents shall not be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given them in writing by the board of selectmen.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Dracut 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-one, entitled 'An Act providing life tenure for Raymond P. Daigle, Eugene J. Paquette and Charles K. Panageotopoulos, incumbents of the office of sergeant of police of the town of Dracut', 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 2, 1961.

Chap. 18. AN ACT AUTHORIZING THE SECRETARY OF THE COMMONWEALTH TO ADMINISTER OATHS REQUIRED TO QUALIFY A PERSON CHOSEN OR APPOINTED TO AN OFFICE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30 of the General Laws is hereby amended by striking out section 11, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 11.* A person chosen or appointed to an office may, unless otherwise provided by law, take and subscribe the oaths required to qualify him before the governor, lieutenant governor, secretary of the commonwealth, two councillors or two commissioners appointed under section three of chapter two hundred and twenty-two.

SECTION 2. Section 3 of chapter 222 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 6, the words ", acting as such a commissioner" and inserting in place thereof the words: — acting as such a commissioner, — so as to read as follows: — *Section 3.* The governor, with the advice and consent of the council, shall appoint commissioners to administer to public officers the oaths of office required by the constitution. Upon administering such oaths, the commissioners shall forthwith make return thereof, with the date of the same, to the state secretary. Neither the state secretary, nor any officer or employee in his department acting as such a commissioner, shall charge any fee for administering such an oath.

Approved February 6, 1961.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, FEBRUARY 6, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 18 of the Acts of 1961, entitled, "An Act Authorizing the Secretary of the Commonwealth to Administer Oaths Required to Qualify a Person Chosen or Appointed to an Office" and the enactment of which received my approval on February 6, 1961, 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 Secretary of the Commonwealth in administering oaths required to qualify a person chosen or appointed to an office.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, FEBRUARY 6, 1961.

I, Kevin H. White, 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 eighteen of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 19. AN ACT PROVIDING TENURE FOR CHARLES S. GOODRIDGE, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF SALISBURY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Charles S. Goodridge, incumbent of the office of chief of police of the town of Salisbury, 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 in writing by the board of selectmen in the manner provided in 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 Salisbury present and voting thereon at an annual town meeting. *Approved February 7, 1961.*

Chap. 20. AN ACT AUTHORIZING CITIES AND TOWNS TO MAKE APPROPRIATIONS FOR THE PAYMENT OF EXPENSES INCURRED BY CERTAIN MUNICIPAL OFFICERS AND EMPLOYEES IN ATTENDING SCHOOLS CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION FOR THE TRAINING OF LOCAL POLICE OFFICERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith cities and towns to make appropriations for the payment of expenses incurred by certain municipal officers and employees in attending schools conducted by the Federal Bureau of Investigation for the training of local police officers, 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:

Clause (34) of section 5 of chapter 40 of the General Laws, as amended by chapter 149 of the acts of 1951, is hereby further amended by inserting after the word "safety", in line 7, the words: — and attendance at schools conducted by the Federal Bureau of Investigation for the training of local police officers, — so as to read as follows: —

(34) For the necessary expenses of municipal officers and employees of any particular department incurred outside the commonwealth in securing information upon matters in which the city or town is interested or which may tend to improve the service in such department, including attendance at state police schools conducted by the department of public safety and attendance at schools conducted by the Federal Bureau of Investigation for the training of local police officers, if such appropriation is specified to be and is limited to such expenses incurred as aforesaid. Such expenses may also be incurred anywhere within the commonwealth and in such case shall be chargeable against any appropriation made for the ordinary maintenance of the department incurring the same.

Approved February 7, 1961.

Chap. 21. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF FAIRHAVEN AND AUTHORIZING EXPENDITURES IN ACCORDANCE THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. The vote of the town of Fairhaven passed October first, nineteen hundred and sixty appropriating the sum of two hundred and forty-five thousand dollars for remodelling, reconstruction, renovating or for making extensive or extraordinary repairs to public school buildings and authorizing the sum of two hundred and twenty-seven thousand dollars thereof to be borrowed is hereby validated and confirmed; and said appropriation may be expended by the town and said sum borrowed in accordance with said vote.

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

Approved February 7, 1961.

Chap. 22. AN ACT TO PROVIDE LIFE TENURE FOR JAMES V. KING, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF MAYNARD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of James V. King, incumbent of the office of town accountant of the town of Maynard, 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 be submitted for acceptance by 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 current year, entitled 'An Act to provide life tenure for James V. King, incumbent of the office of town accountant of the town of Maynard', be accepted?" If a majority of votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise. *Approved February 7, 1961.*

Chap. 23. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF HIGHWAY SURVEYOR OF THE TOWN OF HALIFAX.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of highway surveyor of the town of Halifax shall, upon the effective date of this act, be unlimited, but he may be removed therefrom 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 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-one, entitled 'An Act providing life tenure for the incumbent of the office of highway surveyor of the town of Halifax', 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 7, 1961.

Chap. 24. AN ACT PROVIDING LIFE TENURE FOR THE 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 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 for just cause and for reasons specifically given him in writing by the board of select-

men 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 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-one, entitled 'An Act providing life tenure for the 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 7, 1961.

Chap. 25. AN ACT PROVIDING LIFE TENURE FOR ERNEST W. BELL, CHIEF OF POLICE OF THE TOWN OF SWANSEA.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Ernest W. Bell, incumbent of the office of chief of police of the town of Swansea, 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 be submitted for acceptance to the voters of said town 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-one, entitled 'An Act providing life tenure for Ernest W. Bell, chief of police of the town of Swansea', 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 7, 1961.

Chap. 26. AN ACT PROVIDING LIFE TENURE FOR CHARLES F. ABELL, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF PARKS AND PLAYGROUNDS OF THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Charles F. Abell, incumbent of the office of superintendent of parks and playgrounds of the town of Braintree 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 of the town meeting members of said town at an annual town meeting. *Approved February 7, 1961.*

Chap. 27. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF HALIFAX.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of chief of police in the town of Halifax 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.

SECTION 2. This act shall be submitted for acceptance to the voters of said town 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-one, entitled 'An Act providing life tenure for the incumbent of the office of chief of police of the town of Halifax', 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 7, 1961.*

Chap. 28. AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF MONTEREY OF A QUESTION RELATIVE TO THE ADOPTION OF CERTAIN ZONING BY-LAWS.

Be it enacted, etc., as follows:

SECTION 1. At the annual town meeting in the town of Monterey to be held in the current year or at any special meeting held in the current year, there shall be submitted to the voters of said town the following question, which shall be placed upon the official ballot to be used for the election of town officers at said annual town meeting or a ballot which shall be used at such special meeting: — "Shall zoning by-laws be adopted in this town, in accordance with the final report of the planning board on file with the town clerk?"

SECTION 2. If a majority of the voters voting on said question vote in the affirmative, said zoning by-laws shall be deemed to be adopted in the town of Monterey. *Approved February 7, 1961.*

Chap. 29. AN ACT TO PROVIDE TENURE FOR FRED R. LANE, INCUMBENT OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF MANCHESTER.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Fred R. Lane, incumbent of the office of town accountant of the town of Manchester, 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 be submitted to the voters of said town for acceptance at the 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 to provide tenure for Fred R. Lane, incumbent of the office of town accountant of the town of Manchester', 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 7, 1961.

Chap. 30. AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE CITY OF LYNN UNDER THE CIVIL SERVICE LAWS AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of the fire department of the city of Lynn 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 and rules.

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 February 8, 1961.*

Chap. 31. AN ACT PROVIDING FOR THE CONSTRUCTION OF A SEA WALL FOR THE PURPOSE OF PROTECTING THE SHORE OF THE TOWN OF HULL FROM FLOOD AND EROSION BY THE SEA.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the protection of the residents of the town of Hull by the construction of a sea wall along the shore of said town, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, acting through its division of waterways, is hereby authorized and directed to construct a sea wall for the purpose of protecting the shore of the town of Hull from flood and erosion by the sea. Said department may use any available funds for said purposes.

SECTION 2. No work shall be begun until the town of Hull 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 town the sum of one hundred and thirty-six thousand dollars which shall represent said town's share for the work to be done under this act.

SECTION 3. For the purpose of meeting the payment required to be made by the town of Hull under this act, said town may borrow, from time to time, within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred and thirty-six thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Hull Sea Wall and Flood Control Loan, Act of 1961. 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 within the statutory limit and shall 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 February 9, 1961.

Chap. 32. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF HIGHWAY SUPERINTENDENT OF THE TOWN OF BURLINGTON.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of highway superintendent of the town of Burlington 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 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-one, entitled 'An Act providing life tenure for the incumbent of the office of highway superintendent of the town of Burlington', 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 9, 1961.

Chap. 33. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF WENHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Edward A. Haraden, the incumbent of the office of chief of police of the town of Wenham, shall be unlimited, but he may be removed therefrom, lowered in rank or compensation or transferred upon the revocation of the acceptance of this act, in the manner provided by section two, or for cause after hearing 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 town 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 on the ballot to be used for the election of town officers at the next annual town meeting in the form of the following question: — "Shall the acceptance by the town of Wenham of an act passed by the General Court in the year nineteen hundred and sixty-one, entitled 'An Act providing life tenure for the incumbent of the office of chief of police of the town of Wenham', be revoked?" If such revocation is favored by a majority of the voters voting thereon by ballot, the acceptance of said act shall be revoked and said 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 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-one, entitled 'An Act providing life tenure for the incumbent of the office of chief of police of the town of Wenham', 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 9, 1961.

Chap. 34. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO PURCHASE CERTAIN NAVIGATIONAL AND RADIO AIDS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized to purchase navigational and radio aids for the Barnstable county patrol plane. For said purpose said commissioners may expend out of any available funds the sum of fifteen hundred dollars, which sum shall be included in the appropriation for the current year for said county.

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

Approved February 9, 1961.

Chap. 35. AN ACT PROVIDING THAT THE QUESTION OF ACCEPTANCE OF THE LAW ESTABLISHING A MINIMUM ANNUAL COMPENSATION FOR POLICE OFFICERS BE PLACED ON THE BALLOT IN THE TOWN OF BILLERICA IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section one hundred and eight E of chapter forty-one of the General Laws to the contrary the question of acceptance of said section shall be placed on the official ballot to be used at the annual town election in the town of Billerica in the current year and the provisions of section fifty-eight A of chapter fifty-four of the General Laws shall apply thereto.

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

Approved February 9, 1961.

Chap. 36. AN ACT INCREASING THE AMOUNT OF MONEY THE TOWN OF WELLFLEET MAY APPROPRIATE FOR ADVERTISING AND PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Wellfleet may appropriate annually a sum not exceeding three thousand dollars for the purpose of advertising and promoting the advantages of the town, and for information booths and for providing amusements or entertainment of a public character; provided, however, that as to each such appropriation a sum at least equal to the amount thereof shall previously have been contributed by public subscription, or by donation or legacy, and paid into the town treasury to be expended for the aforesaid purposes. The money so appropriated and so contributed shall be expended under the direction of the selectmen.

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

Approved February 9, 1961.

Chap. 37. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO RESTORE THE FEARING HOUSE, SO CALLED, AND TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to expend a sum not exceeding twenty-five thousand dollars for the restoration of the Fearing House, so called, owned by said town. Upon restoration said house shall be preserved and maintained by said town as an ancient landmark, possessing historical and antiquarian interest.

SECTION 2. For the purposes of this act, the town of Wareham 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, twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Wareham Fearing House Restoration Loan, Act of 1961. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. 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 3. Notwithstanding any provision of law to the contrary, the selectmen of said town shall deposit with the town treasurer all moneys received from admission fees charged visitors to the Fearing House, so called, from the sale of souvenirs and other articles thereat, and such deposits shall be set up in a separate account to be known as Receipts from Fearing House. Said fund shall be held, subject to appropriation by the town meeting, for the purpose of paying debt and interest charges incurred under this act and for maintaining and operating the house.

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

Approved February 9, 1961.

Chap. 38. AN ACT AUTHORIZING THE TOWNS OF ABINGTON, ROCKLAND AND WHITMAN TO APPROPRIATE MONEY FOR THE CELEBRATION OF THE TWO HUNDRED AND FIFTIETH ANNIVERSARY OF THE TOWN OF ABINGTON.

Be it enacted, etc., as follows:

SECTION 1. The towns of Abington, Rockland and Whitman are each hereby authorized to raise by taxation and to appropriate such sums of money as may be authorized by a majority vote of the voters of each town voting thereon at the annual town meeting of each town, in the years nineteen hundred and sixty-one and nineteen hundred and sixty-two for the celebration in the year nineteen hundred and sixty-two of the two hundred and fiftieth anniversary of the incorporation of the town of Abington, which comprised the present towns of Abington, Rockland and Whitman, and for publishing the proceedings of such celebration.

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

Approved February 9, 1961.

Chap. 39. AN ACT PROVIDING UNLIMITED TENURE FOR THE REGULAR OR PERMANENT MEMBERS OF THE POLICE FORCE OF THE TOWN OF TEWKSBURY, EXCEPT THE CHIEF THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the regular or permanent members of the police force of the town of Tewksbury, except the chief thereof, shall, upon the effective date of this act, be unlimited, but any such member may be removed from said department 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 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-one, entitled 'An Act providing unlimited tenure for the regular or permanent members of the police force in the town of Tewksbury, except the chief thereof', 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 9, 1961.*

Chap. 40. AN ACT TO PROVIDE A LARGER APPROPRIATION FOR THE FINANCE COMMISSION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 20 of chapter 486 of the acts of 1909, as most recently amended by chapter 175 of the acts of 1948, is hereby further amended by striking out, in line 6 and in line 10, the word "fifty-five" and inserting in place thereof, in each instance, the word: — sixty-five.

Approved February 9, 1961.

Chap. 41. AN ACT RELATIVE TO THE RESERVES OF BANKING COMPANIES.

Be it enacted, etc., as follows:

Section 10 of chapter 172A of the General Laws is hereby amended by striking out the second sentence, as appearing in section 4 of chapter 452 of the acts of 1935, and inserting in place thereof the following sentence: — Such reserve shall consist of actual cash, bonds or other obligations of the United States computed at their fair market value, and deposits payable on demand due from any trust company in the commonwealth which is a member of the Federal Reserve System or Federal Deposit Insurance Corporation, or from any national banking association doing business either in this commonwealth or in the city of New York, Philadelphia or Chicago, or from the Federal Reserve Bank of Boston.

Approved February 9, 1961.

Chap. 42. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO REPLACE WITHOUT A FEE OPERATORS' LICENSES OF MEN IN THE MILITARY SERVICE, WHICH LICENSES HAVE BEEN LOST OR MUTILATED.

Be it enacted, etc., as follows:

Section 23A of chapter 708 of the acts of 1941, as amended by chapter 507 of the acts of 1955, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:—

If the license of such person is lost or mutilated, a duplicate or replacement thereof shall be furnished by the registrar of motor vehicles without fee and upon presentation of the evidence aforesaid.

Approved February 9, 1961.

Chap. 43. AN ACT PROVIDING A PENALTY FOR REFUSING TO FURNISH CERTAIN INFORMATION TO INSPECTORS OF THE DEPARTMENT OF LABOR AND INDUSTRIES.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 79, as amended by chapter 291 of the acts of 1954, and inserting in place thereof the following section: — *Section 79.* Any person who hinders or delays any authorized inspector or supervisor of attendance in the performance of his duties, or who refuses to admit to or locks out any such inspector or supervisor from any place which such inspector or other authorized representative of the department or supervisor is authorized to inspect, or who refuses to give to such inspector or other authorized representative of the department or supervisor such information as may be required for the proper enforcement of the provisions of, or any rule or regulation adopted under this chapter shall be punished by a fine of not less than twenty-five nor more than two hundred dollars or by imprisonment for not more than two months, or both.

Approved February 9, 1961.

Chap. 44. AN ACT RESTRICTING THE HOURS OF EMPLOYMENT OF WOMEN IN BEAUTY CULTURE, WEIGHT REDUCING OR OTHER SIMILAR ESTABLISHMENTS.

Be it enacted, etc., as follows:

Section 56 of chapter 149 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 196 of the acts of 1948, and inserting in place thereof the following sentence: — No child and no woman shall be employed or permitted to work in, or in connection with, any factory or workshop, or any manufacturing, mercantile or mechanical establishment, telegraph office or telephone exchange, or any express or transportation company, or any private club, or any office, letter shop or financial institution, or any laundry, hotel, manicuring or hair dressing establishment, or any motion picture or other theatre or any other place of amusement, or any garage, or any hospital in a non-professional capacity, or in any beauty culture, weight reducing or other similar establishment, or be employed as an elevator operator, or as a switchboard operator in a private exchange, more than nine hours in any one day, and, except as to transportation or telephone companies, and except as to hotels, private clubs and places of amusement where the employment is determined by the department to be by seasons, and except as to hotels where meals are served only during three separate periods totalling not more than seven hours in any one day and the employment is connected with the serving of said meals, if the work so performed by such a child or woman in one day is not continuous, but is divided into two or more periods, the work of such child or woman shall be so arranged that all such periods of work shall fall within a period of not exceeding ten consecutive hours, except that in the case of mercantile establishments such periods of work may fall within a period of not exceeding eleven and one half consecutive hours during a total of not more than seven days in any calendar year of which six shall be six week-days within a period of four weeks immediately preceding Christmas, and the seventh the Saturday immediately preceding Easter, except that in any place of employment where the principal source of income of certain employees is in tips or gratuities, upon the written petition of not less than sixty per cent of such employees, the commissioner may allow such periods of work to fall within a period not exceeding twelve consecutive hours; and in no case shall the hours of labor exceed forty-eight in a week, except that in manufacturing establishments or hotels where the employment is determined by the department to be by seasons, the number of such hours in any week may exceed forty-eight, but, except in the work of fish processing when necessary in the judgment of the commissioner, and then only during the months of June, July, August, September and October, shall not exceed fifty-two, provided that the total number of such hours in any year shall not exceed an average of forty-eight hours a week for the whole year, excluding Sundays and holidays; and if any child or woman shall be employed or permitted to work in more than one such place, the total number of hours of such employment shall not exceed forty-eight hours in any one week.

Approved February 9, 1961.

Chap. 45. AN ACT REPEALING THE REQUIREMENT THAT AN INDIVIDUAL MUST FILE A FOUR-DAY NOTICE OF INTENT TO SELL BEFORE SELLING ANY MOTOR VEHICLE.

Be it enacted, etc., as follows:

SECTION 1. Section 64 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The police commissioner of Boston, the chief of police of any other city, the selectmen of a town, or any officer authorized by them, and any agent or inspector of the registrar may, by written notice, release any person licensed under section fifty-nine from retaining any second hand vehicle or part thereof, for the period prescribed in section sixty-one.

SECTION 2. Section sixty-five of said chapter one hundred and forty, as amended by section four of chapter one hundred and eighty-one of the acts of nineteen hundred and forty-eight, is hereby repealed.

Approved February 9, 1961.

Chap. 46. AN ACT AUTHORIZING THE TOWN OF WARREN 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 Warren 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 Warren, 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 Warren to said employees.

SECTION 2. This act shall take full effect upon its acceptance by vote of the inhabitants of the town of Warren at a town meeting, but not otherwise. *Approved February 9, 1961.*

Chap. 47. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW REQUIRING EMPLOYERS TO ALLOW EACH EMPLOYEE ONE DAY OF REST IN SEVEN.

Be it enacted, etc., as follows:

Section 52 of chapter 149 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Whoever violates this section or section fifty-one shall be punished by a fine of fifty dollars. *Approved February 9, 1961.*

Chap. 48. AN ACT REPEALING THE PROVISIONS OF LAW REQUIRING PUBLICATION OR POSTING OF RULES AND REGULATIONS AND ORDERS OF THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE PROTECTION OF WATERS USED AS SOURCES OF WATER SUPPLY.

Be it enacted, etc., as follows:

Section one hundred and sixty-one of chapter one hundred and eleven of the General Laws is hereby repealed. *Approved February 9, 1961.*

Chap. 49. AN ACT RELATIVE TO THE ACCEPTANCE OF AN ACT PROVIDING TENURE OF OFFICE FOR WALTER PELLETIER, THE SERGEANT OF POLICE OF THE TOWN OF LANCASTER.

Be it enacted, etc., as follows:

Chapter 95 of the acts of 1959 is hereby amended by striking out section 2, as amended by chapter 22 of the acts of 1960, and inserting in place thereof the following section: — *Section 2.* This act shall take effect upon its acceptance by a majority of the voters present and voting thereon at an annual town meeting. *Approved February 9, 1961.*

Chap. 50. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF ASSISTANT CITY CLERK IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of assistant city clerk in the city of Quincy 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 the city council of the city of Quincy in accordance with the provisions of its charter, but not otherwise. *Approved February 9, 1961.*

Chap. 51. AN ACT PROVIDING FOR THE REPORTING OF BIRTH WEIGHT OF INFANTS TO LOCAL BOARDS OF HEALTH.

Be it enacted, etc., as follows:

Section 3 of chapter 46 of the General Laws is hereby amended by striking out the second paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

The said town clerk or registrar shall file daily with the local board of health a list of all births reported to him, showing, as to each, the date of birth, sex, color, birth weight, family name, residence, ward and physician or officer in charge. *Approved February 9, 1961.*

Chap. 52. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY MARGARET R. PALLADINO.

Be it enacted, etc., as follows:

Margaret R. Palladino of Melrose 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 eighteenth, nineteen hundred and sixty, on a sidewalk under the control of the metropolitan district commission on the Fenway in the city of Boston. 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 Palladino would not have barred her from recovery in an action at law, find and determine her damages and order entry of judgment therefor.

Approved February 9, 1961.

Chap. 53. AN ACT PROVIDING FOR THE ELECTION OF THE COMMISSIONERS OF PUBLIC SAFETY OF THE TOWN OF PLYMOUTH BY THE VOTERS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 10 of the acts of 1951 is hereby amended by striking out section 1 and inserting in place thereof the following section: — *Section 1.* There shall be established in the town of Plymouth a commission of public safety to consist of three unpaid commissioners who shall be elected at large by the registered voters of said town. At the first annual town meeting held after the acceptance of this act one

commissioner shall be elected for a term of three years, one shall be elected for a term of two years and one shall be elected for a term of one year. Thereafter at each annual town election a successor shall be elected for a term of three years. Each commissioner shall hold office until his respective successor is elected and qualified. The members of the commission shall, after each election, elect one of their members to be the chairman thereof, who shall serve until his successor is elected. If a vacancy occurs on the commission, the remaining members, together with the board of selectmen, shall fill such vacancy for the unexpired term. No person shall serve on the commission who holds an appointive office in the town, or who is an employee of said town.

SECTION 2. The members of the present commission of public safety of said town, appointed under authority of section one of said chapter ten, shall serve to, and their terms shall expire upon the election and qualification of their successors as provided in section one of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of the said town of Plymouth 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-one, entitled 'An Act providing for the election of the commissioners of public safety of the town of Plymouth by the voters of said town', be accepted?" If a majority of the voters voting on said question vote in the affirmative this act shall take effect and said commissioners of public safety shall be elected at the annual town meeting in the year nineteen hundred and sixty-two. If a majority of the voters voting on said question vote in the negative, said question shall again be submitted for acceptance in like manner at the annual town meeting to be held in the year nineteen hundred and sixty-two and if accepted at said meeting it shall thereupon take effect and said commissioners shall be elected at the annual town meeting to be held in the year nineteen hundred and sixty-three.

Approved February 9, 1961.

Chap. 54. AN ACT CHANGING THE TIME LIMIT IN CONNECTION WITH REQUESTS FOR REIMBURSEMENT OF HOSPITALIZATION EXPENSES INCURRED IN CONNECTION WITH THE CARE OF INFANTS BORN PREMATURELY.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 67C, as most recently amended by chapter 753 of the acts of 1955, and inserting in place thereof the following section: — *Section 67C.* Expenses for the care and hospitalization of an infant weighing five pounds or less at birth shall be paid by the parents or guardian or any other person bound by law to maintain such infant, if he or they be able to pay; otherwise, by the board of health of the town wherein the mother of such infant resides, subject to the provisions relative to notice and reimbursement as hereinafter provided. The board of health in the town in which the mother resides shall be responsible for hospitalization expenses incurred in caring for an infant under this section, within ceiling rates as established by the department; but no expense shall be reimbursed which was incurred more than thirty days prior to the receipt

by such board of health of a written notice or a telephone request, confirmed in writing, from the superintendent or other person in charge of such hospital. If such infant has a legal settlement within the commonwealth, the board of health of the town so notified shall, within ninety days, forward to the board of health of the town where the infant has a legal settlement, a written notice, and the town of settlement shall reimburse the town originally incurring expense under this chapter for the amount so expended. If such infant has no legal settlement in the commonwealth, notice shall be sent to the department within ninety days, and such expenses shall be paid by the commonwealth upon the approval of bills therefor. Any payments made hereunder by a town may be recovered in contract from the parent, guardian, or other person bound by law to maintain such infant, if such person is able to pay.

Approved February 9, 1961.

Chap. 55. AN ACT AUTHORIZING BOARDS OF HEALTH TO APPOINT DIRECTORS OF PUBLIC HEALTH TO ACT FOR THEM IN CASES OF EMERGENCY.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 30, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 30.* Boards of health may appoint agents or directors of public health to act for them in cases of emergency or if they cannot conveniently assemble, and any such agent or director shall have all the authority which the board appointing him had; but he shall in each case within two days report his action to the board for its approval, and shall be directly responsible to it and under its direction and control. An agent or director of public health appointed to make sanitary inspections may make complaint of violations of any law, ordinance or by-law relative to the public health.

Approved February 9, 1961.

Chap. 56. AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF THE VETERANS' AGENT IN THE WESTERN HAMPDEN VETERANS' SERVICES DISTRICT UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of the veterans' agent in the western Hampden veterans' services district, which comprises the towns of Agawam, Granville and Southwick, shall, upon the effective date of this act, become subject to the civil service laws and rules, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to such laws. The incumbent of said office on said date 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 deemed to be permanently appointed thereto, and his tenure of office shall be unlimited, subject, however, to said laws.

SECTION 2. This act shall take effect upon its acceptance by the member towns of the western Hampden veterans' services district acting in any regular or special town meeting, but not otherwise.

Approved February 9, 1961.

Chap. 57. AN ACT AUTHORIZING CITIES AND TOWNS TO LEASE CERTAIN PROPERTY TO THE WAR VETERANS CIVIC ASSOCIATION OF MASSACHUSETTS, INC. FOR USE AS POST HEADQUARTERS.

Be it enacted, etc., as follows:

Section 9 of chapter 40 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 4 of chapter 626 of the acts of 1960, and inserting in place thereof the following sentence: — A city or town may, for the purpose of providing suitable headquarters for such post or posts of any veterans' organization incorporated or chartered by the congress of the United States, as have been in operation for at least three years, or for the purpose of providing suitable headquarters for a camp of the United Spanish War Veterans, or for a post of the Polish-American Veterans, Inc., of the Lithuanian War Veterans Organization, Inc., of the American Veterans of World War II, AMVETS, of the Italian American War Veterans of the United States, Incorporated, of the Armenian American Veterans Association, Inc., of the War Veterans Civic Association of Massachusetts, Inc., or for a barracks of the Veterans of World War I of the U.S.A., lease for a period not exceeding five years buildings or parts of buildings which shall be under the direction and control of such post, camp or barracks subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for said purposes a town with a valuation of less than five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of five million dollars but not more than twenty-five million dollars may annually appropriate not more than three thousand dollars; a town with a valuation of more than twenty-five million dollars but not more than fifty million dollars may annually appropriate not more than four thousand dollars; a town with a valuation of more than fifty million dollars but not more than seventy-five million dollars may annually appropriate not more than five thousand dollars; a town with a valuation of more than seventy-five million dollars but not more than one hundred million dollars may annually appropriate not more than six thousand dollars; a town with a valuation of more than one hundred million dollars but not more than one hundred and twenty-five million dollars may annually appropriate not more than seven thousand dollars; a town with a valuation of more than one hundred and twenty-five million dollars but not more than one hundred and fifty million dollars may annually appropriate not more than ten thousand dollars; and a town with a valuation of more than one hundred and fifty million dollars may annually appropriate ten thousand dollars, and in addition three thousand dollars for each additional one hundred and fifty million dollars of valuation, or major fraction thereof. *Approved February 9, 1961.*

Chap. 58. AN ACT PROVIDING FOR THE APPOINTMENT AND INCREASING THE NUMBER OF TRUSTEES OF THE JOSIAH B. THOMAS HOSPITAL IN THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 241 of the acts of 1931 is hereby amended by striking out section 3 and inserting in place thereof the following sec-

tion: — *Section 3.* There shall be a board of trustees of said hospital consisting of fifteen members to be appointed by the mayor of said city, subject to the approval of the city council, for terms of five years. The mayor shall, in like manner, fill any vacancy for an unexpired term. Said board shall have the entire management and control of the said hospital, its staff, personnel and employees.

SECTION 2. Of the additional members first appointed to the board of trustees of the Josiah B. Thomas Hospital under the provisions of this act, one shall be appointed for a term of five years, three for terms of four years, three for three years and three for two years. The present members of said board of trustees shall continue to serve until the expiration of the terms for which they were elected.

SECTION 3. This act shall take effect upon its acceptance by vote of the city council of the city of Peabody, subject to the provisions of its charter, but not otherwise. *Approved February 9, 1961.*

Chap. 59. AN ACT EXTENDING THE TIME DURING WHICH THE COUNTY OF BARNSTABLE MAY BORROW FOR THE PURPOSES OF MAKING CONTRIBUTIONS FOR THE CONSTRUCTION OF SEA WALLS OR OTHER FORMS OF SHORE PROTECTION FOR TOWNS IN SAID COUNTY.

Be it enacted, etc., as follows:

The county of Barnstable is hereby authorized to contribute to the cost of constructing sea walls or other works, to be built by the state department of public works during the years nineteen hundred and sixty-one, nineteen hundred and sixty-two and nineteen hundred and sixty-three under authority of section eleven of chapter ninety-one of the General Laws, for the protection of the shores of the towns in said county from erosion by the sea, and the county treasurer, with the approval of the county commissioners, may pay the county's proportion of such cost from the highway appropriation for the year during which the agreement to make such payment is entered into or, for the purpose of so contributing, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County Shore Protection Loan, Act of 1961. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such 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 under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved February 9, 1961.

Chap. 60. AN ACT INCREASING THE PENALTY FOR OPERATING A MOTOR VEHICLE IN VIOLATION OF CERTAIN PROVISIONS OF LAW RELATIVE TO THE PROTECTION OF BLIND PERSONS WHILE CROSSING WAYS.

Be it enacted, etc., as follows:

Section 14A of chapter 90 of the General Laws, inserted by chapter 279 of the acts of 1949, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars.

Approved February 9, 1961.

Chap. 61. AN ACT PLACING THE OFFICES AND POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS OF THE TOWN OF SHARON 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 Sharon and 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 any 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 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-one, entitled 'An Act placing the offices and positions in the department of public works of the town of Sharon under the civil service laws', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 9, 1961.

Chap. 62. AN ACT ESTABLISHING THE SELECTMEN-ADMINISTRATOR FORM OF GOVERNMENT IN THE TOWN OF GREENFIELD.

Be it enacted, etc., as follows:

SECTION 1. *Board of Selectmen.* — There shall be five selectmen in the town of Greenfield. The selectmen in office at the time of said first election shall continue in office until their successors are elected and qualified. At the first town election following the acceptance of this act the registered voters of the town of Greenfield shall elect three selectmen of whom one shall serve for a term of three years, one for a term of two years, and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those selectmen whose terms are about to expire a like number of selectmen to serve

for terms of three years. When a vacancy occurs in the office of selectmen, the remaining selectmen may at any time prior to the next town election appoint a qualified person to serve as selectman until such election, at which election the voters shall elect a selectman to serve for the unexpired period, if any, of the original term.

SECTION 2. *By-Laws.* — All laws, votes, rules and regulations in force in the town of Greenfield on the effective date of this act, 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, vote or by-law; all other laws, by-laws, votes, rules and regulations, so far as they refer to the town of Greenfield, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 3. *Powers of the Selectmen.* — The selectmen shall appoint and may remove a town administrator, a director of public works, a town clerk who shall also act as clerk to the selectmen, the planning board, the registrars of voters and other election officials, the zoning board of appeals, the fence viewers, public weighers, measurers of bark and wood and field drivers, unless otherwise provided by vote of the town.

SECTION 4. *Other Elective Officials.* — The town shall continue to elect a moderator, a school committee, the library trustees, the trustees of the A. K. Warner Fund, the trustees of Soldiers Memorials, the trustees of the Jennie L. Bascom Educational Fund, elector under the will of Oliver Smith, the members of the Housing Authority and two constables, and, unless otherwise provided by law or by-law, the moderator shall continue to appoint a finance committee, personnel board and such special committees as the voters may designate. The term of office of any officer, board or commission so continued shall not be interrupted.

Every other elective office, board or commission 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 or commission existing at the time of such acceptance and terminated hereunder shall continue until such first town election after the acceptance of this act and until the appointment and qualification of his successor, if any, and thereafter the said offices, boards and commissions 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 by the town administrator to the extent hereinafter provided. They shall be sworn to the faithful performance of their duties by the town clerk.

SECTION 5. *Membership, Terms, Powers, Duties and Responsibilities.* — The number of members of boards, commissions and committees appointed under this act, the length of the term of each member thereof and of officers so appointed, and the powers, duties and all responsibilities of the same, shall be as now or hereafter provided by any applicable law, by-law, or vote of the town, except as herein otherwise provided. Upon appointment and qualification of the various officials as provided in this act, 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 administrator 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 administrator. They shall be sworn to the faithful performance of their duties by the town clerk.

SECTION 6. *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 either by election or appointment to hold any other town office. Any person appointed by the town administrator to any town office under the provisions of this act or any general or special law shall be eligible, during the term of said office, to election or appointment to any other town office, except that the town accountant shall not be eligible to hold the position of town treasurer or the position of town collector. The town administrator, with the approval of the selectmen, subject to any applicable provision of the General Laws relating thereto, may assume the duties of any office which he is authorized to fill by appointment, but shall receive no additional compensation therefor.

SECTION 7. *Appointment of Town Administrator.* — The selectmen shall appoint as soon as practicable, a town administrator, who shall be a person especially fitted by training and experience to perform the duties of the office. The town administrator shall be appointed without regard to his political beliefs. He need not be a resident of the town or of the commonwealth when appointed, but shall be a resident of the town during the term of his office. Before entering upon the duties of his office he shall be sworn to the faithful and impartial performance thereof by the town clerk. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety as may be fixed or approved by the selectmen.

SECTION 8. *Appointment of Temporary Administrator.* — Any vacancy in the office of town administrator shall be filled as soon as possible by the selectmen. Pending appointment of a town administrator or the filling of a vacancy, the selectmen may appoint a suitable person to perform the duties of the office.

SECTION 9. *Removal of Town Administrator.* — The selectmen, by a vote of three or more members of the board, may remove the town administrator. At least thirty days before such removal shall become effective, the selectmen shall file a preliminary written resolution with the town clerk, setting forth in detail the specific reasons for the proposed removal, a copy of which resolution shall be delivered to the town administrator. The administrator may reply in writing to the resolution and may request a public hearing. If the administrator so requests, the board of selectmen shall hold a public hearing not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution, and after full consideration the selectmen by a vote of three or more members of the board may adopt a final resolution of removal. In the preliminary resolution the selectmen may suspend the administrator from duty, but shall in any case cause to be paid to him forthwith any unpaid balance of his salary and his salary for the next three calendar months following the filing of the preliminary resolution.

SECTION 10. *Compensation of the Administrator.* — The town administrator shall receive such compensation for his services as the selectmen shall determine, but it shall not exceed the amount appropriated therefor by the town.

SECTION 11. *Powers and Duties of the Administrator.* — In addition to the specific powers and duties provided in this act, the town administrator shall have the following powers and duties:

(*a*) The town administrator shall supervise and direct the administration of all departments, commissions, boards and offices of the town, except those elected by the voters, or appointed by the selectmen or by the moderator.

(*b*) The town administrator, in accordance with the provisions of this act and except as otherwise expressly prohibited by the General Laws, may reorganize, consolidate or abolish departments, commissions, boards or offices under his direction and supervision, in whole or in part, may establish such new departments, commissions, boards or offices as he deems necessary, and in so doing, may transfer the duties and powers, and so far as possible in accordance with the vote of the town, the appropriations of one department, commission, board or office to another.

(*c*) Except as otherwise provided by this act, the town administrator shall appoint upon merit and fitness alone; and subject to the provisions of chapter thirty-one of the General Laws where applicable, may remove, a town accountant, and a town collector who shall collect and receive all moneys due town and may act as town treasurer, a town treasurer who may act as town collector, a town counsel, a board of public health, a board of public welfare, assessors, a board of recreation which shall assume the duties of the park commissioners with the exception of park maintenance, a board of retirement, an industrial development commission, a sealer of weights and measures, a veterans director, a civil defense director, a dog officer, officers and members of the fire department, and officers and members of the police department. He may in like manner appoint and remove such other officers and employees as he deems necessary to carry out the powers and duties imposed upon him by this act. Permanent officers and employees not subject to chapter thirty-one of the General Laws shall not be removed by the town administrator except on ten days' notice in writing setting forth the cause of such removal.

Any appointee under this section need not be a resident of the town of Greenfield when appointed, but shall, within a reasonable time, establish such residence.

(*d*) The town administrator subject to the approval of the personnel board shall fix the compensation of all town officers and employees appointed by him, subject to any applicable provisions of chapter thirty-one or of section one hundred and eight A of chapter forty-one of the General Laws.

(*e*) It shall be the duty of the town administrator to attend regular meetings of the board of selectmen, except meetings at which his removal is being considered.

(*f*) The town administrator 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 activities under his supervision.

(*g*) The town administrator 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.

(*h*) Except as otherwise provided by this act, the town administrator shall purchase all supplies, materials and equipment, and shall award all contracts for all departments and activities of the town. The town administrator shall also act as personnel officer of the town and serve as clerk to the personnel board.

(*i*) The town administrator 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, all by-laws, and all regulations established by the selectmen.

(*j*) The town administrator shall, with the approval of the selectmen, have authority to prosecute, defend and compromise all litigation to which the town is a party, and to employ special counsel whenever in his judgment it may be necessary.

(*k*) The town administrator shall perform such other duties consistent with his office, as may be required of him by the by-laws or by vote of the selectmen.

(*l*) The town administrator 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 appointed by him to be examined.

SECTION 12. *Acting Administrator.* — The town administrator shall, by a letter filed with the town clerk, designate a qualified officer of the town subject to the approval of the selectmen, to perform his duties during his temporary absence or disability. In the event that the town administrator should fail to make such a designation, the selectmen shall so designate a qualified town officer to perform the duties of the town administrator until he shall return or his disability shall cease.

SECTION 13. *Annual Budget.* — All officers, boards and commissions of the town shall submit to the town administrator in writing detailed estimates of their appropriations required for the efficient and proper conduct of their respective offices and departments and such further information, in such form and at such times as the town administrator may require. On or before the fifteenth day of December in each year, or such other date as the town may by by-law prescribe, the town administrator shall prepare and submit to the finance committee a budget for the ensuing year and all supplementary information in such form and detail as they may deem necessary or the town may require by by-law.

SECTION 14. *Approval of Warrants.* — The town administrator shall be the chief fiscal officer of the town. 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 administrator. The approval of any such warrant by the town administrator 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 administrator or a vacancy in the office of the town administrator.

SECTION 15. *Investigation of Claims.* — Whenever any payroll, bill or other claim against the town is presented to the town administrator, he shall, if the same seems to him to be of doubtful validity, excessive

in amount, or otherwise contrary to the interests of the town, refer it to the selectmen, who shall immediately investigate the facts and determine what payment, if any, should be made. Pending such investigation and determination by the selectmen, payment shall be withheld.

SECTION 16. *Certain Officers not to make Contract with Town.* — It shall be unlawful for any selectman, the town administrator, or any other elective or appointive official of the town directly or indirectly, to make a contract with the town, or to receive any commission, discount, bonus, gift, reward or contribution, or any share in the profits of any person or corporation making or performing such a contract, unless the official concerned immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify the selectmen in writing of the contract and of the nature of his interest therein and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of any officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town.

SECTION 17. *Existing Contracts and Proceedings.* — No contract existing and no action at law or suit in equity or other proceeding pending at the time this act is accepted or at the time of revocation of such acceptance shall be affected by such acceptance or revocation.

SECTION 18. *Investigation or Surveys.* — For the purpose of making investigations or surveys, the selectmen or the town administrator may expend such sums for the employment of experts, counsel and other assistants, and for other expenses in connection therewith, as the town may appropriate for such purpose.

SECTION 19. *Department of Public Works.* — There shall be a department of public works, subject to the approval of the board of selectmen, which shall be under the direction and supervision of a director. The department of public works shall be responsible for the care, maintenance and operation of all town buildings and grounds other than school and public library buildings and housing authority property except as herein otherwise provided.

It shall assume all the duties and functions heretofore performed or required by law to be performed by the following: the street and engineering department, the water department, maintenance of parks and the forestry department. In addition it shall assume all of the duties, functions and responsibilities of the rubbish and garbage collector, the wire inspector, the plumbing inspector and the building inspector, pest control, traffic control and parking lots and meters.

Any general or special law providing for boards, commissions or trustees for the above shall be ineffective so far as they may concern the town of Greenfield.

The department of public works may, subject to the approval of the board of selectmen, perform such duties and functions as may be requested by any other department of the town, and shall perform such duties and functions as may be imposed on towns by any general or special laws which pertain to the care, maintenance and operation of public buildings, grounds, parks and playgrounds, and also of the departments herein enumerated.

SECTION 20. *Appointment of Director of Public Works.* — The selectmen shall appoint as soon as practicable, a director of public works, who shall be a person especially fitted by training and experience to perform the duties of the office. He shall be the town engineer. The director of public works shall be appointed without regard to his political beliefs. He need not be a resident of the town or of the commonwealth when appointed but shall be a resident of the town during the term of his office. Before entering upon the duties of his office he shall be sworn to the faithful and impartial performance thereof, by the chairman of the selectmen, or by the town clerk, or by a justice of the peace.

SECTION 21. *Appointment of Temporary Director of Public Works.* — Any vacancy in the office of director of public works shall be filled as soon as possible by the selectmen. Pending appointment of a director of public works or the filling of a vacancy, the selectmen may appoint a suitable person to perform the duties of the office.

SECTION 22. *Removal of Director of Public Works.* — The selectmen, by a vote of three or more members of the board, may remove the director of public works. At least thirty days before such removal shall become effective, the selectmen shall file a preliminary written resolution with the town clerk, setting forth in detail the specific reasons for the proposed removal, a copy of which resolution shall be delivered to the director of public works. The director may reply in writing to the resolution and may request a public hearing. If the director so requests, the board of selectmen shall hold a public hearing not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution, and after full consideration, the selectmen by a vote of three or more members of the board may adopt a final resolution of removal. In the preliminary resolution the selectmen may suspend the director from duty, but shall in any case cause to be paid to him forthwith any unpaid balance of his salary for the next three calendar months following the filing of the preliminary resolution.

SECTION 23. *Compensation of the Director of Public Works.* — The director of public works shall receive such compensation for his services as the selectmen shall determine, but it shall not exceed the amount appropriated therefor by the town.

SECTION 24. *Powers and Duties of the Director of Public Works.* — The director of public works shall have jurisdiction over and be responsible for the planning, construction, reconstruction, alteration, repair, maintenance, improvement, use and rental of all town property, except as hereinbefore provided with respect to schools and library and except as otherwise specifically voted by the town. He shall appoint under any applicable rules, supervise and control all officers and employees in his department. He shall have such other powers and shall perform such other duties as may be prescribed by by-law, or directed by the board of selectmen.

SECTION 25. *Acceptance.* — This act shall be submitted for acceptance to the qualified voters of the town of Greenfield at the annual town election following the 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-one, entitled 'An Act establishing the selectmen-administrator form of government in the town of Greenfield,' be accepted?" If a majority of the voters voting on this question vote in the affirmative, this act shall take effect immediately in so far as it relates to the next annual town election, and shall take full effect upon the qualification of a majority of the selectmen first elected as provided in this act.

If this act is rejected by the qualified voters of the town when first submitted it shall again be submitted to the said voters at the next following annual town election, and if accepted by a majority of voters voting thereon it shall take effect as hereinbefore provided. If a majority of voters voting on this question when it is again submitted shall vote in the negative, this act shall thereupon become void.

SECTION 26. *Revocation.* — At any time after the expiration of three years from the date of acceptance of this act, 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 at the following annual town election. 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 town election in the following form: — "Shall the acceptance by the town of Greenfield of an act passed by the General Court in the year nineteen hundred and sixty-one, entitled 'An Act establishing the selectmen-administrator form of government in the town of Greenfield,' be revoked?" If such revocation is favored by a majority of the voters voting thereon, this act shall cease to be operative on and after the next annual town election, except as hereinafter provided. All general laws respecting town administration and town officers, and any special laws relative to Greenfield, the operation of which has been suspended or superseded by the acceptance of this act, shall be revived forthwith for the purposes of the next following election and shall be revived in their entirety on and after said election. By-laws in force when such revocation takes effect, so far as they are consistent with 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 inconsistent with such general or special laws shall be annulled. If such revocation 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 February 9, 1961.

Chap. 63. AN ACT AUTHORIZING THE TOWN OF WILLIAMSTOWN TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Williamstown, 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. All the powers, duties and obligations set forth in this act shall be invested, conferred and imposed upon the board of selectmen established under chapter fifty-five of the acts of nineteen hundred and fifty-six, and shall be administered and exercised by the town manager to the extent provided by said chapter including the appointment of a superintendent of sewers. In the event that said chapter fifty-five is, in accordance with its terms, revoked by the voters of the town of Williamstown, the said board of selectmen and town manager shall continue their functions under this act until the next annual town meeting. The town may at such next annual town meeting vote that the board of 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 revocation of said chapter fifty-five, 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. Said board of sewer commissioners shall be invested, conferred and imposed with all of the powers, duties and obligations of the board of selectmen and town manager under this act. 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 selectmen, 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 in said town construct and maintain such treatment works and sewers under or over any land, bridge, watercourse, railroad, railway, electric transmission line, private way, boulevard or other public way, or within the location of any railroad or electric transmission line, and may enter upon and dig up any private land, public land, private way, public way, railroad location or electric transmission line 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, or land of an electric transmission line corporation, and that they

shall not enter upon or construct any drain or sewer within the location of any railroad corporation or within the location of any electric transmission line location 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. Any person injured in his property by any action of said board of selectmen under this act may recover damages from said town under said chapter seventy-nine.

SECTION 6. For the purpose of paying the necessary expenses 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, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words Williamstown Sewerage Loan, Act of 1961. 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 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.

SECTION 7. The board of selectmen may, in its discretion, prescribe such annual rentals or charges as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the town. The receipts from sewer assessments and annual rentals or charges and from payments made in lieu thereof shall be appropriated for and applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal, to the payment of interest upon bonds or notes issued for sewer purposes, or to the payment or redemption of such bonds or notes. Such annual rentals or charges as are prescribed by the selectmen under the provisions of this act shall begin when the premises have been connected to the sewer, or two years after the sewer is available for such connection, whichever period of time is shorter; provided, that no annual charge shall be levied on any premises until the land is built on. This section shall not include the levying and collection of sewer assessments which levying and collection shall be subject to the provisions of chapters eighty and eighty-three of the General Laws.

SECTION 8. All contracts made for work to be done under the provisions of this act shall be made in the name of the town and shall be signed by the board of selectmen, 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 9. 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 a newspaper of general circulation in the town of Williamstown and shall not take effect until such publications have been made.

SECTION 10. 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 11. This act shall be submitted for acceptance to the voters of said town at an annual or special town meeting called for the purpose within four years from its passage in the form of the following question which shall be placed upon the ballot for the election of town officers if at an annual town meeting, or upon a special ballot if at a town meeting called for the purpose: — "Shall an act passed by the General Court in the year nineteen hundred and sixty-one, entitled 'An Act authorizing the town of Williamstown to construct and operate a system or systems of sewerage and sewage disposal', 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. If this act is not accepted by the voters of the town when first submitted, it may again be submitted for acceptance in like manner and with like effect from time to time at any annual or special town meeting called for the purpose within four years after its passage. *Approved February 9, 1961.*

Chap. 64. AN ACT EXTENDING THE CRIMINAL PENALTIES FOR VIOLATION OF THE SPECIAL FUELS EXCISE LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate forthwith the administration and enforcement of the special fuels excise law, 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 64E of the General Laws is hereby amended by striking out section 11, as appearing in section 1 of chapter 619 of the acts of 1956, and inserting in place thereof the following section: — *Section 11.* Any person who violates any provision of this chapter, or who files any false return, affidavit or statement, 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 February 10, 1961.*

Chap. 65. AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE TOWN OF ANDOVER WITH REFERENCE TO THE FLUORIDATION OF THE TOWN WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of ascertaining the will of the voters of the town of Andover with reference to the question of the fluoridation of the town water supply, there shall be placed upon the official ballot to be used at the town election in the current year the following question: — "Shall the water supply of the town of Andover be fluoridated?" 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 water supply thereof be fluoridated, and if a majority of said votes is in the negative, it shall be deemed and taken to be the will of said voters that said water supply shall not be fluoridated.

SECTION 2. Any action taken under authority of this act at the annual town meeting of the town of Andover 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 such meeting was posted.

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

Approved February 10, 1961.

Chap. 66. AN ACT PROHIBITING SIRENS FROM BEING MOUNTED ON MOTOR VEHICLES OTHER THAN AMBULANCES AND VEHICLES USED FOR PUBLIC PROTECTION OR FOR LAW ENFORCEMENT UNLESS AUTHORIZED BY THE REGISTRAR OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 16 of chapter 90 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the second sentence the following sentence: — No siren shall be mounted upon any motor vehicle except fire apparatus, ambulances, vehicles used in official line of duty by any member of the police or fire fighting forces of the commonwealth or any agency or political subdivision thereof, and vehicles owned by call fire fighters or by persons with police powers and operated in official line of duty, unless authorized by the registrar.

Approved February 10, 1961.

Chap. 67. AN ACT AUTHORIZING THE STATE TREASURER TO ISSUE A NEW CHECK TO S. JOSEPHINE WALSH.

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 three thousand nine hundred and three dollars and thirty-nine cents payable to the order of S. Josephine Walsh in lieu of all checks issued to the said S. Josephine Walsh of Lowell, between October first, nineteen hundred and forty-five and August thirty-first, nineteen hundred and fifty-four, inclusive.

Approved February 10, 1961.

Chap. 68. AN ACT RESTRICTING THE HOURS OF EMPLOYMENT OF BOYS UNDER EIGHTEEN YEARS OF AGE AND GIRLS UNDER TWENTY-ONE YEARS OF AGE.

Be it enacted, etc., as follows:

Section 67 of chapter 149 of the General Laws, as amended by chapter 348 of the acts of 1939, is hereby further amended by inserting after the word "section", in line 5, the words: — fifty-six or, — so as to read as follows: — *Section 67.* Except as limited by section fifty-six, no person shall employ a boy under eighteen or a girl under twenty-one or permit such a boy or girl to work in, about or in connection with any establishment or occupation named in section fifty-six or sixty for more than six days in a week, or more than forty-eight hours in a week, or more than

nine hours in a day, and, if the work performed by such a boy or girl in a day is not continuous, but is divided into two or more periods, the person employing such boy or girl shall so arrange his or her work that all such periods shall fall within a period of ten consecutive hours.

Approved February 10, 1961.

Chap. 69. AN ACT RESTRICTING EMPLOYMENT OF BOYS UNDER EIGHTEEN YEARS OF AGE AND GIRLS UNDER TWENTY-ONE YEARS OF AGE.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 66, as most recently amended by section 2 of chapter 357 of the acts of 1947, and inserting in place thereof the following section: — *Section 66.* No person shall employ a boy under eighteen or a girl under twenty-one or permit such a boy or girl to work in, about or in connection with any establishment or occupation named in section fifty-six or sixty before six o'clock in the morning or after ten o'clock in the evening; provided, that girls under twenty-one may be employed as operators in regular service telephone exchanges or telegraph offices until, but not after, eleven o'clock in the evening; and provided, further, that nothing herein shall authorize the employment of girls under twenty-one in any capacity in manufacturing, mechanical or mercantile establishments in violation of section fifty-nine; and further provided that nothing herein shall prohibit the employment in any capacity in manufacturing or mechanical establishments or factories of any male or female of eighteen years of age or over between the hours of six o'clock in the morning and eleven o'clock in the evening. *Approved February 10, 1961.*

Chap. 70. AN ACT RELATIVE TO ESTABLISHMENTS AND OCCUPATIONS WHICH ARE EXEMPT FROM THE LAW REQUIRING ONE DAY OF REST IN EVERY SEVEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by striking out section 49, as most recently amended by chapter 295 of the acts of 1938, and inserting in place thereof the following section: — *Section 49.* Sections forty-seven and forty-eight shall not apply to establishments used for the manufacture or distribution of gas, electricity, milk or water, to hotels, to the transportation of food, nor to the sale or delivery of food by or in establishments other than restaurants.

SECTION 2. Said chapter 149 is hereby further amended by striking out section 50, as most recently amended by section 1 of chapter 423 of the acts of 1935, and inserting in place thereof the following section: — *Section 50.* Sections forty-seven and forty-eight shall not apply to (*a*) janitors; (*b*) employees whose duties include no work on Sunday other than (1) setting sponges in bakeries, (2) caring for live animals, (3) caring for machinery; (*c*) employees engaged in the preparation, printing, publication, sale or delivery of newspapers; (*d*) farm or personal service; (*e*) any labor called for by an emergency that could not reasonably have been anticipated; (*f*) pharmacists employed in drug stores. *Approved February 10, 1961.*

Chap. 71. AN ACT PROVIDING THAT CERTAIN POLICEMEN AND FIRE FIGHTERS ELIGIBLE FOR SUPERANNUATION RETIREMENT UNDER THE NON-CONTRIBUTORY RETIREMENT SYSTEM MAY EXERCISE AN OPTION FOR THE BENEFIT OF THEIR WIDOWS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 85J, as most recently amended by chapter 128 of the acts of 1958, and inserting in place thereof the following section: — *Section 85J.* Any policeman or fire fighter who is eligible for superannuation retirement under sections eighty to eighty-five, inclusive, or section eighty-five E, in effect in the city or town in which he is employed shall have the right at the time of his retirement to elect one of the following options for the payments of his pension: —

Option A. — The full yearly amount of pension payable under the provisions of sections eighty to eighty-five, inclusive, or section eighty-five E to such policeman or fire fighter on the date of his retirement.

Option B. — A lesser amount of yearly pension which shall be payable to such policeman or fire fighter during his lifetime, with a provision that two thirds of the yearly amount of such lesser pension shall be continued during the lifetime of and paid to his widow. The yearly amount of such lesser pension shall be determined so that the value, on the date the retirement and pension becomes effective, of the prospective payments to such policeman or fire fighter and to such widow shall be the actuarial equivalent of the value on such date of the full pension specified in option A of this section.

If a policeman or fire fighter who has served continuously for not less than twenty years in any city or town where he would be eligible for retirement under the provisions of sections eighty to eighty-five, inclusive, or section eighty-five E, dies before being retired, his widow shall receive two thirds of the yearly amount of said option B allowance to which such policeman or fire fighter would have been entitled had he attained age sixty, and had his retirement taken place on the date of his death. Said yearly amount shall be paid to such a widow so long as she remains unmarried; provided, that she has been married to such policeman or fire fighter not less than ten years prior to his death, and that they were living together at the time of his death, or living apart for justifiable cause other than desertion or moral turpitude on the part of the wife.

The computation of the actuarial equivalent of the pension payable to any policeman or fire fighter and the widow under the provisions of this option shall be subject to the supervision and verification by the actuary appointed by the commissioner of insurance in accordance with the provisions of section twenty-one, and the expenses for such service shall be paid by the city or town in which such policeman or fire fighter was employed.

The provisions of this section shall become effective 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. The provisions of this act shall apply to any policeman

or fire fighter who, on or after August sixteenth, nineteen hundred and fifty-six, has been eligible for superannuation retirement under sections eighty to eighty-five, inclusive, or section eighty-five E, in effect in the city or town in which he is employed. *Approved February 15, 1961.*

Chap. 72. AN ACT ELIMINATING THE MINIMUM FINE AND INCREASING THE MAXIMUM TERM OF IMPRISONMENT FOR VIOLATIONS OF THE PROVISIONS OF LAW PROHIBITING MEMBERS, AGENTS OR EMPLOYEES OF HOUSING AUTHORITIES FROM HAVING ANY FINANCIAL INTEREST IN PROJECTS THEREOF.

Be it enacted, etc., as follows:

Section 26 O of chapter 121 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 574 of the acts of 1946, and inserting in place thereof the following paragraph: —

No member, agent or employee of a housing 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 such housing authority. Whoever violates any provision of the preceding sentence 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 February 15, 1961.*

Chap. 73. AN ACT PROVIDING THAT THE APPLICATION FOR THE REGISTRATION OF A MOTOR VEHICLE CONTAIN CERTAIN IDENTIFYING NUMBERS OF SAID VEHICLE.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 305 of the acts of 1954, and inserting in place thereof the following paragraph: — Application for the registration of motor vehicles and trailers may be made by the owner thereof. The application shall contain, in addition to such other particulars as may be required by the registrar, a statement of the name, place of residence and address of the applicant, with a brief description of the motor vehicle or trailer, including the name of the maker, such number or numbers as may be required by the registrar to properly identify the vehicle and the character of the motor power. The registration fee as required in section thirty-three shall accompany such application.

SECTION 2. Section 9 of said chapter 90 is hereby amended by striking out the last sentence, as appearing in chapter 283 of the acts of 1941, and inserting in place thereof the following sentence: — A motor vehicle or trailer shall be deemed to be registered in accordance with this chapter notwithstanding any mistake in so much of the description thereof contained in the application for registration or in the certificate required to be filed under section thirty-four B as relates to the type of such vehicle or trailer or to the identifying number or numbers required by the registrar or any mistake in the statement of residence of the applicant contained in said application or certificate.

SECTION 3. Section 62 of chapter 140 of the General Laws, as amended by section 3 of chapter 181 of the acts of 1948, is hereby further amended

by striking out the second sentence and inserting in place thereof the following sentence: — Such description, in the case of motor vehicles, shall also include the identifying number or numbers required by the registrar, and shall also include a statement that the identifying number or numbers have been removed, defaced, altered, changed, destroyed, obliterated or mutilated if such is the fact.

SECTION 4. Chapter 266 of the General Laws is hereby amended by striking out section 139, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 139.* Whoever removes, defaces, alters, changes, destroys, obliterates or mutilates or causes to be removed or destroyed or in any way defaced, altered, changed, obliterated or mutilated, the identifying number or numbers of a motor vehicle or trailer, with intent thereby to conceal the identity of such motor vehicle or trailer shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both; and possession of any motor vehicle or trailer or of any part thereof, the identifying number or numbers of which have been so removed, defaced, altered, changed, destroyed, obliterated or mutilated shall be prima facie evidence of a violation of the foregoing provision. Whoever sells or otherwise disposes of or attempts to sell or otherwise dispose of a motor vehicle or trailer, knowing or having reason to believe that the identifying number or numbers of said motor vehicle or trailer have been so removed, defaced, altered, changed, destroyed, obliterated or mutilated, shall be punished by the same fine or imprisonment, or both. In this section, the phrase "identifying number or numbers" shall mean the number or numbers identifying the motor vehicle or trailer as required to be contained in an application for registration by section two of chapter ninety, including the identifying number or numbers as restored or substituted under authority of section thirty-two A of said chapter ninety. *Approved February 15, 1961.*

Chap. 74. AN ACT PROVIDING THAT PRISONERS WHO ARE SERVING SENTENCES IN JAILS OR HOUSES OF CORRECTION SHALL HAVE SUCH SENTENCES REDUCED BY THE NUMBER OF DAYS THEY WERE HELD IN CUSTODY AWAITING TRIAL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective at once certain provisions of law relative to the reduction of sentences of certain prisoners, 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 127 of the General Laws is hereby amended by striking out section 129B, inserted by chapter 350 of the acts of 1960, and inserting in place thereof the following section: — *Section 129B.* The sentence of any prisoner in any correctional institution of the commonwealth or in any house of correction or jail, 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 February 17, 1961.

Chap. 75. AN ACT PROVIDING THAT A PRISONER HELD IN CUSTODY AWAITING AND DURING TRIAL SHALL, IF SENTENCED TO IMPRISONMENT IN A HOUSE OF CORRECTION OR JAIL, BE DEEMED TO HAVE SERVED PART OF SUCH SENTENCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective at once certain provisions of law relative to prisoners held in custody awaiting and during trial, 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 279 of the General Laws is hereby amended by striking out section 33A, as amended by chapter 173 of the acts of 1958, and inserting in place thereof the following section: — *Section 33A.* The court on imposing a sentence of commitment to a correctional institution of the commonwealth, a house of correction, or a jail, shall order that the prisoner be deemed to have served a portion of said sentence, such portion to be the number of days spent by the prisoner in confinement prior to such sentence awaiting and during trial.

Approved February 17, 1961.

Chap. 76. AN ACT VALIDATING AND CONFIRMING THE LAYING OUT, ALTERATION, RELOCATION, DISCONTINUANCE OR ACCEPTANCE OF PUBLIC WAYS IN THE TOWN OF MAYNARD.

Be it enacted, etc., as follows:

SECTION 1. The laying out, alteration, relocation, discontinuance or acceptance of all public ways in the town of Maynard from April thirtieth, eighteen hundred and seventy-one to March seventh, nineteen hundred and sixty, inclusive, by the road commissioners, selectmen and board of public works of said town, 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 17, 1961.

Chap. 77. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO INSTALL A NEW HEATING SYSTEM IN BARNSTABLE COUNTY COURTHOUSE.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized to install a new heating system in the Barnstable county courthouse. For said purpose said commissioners may expend out of any available funds a sum not exceeding thirty-five thousand dollars, which sum shall be included in the appropriation for the current year for said county.

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

Approved February 17, 1961.

Chap. 78. AN ACT ABOLISHING THE BOARD OF PARK COMMISSIONERS AND THE RECREATION COMMISSION OF THE CITY OF QUINCY AND ESTABLISHING A PARK AND RECREATION BOARD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, there shall be in the city of Quincy a park and recreation board of seven members, who shall serve for terms of one year. The members of said board shall consist of five persons, one of whom shall be a member of the school committee, to be appointed by the mayor and two persons to be elected by the city council. Said board shall elect a chairman, and employ a full time director and such clerical and other assistance as may be necessary.

SECTION 2. Upon the initial appointment and election of the members of the park and recreation board established under section one of this act, the terms of office of the members of the board of park commissioners and the recreation commission shall terminate, and all the powers and duties of said board of park commissioners and said recreation commission shall be transferred to and exercised and performed by said park and recreation board.

SECTION 3. The director and other employees of the board of park commissioners and the recreation commission on the effective date of this act shall be transferred to the park and recreation board established under section one of this act without impairment of their civil service, retirement, seniority or other rights, and their term of office shall not be deemed to be interrupted within the meaning of section nine A of chapter thirty or chapter thirty-one of the General Laws, notwithstanding any change in title or duties made as a result of such transfer; provided, that no such employee shall be lowered in rank or compensation.

SECTION 4. This act shall take effect upon its acceptance by a majority vote of the city council of the city of Quincy, subject to the provisions of its charter, but not otherwise.

Approved February 17, 1961.

Chap. 79. AN ACT PROVIDING THAT CERTAIN APPLICANTS WHO DO NOT MEET CERTAIN MINIMUM HEIGHT REQUIREMENTS SHALL BE ELIGIBLE FOR APPOINTMENT AS POLICE OFFICERS IN THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any rule to the contrary regulating the minimum height of police officers, applicants in the next open competitive examination for police officer in the town of Nantucket after the effective date of this act who meet all other requirements shall be eligible for certification and appointment provided they are not less than five feet six inches in height.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town of Nantucket at the annual town meeting in the current year or at a special town meeting called for the purpose.

SECTION 3. Any action taken by a town meeting in the current year pursuant to this act shall be as valid and effective as though this act were in effect at the time of the posting of the warrant for said meeting.

Approved February 17, 1961.

Chap. 80. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO PAY A SUM OF MONEY TO GINO DIPAOLI TO REIMBURSE HIM FOR CERTAIN INJURIES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Leominster is hereby authorized to appropriate and to pay to Gino DiPaoli the medical expenses, including the cost of an artificial limb, incurred by him as a result of injuries sustained while in the performance of his duties as a member of the police department 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.

Approved February 17, 1961.

Chap. 81. AN ACT PROVIDING THAT THE VOTERS OF THE TOWN OF WILMINGTON SHALL DETERMINE WHETHER OR NOT THE WATER SUPPLY OF SAID TOWN SHALL CONTINUE TO BE FLUORIDATED.

Be it enacted, etc., as follows:

The following question shall be placed upon the official ballot to be used for the election of officers at the annual town meeting to be held in the year nineteen hundred and sixty-two in the town of Wilmington:— "Shall the fluoridation of the water supply of the town of Wilmington be continued?" If a majority of the votes in answer to said question is in the affirmative, the fluoridation of the water supply of said town shall be continued; otherwise it shall be discontinued.

Approved February 17, 1961.

Chap. 82. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF HINGHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of superintendent of streets of the town of Hingham 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 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-one, entitled 'An Act providing life tenure for the incumbent of the office of superintendent of streets of the town of Hingham', 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, 1961.

Chap. 83. AN ACT PROVIDING LIFE TENURE FOR OSCAR A. G. BERGHMAN, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF REHOBOTH.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Oscar A. G. Berghman, incumbent of the office of chief of police of the town of Rehoboth, shall be unlimited, and he 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 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-one, entitled 'An Act providing life tenure for Oscar A. G. Berghman, incumbent of the office of chief of police of the town of Rehoboth', 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, 1961.

Chap. 84. 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-two, 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, 1961.

Chap. 85. AN ACT REGULATING THE USE OF THE WORD "NATIVE" IN CONNECTION WITH THE SALE OR PACKAGING OF VEGETABLES.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 99A the following section: — *Section 99B.* No person shall sell or offer to sell or pack for sale or distribution in the commonwealth vegetables in a container bearing the label or designation "native" unless the name of the state in which such vegetables were grown appears immediately after the word "native". Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars. *Approved February 17, 1961.*

Chap. 86. AN ACT PROVIDING THAT THE NON-CONTRIBUTORY PENSION PAYABLE TO CERTAIN FIREMEN IN CITIES BE BASED UPON THEIR HIGHEST ANNUAL RATE OF COMPENSATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 81B, inserted by section 2 of chapter 576 of the acts of 1946, and inserting in place thereof the following section: — *Section 81B.* Any permanent member of a fire department retired under the provisions of subdivision (*a*) of section eighty-one A shall receive an annual pension equal to two thirds of the highest annual rate of compensation or salary received by him while holding the grade held by him at the time of his retirement. The pension of any call fireman or substitute call fireman retired under the provisions of said paragraph (*a*) shall be the same as that of a permanent member of the first grade of the same department in which he served, or, if there be no grades, his compensation shall be that of a permanent member of the department performing duties like those which he performed.

Any permanent member of a fire department retired under the provisions of subdivision (*b*), (*c*) or (*d*) of said section eighty-one A 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 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.

SECTION 2. This act shall take effect as of April seventeenth, nineteen hundred and sixty. *Approved February 17, 1961.*

Chap. 87. AN ACT REPEALING THE PROVISIONS OF LAW REQUIRING THAT THE DEPARTMENT OF PUBLIC UTILITIES HOLD A PUBLIC HEARING BEFORE APPROVAL OF CONTRACTS OF THE BOSTON GAS COMPANY FOR THE PURCHASE OF GAS.

Be it enacted, etc., as follows:

Section six of chapter four hundred and seventeen of the acts of nineteen hundred and three, as amended by chapter four hundred and forty-six of the acts of nineteen hundred and fifty-one, is hereby repealed.

Approved February 17, 1961.

Chap. 88. AN ACT PROVIDING FOR THE INCINERATION AND DISPOSAL OF CERTAIN REFUSE AND GARBAGE COLLECTED IN THE CITY OF LAWRENCE AND THE TOWN OF METHUEN AND CREATING THE LAWRENCE AND METHUEN 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 city of Lawrence and the town of Methuen there is hereby created a public body politic and corporate to be known as the Lawrence and Methuen Incinerator Authority, hereinafter referred to as the authority. Said authority is hereby authorized and directed to acquire such land within said city or town 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 refuse and garbage produced in said city or town. After the construction of such incinerator is completed, no refuse or garbage suitable for incineration which is produced in said city or town shall 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. Chapter thirty-one of the General Laws, and rules made thereunder, shall apply to all employees of said authority, except as hereinafter provided. Any employee of said city or town may be transferred to the employ of said authority but said employee by reason of such transfer shall not suffer the loss of any rights.

SECTION 2. The authority created by section one shall consist of the mayor of the city of Lawrence, and the member of the city council of said city who is commissioner of public health and charities, the member of said council who is engineer of said city, and three selectmen of the town of Methuen, each of whom shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of his duties. An affirmative vote of the majority of the members of said authority shall be necessary for any action taken by said authority. In the event of a tie vote, the director and chief engineer in the division of sanitary engineering in the state department of public health, or his deputized employee as designated by him shall cast the deciding vote. In the event of a death or vacancy of a member of said authority, such vacancy shall be filled by a temporary appointment made by the remaining members of said city or town wherein said vacancy occurred. No vacancy in the membership of the authority shall impair the right of the majority to exercise all rights and perform all the duties of the authority.

The authority shall from time to time appoint a secretary-treasurer who shall not be subject to chapter thirty-one of the General Laws and 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 such city or town as it may deem necessary for carrying out the provisions of this act;

(*e*) To construct, maintain, and operate a refuse disposal incinerator of sufficient size to properly incinerate all refuse and garbage produced in said city and town; provided, however, that the construction plans shall be subject to the approval of the department of public health and the location, maintenance and operation of said incinerator shall be subject to the provisions of section one hundred and fifty A of chapter one hundred and eleven of the General Laws;

(*f*) To dispose of the ash and residue from said incinerator and other materials as may be proper in accordance with modern sanitary engineering practice as it shall adjudge most advantageous;

(*g*) To establish rules and regulations, and fix policies, for the operation of said incinerator and the reception thereat of refuse and garbage, and for the operation of disposal areas;

(*h*) To receive at said incinerator and incinerate therein refuse and garbage originating in said city or town when brought to said incinerator by said city or town or their agents or contractors or by private persons 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 refuse and garbage originating in said city and town, refuse and garbage originating in other towns or cities and to fix and revise from time to time and charge and collect fees for such reception and incineration;

(*j*) To receive and accept from any federal agency grants-in-aid for the design or 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 such engineering and financial experts, attorneys and accountants, who shall not be subject to chapter thirty-one, and to employ a plant superintendent and other employees and agents, 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 city and town and said city and town shall from time to time loan to the authority, such sums not exceeding, in the aggregate, two million five hundred thousand dollars, as the authority shall demand that said city and town loan it; provided, that the city's and 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 city and town. The authority shall repay every loan made to it under this section in the same installments 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 city or 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 city treasurer of the city of Lawrence and the town treasurer of the town of Methuen shall, without further authority than that contained in this section, in the name and behalf of their respective municipalities, borrow from time to time such sums as may be necessary, not exceeding in the aggregate, two million five hundred thousand dollars, and may issue therefor bonds and notes which shall bear on their face the words "City or Town of (insert name of city or town) Incinerator Loan, Act of 1961". 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 city and town 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 said city and town and by other towns and cities 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 city and town in proportion to the aggregate amount of refuse and garbage, respectively, deposited in said incinerator by said city and town during such preceding month, and notify said city and town of such computation and apportionment; and the treasurers of said city and town shall thereupon forthwith, without further authorization than herein contained, pay to the authority out of any available funds in the treasury of said city or town, as the case may be, the sum respectively apportioned to said city or 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 installments of principal and interest on debt accruing during such month. Administrative expenses, interest and installment 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 city and town 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, but may in lieu thereof pay such sums as may be established by the authority, 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 city and town in proportion to the amounts which have been respectively apportioned to them under section seven of this act.

SECTION 11. This act shall take effect upon its acceptance by vote of the city council of the city of Lawrence subject to the provisions of its charter and by vote of a majority of the town meeting members of the town of Methuen present and voting thereon at an annual or special town meeting called for the purpose, 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.

Approved February 17, 1961.

Chap. 89. AN ACT FURTHER EXTENDING THE PERIOD OF OPERATION OF THE LAW AUTHORIZING THE TRIAL OF CIVIL ACTIONS IN THE CENTRAL DISTRICT COURT OF WORCESTER BY A JURY OF SIX.

Be it enacted, etc., as follows:

Section 14 of chapter 738 of the acts of 1956, as amended by chapter 277 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Section one A of this act shall apply to actions entered on or after July first, nineteen hundred and fifty-seven, and shall become inoperative as to any action entered after July first, nineteen hundred and sixty-four.

Approved February 17, 1961.

Chap. 90. AN ACT PROHIBITING THE EMPLOYMENT IN CERTAIN POSITIONS IN THE DEPARTMENT OF CORRECTION OF PERSONS WHO HAVE BEEN CONFINED IN A JAIL OR HOUSE OF CORRECTION.

Be it enacted, etc., as follows:

Section 9 of chapter 125 of the General Laws is hereby amended by striking out the third paragraph, inserted by chapter 201 of the acts of 1960, and inserting in place thereof the following paragraph: —

Notwithstanding any provision of law to the contrary, but subject, however, to the provisions of section sixty of chapter one hundred and nineteen, no person who has been convicted of a felony, or who has been confined in any jail or house of correction, shall be appointed to any position in the department of correction the duties of which involve personal and direct contact with prisoners.

Approved February 17, 1961.

Chap. 91. AN ACT AUTHORIZING THE TOWN OF PLAINFIELD TO VOTE AT ITS CURRENT ANNUAL TOWN MEETING ON THE QUESTION OF GRANTING LICENSES FOR THE SALE IN SAID TOWN OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any limitations imposed by section eleven of chapter one hundred and thirty-eight of the General Laws as

to the time for voting upon the questions therein set forth, the town clerk of the town of Plainfield shall place upon the official ballot to be used for the election of town officers at its annual town meeting in the current year the following subdivided question: —

A. Shall licenses be granted in this town for the sale therein of all alcoholic beverages (whiskey, rum, gin, malt beverages, wines and all other alcoholic beverages)?

YES.	
NO.	

B. Shall licenses be granted in this town for the sale therein of wines and malt beverages (wines and beer, ale and all other malt beverages)?

YES.	
NO.	

C. Shall licenses be granted in this town for the sale therein of all alcoholic beverages in packages, so called, not to be drunk on the premises?

YES.	
NO.	

SECTION 2. If a majority of the votes cast in said town in answer to subdivision A is in the affirmative, said town shall, irrespective of the result of the votes in answer to subdivisions B and C, be taken to have authorized, for the remainder of the calendar year and for the calendar year nineteen hundred and sixty-two, the retail sale in said town of all alcoholic beverages to be drunk on and off the premises where sold, in accordance with the provisions of chapter one hundred and thirty-eight of the General Laws.

If a majority of the votes cast in said town in answer to subdivisions A and C is not in the affirmative, but a majority thereof in answer to subdivision B is in the affirmative, said town shall be taken to have authorized, for the remainder of the calendar year and for the calendar year nineteen hundred and sixty-two, the retail sale therein of wines and malt beverages only to be drunk on and off the premises where sold, in accordance with the provisions of said chapter one hundred and thirty-eight.

If a majority of the votes cast in said town in answer to subdivision A and to subdivision B is not in the affirmative, but a majority thereof in answer to subdivision C is in the affirmative, said town shall be taken to have authorized, for the remainder of the calendar year and for the calendar year nineteen hundred and sixty-two, the retail sale therein of all alcoholic beverages but only in packages, so called, not to be drunk on the premises where sold, in accordance with the provisions of said chapter one hundred and thirty-eight.

If a majority of the votes cast in said town in answer to subdivision A is not in the affirmative, but a majority thereof in answer to subdivisions B and C is in the affirmative, said town shall be taken to have authorized, for the remainder of the calendar year and for the calendar year nineteen hundred and sixty-two, the retail sale therein of wines and malt beverages to be drunk on and off the premises where sold, and also the sale of all other alcoholic beverages but only in packages, so called, not to be drunk on the premises where sold, in accordance with the provisions of said chapter one hundred and thirty-eight.

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

Approved February 20, 1961.

Chap. 92. AN ACT REGULATING THE METHOD OF ARBITRATING CERTAIN CLAIMS UNDER POLICIES INSURING MOTOR VEHICLES AGAINST PHYSICAL DAMAGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the arbitration of rights and liabilities of parties under certain contracts of insurance, 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 175 of the General Laws is hereby amended by striking out section 191A, inserted by chapter 793 of the acts of 1960, and inserting in place thereof the following section: — *Section 191A.* No company shall issue a policy or contract which insures against physical damage to a motor vehicle of the insured unless said policy contains in substance the following provision: —

If the named insured and the company fail to agree as to the amount of loss, each shall, on the written demand of either, made within sixty days after receipt of proof of loss by the company, select a competent and disinterested appraiser, and the appraisal shall be made at a reasonable time and place. The appraisers shall first select a competent and disinterested umpire, and failing for fifteen days to agree upon such umpire, then, on the request of the named insured or the company, such umpire shall be selected by a judge of a court of record in the county and state in which such appraisal is pending. The appraisers shall then appraise the loss, stating separately the actual cash value at the time of loss and the amount of loss, and failing to agree shall submit their differences to the umpire. An award in writing of any two shall determine the amount of loss. The named insured and the company shall each pay his or its chosen appraiser and shall bear equally the other expenses of the appraisal and umpire.

The company shall not be held to have waived any of its rights by any act relating to appraisal.

SECTION 2. This act shall take effect on February twenty-third, nineteen hundred and sixty-one. *Approved February 20, 1961.*

Chap. 93. AN ACT REQUIRING THAT EMPLOYERS AND LABOR UNIONS NOTIFY EMPLOYEES REQUIRED TO RETIRE UNDER PENSION PLANS THAT THEY ARE NOT THEREBY DISQUALIFIED FROM RECEIVING UNEMPLOYMENT COMPENSATION BENEFITS.

Be it enacted, etc., as follows:

Subsection (*a*) of section 25 of chapter 151A of the General Laws, as most recently amended by section 9 of chapter 763 of the acts of 1951, is hereby further amended by adding at the end the following paragraph: —

The employer, upon the retirement of an individual from employment pursuant to a pension program, plan or agreement requiring retirement on the ground of age, and any labor union or association which is a party to any such program, plan or agreement, shall notify such individual in writing that he is not, by reason of such retirement, disqualified from receiving unemployment compensation benefits.

Approved February 20, 1961.

Chap. 94. AN ACT PROVIDING THAT THE QUABBIN RESERVOIR DIKE BE KNOWN AND DESIGNATED AS THE GOODNOUGH DIKE.

Be it enacted, etc., as follows:

The Quabbin reservoir dike shall be known and designated as the Goodnough Dike in memory of the late X. Henry Goodnough, chief engineer of the former state board of health and later chief engineer of the division of sanitary engineering of the department of public health, whose major life work was the development of the Quabbin reservoir.

The Massachusetts Improvement Association is hereby authorized to cause to be erected on or near said dike, and dedicated with suitable ceremonies, an appropriately inscribed tablet, marker or other similar memorial bearing said designation. All expenses in connection with said memorial shall be borne by said Association, and said memorial shall not be erected until the metropolitan district commission has approved the design, inscription and location for the said memorial and has ascertained that the necessary funds have been provided for said memorial.

Approved February 20, 1961.

Chap. 95. AN ACT FURTHER REGULATING THE TIME FOR MAKING APPLICATION FOR MILK DEALERS' LICENSES.

Be it enacted, etc., as follows:

SECTION 1. Section 42A of chapter 94 of the General Laws, as amended by chapter 126 of the acts of 1935, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Application for such license shall be made on or before March first in each year, for the license year beginning June first following, or at any time later than March first in any year for the balance of the license year after the date of issue of the license, which date shall be at least two months subsequent to the filing of the application.

SECTION 2. Notwithstanding the provisions of section forty-two A of chapter ninety-four of the General Laws, as amended by section one of this act the license year nineteen hundred and sixty-two to nineteen hundred and sixty-three shall run from March first, nineteen hundred and sixty-two through May thirty-first, nineteen hundred and sixty-three, and application for such license shall be made on or before January first, nineteen hundred and sixty-two. *Approved February 20, 1961.*

Chap. 96. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF PROCEEDINGS CONTESTING THE VALIDITY OF ACTION TAKEN BY A HOUSING OR REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 59D the following section: — *Section 59E.* At the request of any party a proceeding brought to determine the validity of any action taken by a housing authority or a redevelopment authority under chapters one hundred and twenty-one or one hundred and twenty-one A or under section thirteen of chapter six hundred and fifty-two of the acts of nineteen hundred and sixty shall be advanced for speedy hearing.

Approved February 20, 1961.

Chap. 97. AN ACT SIMPLIFYING THE PROCEDURE RELATIVE TO CORPORATE ORGANIZATION.

Be it enacted, etc., as follows.

SECTION 1. Section 10 of chapter 156 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after clause (*d*) the following two clauses: —

(*e*) A certification that the provisions of sections eight and nine relative to the calling and holding of the first meeting of the corporation, and the election of a temporary clerk, the adoption of by-laws, and the election of officers have been complied with.

(*f*) The final day of the corporation's fiscal year and the date provided in the by-laws for the annual meeting.

SECTION 2. Said section 10 of said chapter 156 is hereby further amended by adding after said clause (*f*) the following paragraph: —

The information required by clauses (*d*) and (*f*) shall not be deemed a permanent part of the articles of organization, and may subsequently be amended by compliance with the provisions of sections twenty-four and twenty-nine, respectively.

SECTION 3. Section 11 of said chapter 156, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The articles of organization and the agreement of association shall be submitted to the commissioner who shall examine them and who may require such amendment thereof or such additional information as he deems necessary.

Approved February 20, 1961.

Chap. 98. AN ACT MAKING AVAILABLE CERTAIN FUNDS FOR MEDICAL ASSISTANCE FOR THE AGED AT TEWKSBURY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Item 1901–06 of section 2 of chapter 507 of the acts of 1960 is hereby amended by striking out the wording and inserting in place thereof the following: — For payments on account of grants made in accordance with sections one C and thirty-two of chapter one hundred and eighteen A of the General Laws.

SECTION 2. This act shall take effect as of October first, nineteen hundred and sixty. *Approved February 20, 1961.*

Chap. 99. AN ACT INCREASING THE PERIOD OF TEMPORARY DETENTION OF PAROLEES UNDER THE OUT-OF-STATE PROBATIONER AND PAROLEE SUPERVISION LAW.

Be it enacted, etc., as follows:

Section 151J of chapter 127 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 229 of the acts of 1957, and inserting in place thereof the following sentence: — Thereupon the parole board shall issue a warrant for the retaking of such parolee and for his temporary custody or detention for a period not exceeding sixty days pending action by the sending state to have said parolee returned. *Approved February 20, 1961.*

Chap. 100. AN ACT EXTENDING THE LIFE INSURANCE BENEFITS OF LOCAL GOVERNMENT INSURANCE PLANS TO CERTAIN RETIRED EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent the lapsing of life insurance on certain retired 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:

Section 9 of chapter 32B of the General Laws, as appearing in section 1 of chapter 730 of the acts of 1956, is hereby amended by inserting after the first sentence the following sentence: — The policy or policies may provide for group life insurance not to exceed one thousand dollars on the lives of retired employees who, up to the effective date of such policy or policies, were insured under a group life policy purchased pursuant to the provisions of clause (44) of section five of chapter forty.

Approved February 23, 1961.

Chap. 101. AN ACT REQUIRING NOTIFICATION TO THE STATE FIRE MARSHAL OF THE DATE OF RELEASE OR DISCHARGE FROM CERTAIN INSTITUTIONS OF PERSONS CONVICTED OF ARSON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by inserting after section 162 the following section: — *Section 162A.* The superintendent of a correctional institution shall immediately prior to the release or discharge from such institution of any person sentenced upon conviction of the crime of arson notify the state fire marshal of the intended date of the release or discharge of such prisoner.

SECTION 2. The second paragraph of section 105 of chapter 123 of the General Laws, as most recently amended by section 2 of chapter 216 of the acts of 1941, is hereby further amended by inserting after the first sentence the following sentence: — Said superintendent or said medical director, and, in case of commitment to the Bridgewater state hospital, the commissioner, as the case may be, shall, in case of the release or discharge of any such prisoner under complaint or indictment for arson, immediately prior to the date of such release or discharge, notify the state fire marshal of the intended date of the release or discharge of such prisoner. *Approved February 23, 1961.*

Chap. 102. AN ACT EXEMPTING THE SOLDIERS' HOME IN HOLYOKE FROM THE PROVISIONS OF LAW RELATIVE TO THE DISPOSITION OF THE BODIES OF CERTAIN DECEASED PERSONS.

Be it enacted, etc., as follows:

Chapter 113 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 2E of chapter 613 of the acts of 1958, and inserting in place thereof the following section: — *Section 1.* Upon the written application of the dean or other officer of any medical school established by law in the commonwealth, the board of public welfare of a town, the penal institutions commissioner

of Boston, the trustees and superintendent of the Tewksbury hospital or other public institution supported in whole or part at the public expense, except the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke, in this chapter called the authorities, shall permit such dean or other officer to take, within three days after death, the body of any person, required to be buried at the public expense, who died in such town or in any institution under the control of such authorities, to be used within the commonwealth for the promotion of anatomical science. In giving such permission regard shall be had to delivering such bodies to any such medical schools in proportion, so far as practicable, to the number of students therein. *Approved February 23, 1961.*

Chap. 103. AN ACT RELATIVE TO THE METHOD OF ELECTING MEMBERS OF THE BOSTON FIREMEN'S RELIEF FUND WHEN THE NUMBER OF NOMINEES IS NOT IN EXCESS OF THE NUMBER TO BE ELECTED.

Be it enacted, etc., as follows:

Chapter 308 of the acts of 1909 is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 129 of the acts of 1960, and inserting in place thereof the following section: — *Section 2.* The twelve members of the fire department of the city of Boston mentioned in section one shall be elected by ballot by the members of the said department in the following manner: On the second Monday of September in the year nineteen hundred and eleven there shall be elected twelve members, and no member of said department shall vote for more than twelve. The four members receiving the largest number of votes shall serve for three years, the four receiving the next largest number of votes shall serve for two years and the four receiving the next largest number of votes shall serve for one year. In case two or more members elected should receive an equal number of votes, those who are the seniors by terms of service in said fire department shall for the division into classes hereby required be classified as if they had received the larger number of votes in the order of their seniority. Thereafter on the second Monday of September in each year there shall, except as hereinafter provided, be elected by ballot four members to serve for a term of three years, and no member of the said fire department shall vote for more than four. All said terms shall begin on the second Tuesday following the election. When a vacancy occurs in the membership of the corporation the remaining members shall elect by a majority vote a member of the aforesaid department to fill the vacancy for the remainder of the year. The vacancy for the remainder of the unexpired term shall be filled at the next election. The annual election of the members of the corporation shall be under the supervision of an election committee of eight members appointed by the fire commissioner of the city of Boston; and said election shall be by secret ballot and shall be conducted at the fire department headquarters of the city of Boston between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon. The election committee shall have the power to prescribe the form of common ballot box and checkoff list, and rules for observers. Ballots shall be counted immediately after the close of the election under the supervision of the election committee.

Notwithstanding the provisions of this section if the number of persons nominated and members of the corporation does not exceed the number of vacancies to be filled at an annual election, the secretary of the corporation may at said election cast one vote for each of said nominees, and each of said nominees shall be declared elected as a member of the corporation, and the provisions relative to the method and hours of balloting on said election day, use of checkoff list, observers, and counting of ballots shall not be enforced. *Approved February 23, 1961.*

Chap. 104. AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF MARBLEHEAD TO DIVIDE PRECINCT FOUR IN SAID TOWN FOR THE SOLE PURPOSE OF FACILITATING VOTING THEREIN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the selectmen of the town of Marblehead may divide the territory comprising precinct four in said town for the sole purpose of facilitating voting therein. Each division of said precinct shall be designated by the addition of a letter to the number designating said precinct. Notice of such division shall be given forthwith to the state secretary. Except as provided herein, all provisions of law relating to voting precincts and polling places shall apply to such divisions. Within twenty days after such division, the selectmen shall cause notice in writing to be given to each registered voter in said precinct specifying the polling place to be used by such voter. A division of said precinct made hereunder shall take effect on the thirty-first day of December following the making thereof.

Approved February 23, 1961.

Chap. 105. AN ACT AUTHORIZING SAVINGS AND LOAN ASSOCIATIONS TO PAY DEPOSITS DIRECTLY TO MINORS ON THEIR OWN ORDER.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by striking out section 48, inserted by section 6 of chapter 244 of the acts of 1939, and inserting in place thereof the following section: — *Section 48.* Any individual, partnership, association or corporation doing a banking or savings and loan business in the commonwealth having funds on deposit or in a savings account in the name of a minor may, unless in violation of a written agreement to which such individual, partnership, association or corporation is a party, pay the same in whole or in part directly to such minor or to others on his written order and such payments shall have the same legal effect as if no minority existed.

Approved February 23, 1961.

Chap. 106. AN ACT RELATIVE TO LAW SITTINGS 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 12, as amended by section 1 of chapter 165 of the acts of 1958, and inserting in place thereof the following section: —

Section 12. The supreme judicial court shall hold sittings for the hearing and determination of questions of law arising in any cases at such times and places as the court shall by rule determine, and any such sittings may be adjourned to such places and times as shall appear to the court to be most conducive to the dispatch of business and to the interests of the public.

SECTION 2. Section thirteen of said chapter two hundred and eleven, as most recently amended by section two of said chapter one hundred and sixty-five, is hereby repealed. *Approved February 23, 1961.*

Chap. 107. AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE EXPENDED BY THE TOWN OF OAK BLUFFS FOR ADVERTISING THE TOWN AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 112 of the acts of 1910 is hereby amended by striking out section 1, as amended by section 1 of chapter 145 of the acts of 1922, and inserting in place thereof the following section: — *Section 1.* The town of Oak Bluffs may, at its annual town meeting, after due legal notice thereof in the warrants under which said meetings are called, annually appropriate a sum not exceeding five thousand dollars for the purpose of advertising the advantages of the town and for providing amusements or entertainments of a public character.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said town present and voting thereon at an annual meeting of said town. *Approved February 23, 1961.*

Chap. 108. AN ACT RELATIVE TO THE TIME FOR THE MAKING AND ACQUIRING BY BANKING INSTITUTIONS AND INSURANCE COMPANIES OF LOANS TO VETERANS GUARANTEED BY THE ADMINISTRATOR OF VETERANS' AFFAIRS.

Be it enacted, etc., as follows:

Section 1 of chapter 46 of the acts of 1945, as appearing in chapter 249 of the acts of 1959, is hereby amended by striking out the second sentence. *Approved February 23, 1961.*

Chap. 109. AN ACT REGULATING THE COUNTING OF VOTES FOR MEMBERS OF WARD AND TOWN COMMITTEES.

Be it enacted, etc., as follows:

Chapter 53 of the General Laws is hereby amended by inserting after section 39 the following section: — *Section 39A.* A person whose name appears as candidate for a ward or town committee more than once upon the ballot shall not receive a cumulative vote, but only the highest vote cast for him as a candidate for such committee in any single position on the ballot. *Approved February 23, 1961.*

Chap. 110. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY MURIEL J. WOOD.

Be it enacted, etc., as follows:

Muriel J. Wood of Boston is hereby authorized, within six months after the passage of this act, to bring a petition against the commonwealth under the provisions of chapter two hundred and fifty-eight of the General Laws that the court determine whether, in the manner and subject to the limitations, conditions and restrictions specified in section fifteen of chapter eighty-four of the General Laws, but not including the requirements relative to a written notice as specified in sections eighteen and nineteen of said chapter eighty-four, injuries sustained by her on or about July twenty-third, nineteen hundred and sixty, were caused by a defect or want of repair of a way or sidewalk adjacent to Embankment road on Storrow drive near the corner of Mount Vernon street in Boston under the control of the metropolitan district commission and, if the court shall so determine, to find the amount of her damages, which shall not, however, exceed three thousand dollars.

Approved February 23, 1961.

Chap. 111. AN ACT PROVIDING AN INCREASE IN THE ANNUAL AMOUNT OF PENSION AND RETIREMENT ALLOWANCE OF CERTAIN MUNICIPAL EMPLOYEES RETIRED FOR DISABILITY WHO HAVE REACHED THE AGE OF SEVENTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, any retired county, city or town employee who was retired for disability or accidental disability under any general or special law and who on the first day of July, nineteen hundred and sixty-one has attained the age of seventy-five and is receiving a pension or retirement allowance of less than two thousand dollars shall have said allowance increased to two thousand dollars.

SECTION 2. The increase granted by this act with respect to pensions, retirement allowances, and annuities payable by a county, city or town shall take effect when accepted in a county by the county commissioners thereof, in a city having a 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 February 24, 1961.

Chap. 112. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO SELL FOR HOUSING PURPOSES CERTAIN LAND ACQUIRED FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 255 of the acts of 1951, as most recently amended by section 1 of chapter 302 of the acts of 1955, is hereby further amended by adding at the end the following two paragraphs: —

Lot E. Beginning at a point on the Easterly side of Blanchard road at the Northwest corner of land owned now or formerly by Alexander G. Koral and continuing in a Northeasterly direction 275 feet to a point on the Easterly side of Blanchard road; thence turning and continuing in a Southeasterly direction 70.9 feet to a point; thence turning and continuing in a Southerly direction 278 feet to a point; thence turning and continuing in a Westerly direction 117 feet to the point of beginning. All the above measurements being more or less.

The above described parcel of land is shown as *Lot E* on a plan entitled "Part of Fresh Pond Reservation, Cambridge, Massachusetts, for Proposed Housing Development," dated February 1, 1961, drawn by Robert H. Delaney, Registered Land Surveyor, and on file in the office of the City Engineer of the City of Cambridge. Said plan shall be recorded in the Middlesex South Registry of Deeds.

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

Approved February 24, 1961.

Chap. 113. AN ACT VALIDATING THE SALE OF CERTAIN BONDS BY THE TOWN OF AVON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any failure to comply with any by-law of the town of Avon, the sale of bonds in the amount of four hundred and sixty-two thousand dollars bearing on their face the words, School Project Loan, Act of 1948, and the sale of school bonds in the amount of two hundred thousand dollars by the town of Avon on the basis of bids received January seventeenth, nineteen hundred and sixty-one, is hereby validated, confirmed and approved.

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

Approved February 24, 1961.

Chap. 114. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO USE CERTAIN PARK AND PLAYGROUND LAND FOR SCHOOL OR PLAYGROUND OR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Lexington may use for school, playground or recreational purposes, and for all purposes incidental thereto, the parcels of land therein conveyed to said town by Augustus E. Scott by two deeds dated June eight, nineteen hundred and fourteen and March thirty, nineteen hundred and fifteen, which are recorded, respectively, in Middlesex South District Registry of Deeds, Book 3953, Page 561 and Book 3981, Page 109, the conditions set forth in said deeds limiting the use of the land to park and playground purposes having been released to said town by the trustees of Tufts College, the successor as residuary legatee and devisee under the will of said Augustus E. Scott of any rights to enforce said conditions.

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

Approved February 24, 1961.

Chap. 115. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO MAKE CERTAIN EXPENDITURES FOR SALARIES OF CERTAIN COURT OFFICERS IN ANTICIPATION OF THE COUNTY APPROPRIATION ACT FOR THE YEAR NINETEEN HUNDRED AND SIXTY-ONE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of chapter thirty-five of the General Laws, the county commissioners of Bristol county shall, on and after January first in the year nineteen hundred and sixty-one, expend from any available funds such sums as may be necessary to pay the salaries of the court officers appointed in the superior court for Bristol county appointed under chapter seven hundred and nineteen of the acts of nineteen hundred and sixty.

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

Approved February 24, 1961.

Chap. 116. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO TRANSFER THE CARE, CUSTODY AND CONTROL OF A CERTAIN ROAD FROM THE PARK DEPARTMENT TO THE HIGHWAY DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland is hereby authorized to transfer the care, custody and control of a certain park road, running in a southerly direction from West Plain street to the beach area on Lake Cochituate and being about twelve hundred feet in length, from the park department to the highway department of said town, said road to be used thereafter for general highway purposes.

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

Approved February 24, 1961.

Chap. 117. AN ACT RELATIVE TO RECORDING THE ABANDONMENT OF PART OF AN EASEMENT OR RIGHT IN CERTAIN LAND BY A CITY OR TOWN.

Be it enacted, etc., as follows:

Section 15 of chapter 40 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 sentence: — Such declaration, being recorded in the registry of deeds for the district where the land is situated, shall extinguish the easement or right, or part thereof.

Approved February 24, 1961.

Chap. 118. AN ACT PROVIDING FOR TWO ADDITIONAL MEMBERS OF THE HOUSE OF REPRESENTATIVES ON THE LEGISLATIVE RESEARCH COUNCIL.

Be it enacted, etc., as follows:

Section 56 of chapter 3 of the General Laws, inserted by section 2 of chapter 607 of the acts of 1954, is hereby amended by striking out, in line 4, the word "four" and inserting in place thereof the word: — six.

Approved February 24, 1961.

Chap. 119. AN ACT EXTENDING THE TIME FOR ACCEPTANCE OF AN ACT ESTABLISHING THE LANESBOROUGH GARDEN CIRCLE SEWER DISTRICT.

Be it enacted, etc., as follows:

Section 16 of chapter 133 of the acts of 1951, as amended by chapter 2 of the acts of 1956, is hereby further amended by striking out, in line 7, the word "ten" and inserting in place thereof the word: — fifteen, — so as to read as follows: — *Section 16.* This act shall take full effect upon its acceptance by a majority of the registered voters of the territory included within said district described in section one of this act, present and voting thereon by use of a check list at a district meeting called in accordance with section three, and upon its acceptance by the city council of the city of Pittsfield, within fifteen years of its passage.

Approved February 24, 1961.

Chap. 120. AN ACT AUTHORIZING THE TOWN OF WEST SPRINGFIELD TO BORROW MONEY FOR THE PURPOSE OF AUGMENTING ITS SEWAGE COLLECTING AND DISPOSAL SYSTEM.

Be it enacted, etc., as follows:

For the purpose of paying the necessary expenses and liabilities incurred in augmenting and supplementing its system of sewage collecting and sewage disposal and for the purpose of removing pollution from the Connecticut, Westfield and Agawam rivers, and for the purpose of carrying out an agreement with the city of Springfield, dated July seventeenth, nineteen hundred and fifty-three and duly approved and authorized relative to the city of Springfield sewage disposal plant at Bondi's Island in Agawam, entered into under the authority of chapter fifty-two of the acts of nineteen hundred and thirty-nine, the town of West Springfield 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 three million dollars and may issue bonds or notes therefor which shall bear on their face, West Springfield Sewerage Loan, Act of 1961. 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. *Approved February 24, 1961.*

Chap. 121. AN ACT REDEFINING THE WORD "TRACTOR" UNDER THE MOTOR VEHICLE LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Tractor", inserted by section 2 of chapter 332 of the acts of 1933, and inserting in place thereof the following definition: —

"Tractor", a motor vehicle with or without a carrying capacity of its own but which is designed and used for drawing another vehicle or for industrial or agricultural purposes.

SECTION 2. Section 33 of said chapter 90 is hereby amended by striking out subdivision (2), as appearing in section 1 of chapter 571

of the acts of 1959, and inserting in place thereof the following subdivision: —

(2) For the registration of every non-gasoline driven tractor which is a part of a semi-trailer unit used for the transportation of property, ten dollars for every one thousand pounds or fraction thereof of the weight of the tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer and tractor, and for the registration of every gasoline driven tractor which is a part of a semi-trailer unit so used, three dollars for every one thousand pounds or fraction thereof of the weight of such tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum load to be carried by such semi-trailer and tractor, but in no event less than eighty dollars nor more than six hundred dollars in the case of a non-gasoline driven tractor which is part of a semi-trailer unit, or less than twenty-four dollars nor more than one hundred and eighty dollars if gasoline driven. *Approved February 27, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, February 27, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 121 of the Acts of 1961, entitled "An Act Redefining the Word "Tractor" Under the Motor Vehicle Law," and the enactment of which received my approval on February 27, 1961, 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 unnecessarily delay the time when tractor operators in this commonwealth, transporting automobiles, would be permitted to transport one additional car as provided in this act and thereby become reasonably competitive with tractor operators in other states engaged in like transportation.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, February 28, 1961.

I, Kevin H. White, 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 and ten 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 one hundred and twenty-one of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 122. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO ASSESS BETTERMENTS FOR PUBLIC IMPROVEMENTS ON A PUBLIC WAY 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 Eames way, a public way in said town, as voted at the annual town meeting of nineteen hundred and sixty, which construction was or will be completed during the calendar years nineteen hundred and sixty and nineteen hundred and sixty-one.

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

Approved February 27, 1961.

Chap. 123. AN ACT NULLIFYING CERTAIN BETTERMENTS ASSESSMENTS AND AUTHORIZING THE TOWN OF MARSHFIELD TO REASSESS BETTERMENTS FOR CERTAIN IMPROVEMENTS ON CERTAIN PUBLIC WAYS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter thirty-nine of the acts of nineteen hundred and fifty-nine and assessments made thereunder by the town of Marshfield shall be null and void in so far as they pertain to Carr road and Woodlawn circle only, and reassessments for the construction of public improvements on said Carr road and Woodlawn circle may be made as provided in section two of this act.

SECTION 2. 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 Marshfield in nineteen hundred and sixty-one for the construction of public improvements on Carr road and Woodlawn circle, public ways in said town, as voted at the annual town meeting in nineteen hundred and fifty-eight, which construction was completed during the calendar years of nineteen hundred and fifty-eight and nineteen hundred and fifty-nine.

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

Approved February 27, 1961.

Chap. 124. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO ASSESS BETTERMENTS FOR THE LAYING OF WATER PIPES IN THE KENT PARK AREA.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections one and two of chapter eighty of the General Laws and sections forty-two G, forty-two H and forty-two I of chapter forty of the General Laws and the by-law in effect pursuant to said sections of said chapter forty, assessments for betterments may be validly made by the town of Marshfield for the laying of water pipes in the Kent Park section of said town off

South River street, as voted at the annual town meeting of nineteen hundred and fifty-eight, the laying of which pipes was completed during the calendar year nineteen hundred and sixty.

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

Approved February 27, 1961.

Chap. 125. AN ACT INCREASING THE AMOUNT OF CERTAIN DEATH BENEFITS WHICH MAY BE PAID BY THE SOMERVILLE POLICE RELIEF ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The Somerville 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 to such member such sum, not exceeding five hundred dollars, as may from time to time be determined by vote of said corporation, and, upon the death of any member in good standing, to pay such death benefits, not exceeding two thousand dollars, as may from time to time be determined by vote as aforesaid.

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

Approved February 27, 1961.

Chap. 126. AN ACT RELATIVE TO SALARIES REQUIRING THE APPROVAL OF DIRECTORS OF DOMESTIC INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Section 35 of chapter 175 of the General Laws, as amended by chapter 63 of the acts of 1950, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — No domestic company shall pay any salary, compensation or emolument to any officer, trustee or director thereof, nor any salary, compensation or emolument amounting in any year to more than twenty thousand dollars to any person, unless such payment be first authorized by a vote of its board of directors.

Approved February 27, 1961.

Chap. 127. AN ACT RELATIVE TO ELIGIBILITY FOR OLD AGE ASSISTANCE AND DISABILITY ASSISTANCE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 1 of chapter 118A of the General Laws, as amended by chapter 653 of the acts of 1956, is hereby further amended by striking out, in lines 1 to 3, inclusive, the words "deserving citizens, or other persons who have been residents of the United States for a period of twenty years," and inserting in place thereof the word: — persons, — so as to read as follows: — Adequate assistance to persons in need of relief and support who have reached the minimum age now or hereafter established by the United States government under the federal Social Security Act, as a basis for eligibility for grants in aid for old age assistance, and who shall have resided in the commonwealth not less than three years during the nine years immediately preceding the date of application for such assistance, and who shall have resided

in the commonwealth continuously for one year immediately preceding said date of application, shall be granted under the supervision of the department of public welfare, in this chapter called the department.

SECTION 2. Section 1 of chapter 118D of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 741 of the acts of 1951, and inserting in place thereof the following sentence: — The board of public welfare of every town shall give adequate assistance to every needy person resident therein who has reached the age of eighteen years but has not reached the minimum age now or hereafter established by the United States government under the federal Social Security Act, as a basis for eligibility for grants in aid for old age assistance, who is permanently and totally disabled and who has resided in the commonwealth for one year immediately preceding the date of his application for such assistance. *Approved February 27, 1961.*

Chap. 128. AN ACT EXTENDING THE PROVISIONS OF THE HOUSING DISCRIMINATION LAW TO THE PURCHASE OR ACQUISITION OF CERTAIN REAL ESTATE.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 6, as amended by section 2 of chapter 239 of the acts of 1959, and inserting in place thereof the following subsection: —

6. For the owner, lessee, sublessee, licensed real estate broker, assignee or managing agent of publicly assisted or multiple dwelling or contiguously located housing accommodations or other person having the right of ownership or possession or right to rent or lease, or sell, or negotiate for the sale of such accommodations, or any agent or employee of such a person: — (*a*) to refuse to rent or lease or sell or negotiate for sale or otherwise to deny to or withhold from any person or group of persons such accommodations because of the race, creed, color or national origin of such person or persons; (*b*) to discriminate against any person because of his race, creed, color or national origin in the terms, conditions or privileges of such accommodations or the acquisition thereof, or in the furnishing of facilities and services in connection therewith; or (*c*) to cause to be made any written or oral inquiry or record concerning the race, creed, color or national origin of the person seeking to rent or lease or buy any such accommodation. *Approved February 27, 1961.*

Chap. 129. AN ACT AUTHORIZING DOMESTIC INSURANCE COMPANIES TO INVEST IN CERTAIN OBLIGATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK.

Be it enacted, etc., as follows:

Section 63 of chapter 175 of the General Laws is hereby amended by striking out paragraph 3A, inserted by chapter 70 of the acts of 1948, and inserting in place thereof the following paragraph: —

3A. In bonds, notes or obligations issued, assumed or guaranteed by the International Bank for Reconstruction and Development or by the Inter-American Development Bank. *Approved February 27, 1961.*

Chap. 130. AN ACT RELATIVE TO THE PERSONS WHO MAY SIGN CERTIFICATES ON APPLICATIONS, BECAUSE OF PHYSICAL DISABILITY, FOR ABSENT VOTER REGISTRATION.

Be it enacted, etc., as follows:

The first paragraph of section 42A of chapter 51 of the General Laws, as appearing in section 2 of chapter 196 of the acts of 1946, is hereby amended by striking out the caption preceding the form of certificate, and inserting in place thereof the following caption: — CERTIFICATE OF PHYSICIAN, HOSPITAL SUPERINTENDENT, ATTENDING REGISTERED NURSE, ORDAINED MINISTER, PRIEST, RABBI, OR CHRISTIAN SCIENCE PRACTITIONER. *Approved February 27, 1961.*

Chap. 131. AN ACT INCREASING THE FILING FEE FOR CERTAIN STATEMENTS FILED IN A REGISTRY OF DEEDS UNDER THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE.

Be it enacted, etc., as follows:

SECTION 1. Subsection (5) of section 9–403 of chapter 106 of the General Laws, as most recently amended by section 3 of chapter 379 of the acts of 1960, is hereby further amended by inserting after the word "dollars", in line 3, the words: — , except in registries of deeds where it shall be four dollars.

SECTION 2. Subsection (1) of section 9–404 of said chapter 106, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by inserting after the word "dollars", in line 12, the words: — , except in registries of deeds where it shall be four dollars.

SECTION 3. Subsection (3) of said section 9–404 of said chapter 106, as so appearing, is hereby amended by inserting after the word "dollar", in line 3, the words: — , except in registries of deeds where it shall be four dollars.

SECTION 4. Subsection (1) of section 9–405 of said chapter 106, as appearing in section 12 of chapter 580 of the acts of 1959, is hereby amended by inserting after the word "dollars", in line 10, the words: — , except in registries of deeds where it shall be four dollars.

SECTION 5. Subsection (2) of said section 9–405 of said chapter 106, as so appearing, is hereby amended by inserting after the word "dollars", in line 13, the words: — , except in registries of deeds where it shall be four dollars.

SECTION 6. Section 9–406 of said chapter 106, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by inserting after the word "dollars", in line 12, the words: — , except in registries of deeds where it shall be four dollars. *Approved February 27, 1961.*

Chap. 132. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN HYANNIS PORT TO THE HYANNISPORT CIVIC ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The town of Barnstable is hereby authorized to sell and convey a certain parcel of land located in that part of said town known as Hyannis Port and held by it for park and recreational purposes to the Hyannisport Civic Association, upon such terms as the board

of selectmen may determine, said parcel being bounded and described as follows: —

Beginning at the northeast corner of the described parcel on Washington Avenue; thence running west on said Washington Avenue about three hundred ninety (390) feet to the intersection of said Washington Avenue and Iyanough Avenue; thence southerly by said Iyanough Avenue about four hundred ninety (490) feet to the shore near the Hyannis Port Pier, so-called; thence northeasterly by the shore to a stone bound and the land now or formerly of George B. Holbrook about seventy (70) feet to the first mentioned bound. Containing about two (2) acres.

Said conveyance shall however, contain the following restrictions:

That no resident of the town of Barnstable shall be denied the use and enjoyment of the said land provided that he complies with the same rules and regulations for the use thereof as apply to the members of said association; and provided, further, that no fees shall be charged for such use;

That the Hyannisport Civic Association shall annually file with the board of selectmen a copy of all rules and regulations pertaining to the use of said land;

That if said land ceases to be used as a bathing beach or to be available therefor to the residents of the town of Barnstable, its ownership shall revert to the town;

That the Hyannisport Civic Association may transfer the ownership of said land only with the consent of the town.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members voting thereon at the annual town meeting of said town in the current year.

Approved February 27, 1961.

Chap. 133. AN ACT FURTHER REGULATING ABSENTEE BALLOTS.

Be it enacted, etc., as follows:

Section 92 of chapter 54 of the General Laws is hereby amended by striking out the last paragraph, as appearing in section 4 of chapter 466 of the acts of 1945, and inserting in place thereof the following paragraph: —

Any ballot cast under the provisions of sections eighty-six to one hundred and three A, inclusive, shall be defective if the person in whose presence it was marked and before whom the affidavit required was executed is a candidate for office at such election, except in the case of a voter who on the day of the election will be on the high seas in the prosecution of the business of fishing or as a mariner.

Approved February 27, 1961.

Chap. 134. AN ACT RELATIVE TO BID BONDS ISSUED BY A FOREIGN COMPANY IN CONNECTION WITH ANY PUBLIC OR PRIVATE CONTRACT.

Be it enacted, etc., as follows:

Section 157 of chapter 175 of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 146 of the acts of 1952, and inserting in place thereof the following paragraph: —

Foreign companies admitted to do business in the commonwealth shall make contracts of insurance upon lives, property or interests therein, and annuity or pure endowment contracts on lives therein, and contracts of suretyship with or in favor of residents thereof, only by lawfully constituted and licensed resident agents therein. No such company and no officer or agent thereof shall issue or deliver, or cause or permit to be issued or delivered, in the commonwealth any policy, bond or other instrument evidencing any such contract, or any certificate, memorandum or other instrument evidencing insurance or coverage thereunder, unless such policy, bond, certificate, memorandum or other instrument is countersigned by such a resident agent of the company in the commonwealth; but this provision shall not apply to any policy of life or endowment insurance or any annuity or pure endowment contract or any policy of accident or health insurance, issued by a foreign company authorized to transact life insurance or to transact life insurance and any or all of the classes of insurance specified in subdivision (*a*) or (*d*) of clause Sixth of section forty-seven, or to bid bonds, issued by a foreign company authorized to transact business as surety, in connection with any public or private contract. A facsimile of a signature of any such resident agent imprinted on any policy of accident insurance issued to airplane or railroad passengers through vending machines, which he is authorized to sign, shall have the same validity as his written signature. *Approved February 27, 1961.*

Chap. 135. AN ACT AUTHORIZING THE DEPOSIT OF CERTAIN PUBLIC MONEYS BY THE STATE TREASURER IN FEDERAL SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by striking out section 34A, inserted by chapter 230 of the acts of 1960, and inserting in place thereof 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 and may invest such public moneys and such funds in shares of federal savings and loan associations lawfully doing business in the commonwealth for one year or more, but the amount invested in any one federal savings and loan association shall not at any time exceed the sum of ten thousand dollars.

Approved February 27, 1961.

Chap. 136. AN ACT PROVIDING FOR SALARY ADJUSTMENTS FOR CERTAIN OFFICERS AND EMPLOYEES OF THE VARIOUS COUNTIES, EXCEPT SUFFOLK.

Be it enacted, etc., as follows:

SECTION 1. All officers and employees of the various counties, except Suffolk, whose positions are allocated in the salary schedule in section fifty-one B of chapter thirty-five of the General Laws, as amended by chapter two hundred and fifty of the acts of nineteen hundred and sixty,

shall be placed in the same job group and step in the salary schedule, amended by section two of this act, as allocated in the salary schedule provided in said chapter two hundred and fifty. Nothing in this section shall retard a step increase due such officers or employees so placed.

SECTION 2. Section 51B of chapter 35 of the General Laws, as most recently amended by section 1 of chapter 250 of the acts of 1960, is hereby further amended by striking out the salary schedule and inserting in place thereof the following: —

SALARY SCHEDULE.

Effective January 1, 1961.

JOB GROUP.	Minimum 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Maximum 7.
1	$2,795	$2,912	$3,029	$3,146	$3,263	$3,380	$3,497
2	2,899	3,016	3,133	3,250	3,367	3,484	3,601
3	3,016	3,146	3,276	3,406	3,536	3,666	3,796
4	3,172	3,302	3,432	3,562	3,692	3,822	3,952
5	3,289	3,432	3,575	3,718	3,861	4,004	4,147
6	3,497	3,640	3,783	3,926	4,069	4,212	4,355
7	3,679	3,835	3,991	4,147	4,303	4,459	4,615
8	3,848	4,017	4,186	4,355	4,524	4,693	4,862
9	4,121	4,303	4,485	4,667	4,849	5,031	5,213
10	4,394	4,589	4,784	4,979	5,174	5,369	5,564
11	4,667	4,875	5,083	5,291	5,499	5,707	5,915
12	4,992	5,213	5,434	5,655	5,876	6,097	6,318
13	5,421	5,655	5,889	6,123	6,357	6,591	6,825
14	5,811	6,071	6,331	6,591	6,851	7,111	7,371
15	6,240	6,513	6,786	7,059	7,332	7,605	7,878
16	6,682	6,981	7,280	7,579	7,878	8,177	8,476
17	7,163	7,475	7,787	8,099	8,411	8,723	9,035
18	7,553	7,891	8,229	8,567	8,905	9,243	9,581
19	7,995	8,359	8,723	9,087	9,451	9,815	10,179
20	8,476	8,853	9,230	9,607	9,984	10,361	10,738
21	8,918	9,321	9,724	10,127	10,530	10,933	11,336
22	9,412	9,841	10,270	10,699	11,128	11,557	11,986

SECTION 3. This act shall take effect as of January first, nineteen hundred and sixty-one. *Approved February 27, 1961.*

Chap. 137. AN ACT CONTINUING DURING THE YEARS NINETEEN HUNDRED AND SIXTY-ONE AND NINETEEN HUNDRED AND SIXTY-TWO THE TEMPORARY TAX ON AMOUNTS WAGERED AT HORSE AND DOG RACING MEETINGS CONDUCTED UNDER THE PARI-MUTUEL SYSTEM OF WAGERING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately revenue for the General Fund, 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 amount required to be withheld under the provisions of section five of chapter one hundred and twenty-eight A of the

General Laws by a licensee conducting a horse or dog racing meeting, such licensee shall withhold an amount equal to two per cent of the total amount wagered on each day of such meeting conducted during the years nineteen hundred and sixty-one and nineteen hundred and sixty-two, and shall pay the same to the state racing commission on the day following. All receipts paid into the state treasury under this act shall be credited to the General Fund, notwithstanding any provision of section fifteen of said chapter one hundred and twenty-eight A to the contrary. *Approved February 28, 1961.*

Chap. 138. AN ACT PROVIDING THAT STUDENT GOVERNMENT DAY SHALL BE OBSERVED IN THE YEARS NINETEEN HUNDRED AND SIXTY-ONE AND NINETEEN HUNDRED AND SIXTY-FOUR ON THE SECOND FRIDAY OF APRIL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the observance of Student Government Day on the second Friday of April of the current year and thereby enable students of all religious faiths to participate in the exercises on said day, 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 the provisions of section twelve M of chapter six of the General Laws, the governor shall set apart the second Friday of April in the current year and the second Friday of April in the year nineteen hundred and sixty-four as Student Government Day, and shall by proclamation recommend that exercises appropriate to such day be observed in the schools in the commonwealth. All provisions of law relative to the observance of Student Government Day shall be applicable to the second Friday of April in the current year and to the second Friday of April in the year nineteen hundred and sixty-four.

Approved February 28, 1961.

Chap. 139. AN ACT TO PROVIDE FUNDS FOR STATE ACTIVITIES BY CONTINUING CERTAIN TAXES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds forthwith for state activities, 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 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, section thirty-eight B or subsection (*d*) of section thirty-nine 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 months of March to December, inclusive, nineteen hundred and sixty-one, the calendar year nineteen hundred and sixty-two and the months of January to June, inclusive, nineteen hundred and sixty-three. 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 2. There is hereby imposed, in addition to the taxes levied under subsection (*b*) of section five and subsection (*c*) of section five A of chapter sixty-two of the General Laws, upon income derived from professions, employments, trade or business, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to one per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the months of March to December, inclusive, nineteen hundred and sixty-one, the calendar year nineteen hundred and sixty-two and the months of January to June, inclusive, nineteen hundred and sixty-three. 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 3. There is hereby imposed in addition to the taxes levied under subsection (*c*) of section five of chapter sixty-two of the General Laws, upon the excess of gains over losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, and all acts in amendment thereof and in addition thereto, and in addition to any surtaxes, an additional tax equal to three per cent of such income. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-two shall apply to the additional taxes herein imposed. This section shall apply only to income received in the months of March to December, inclusive, nineteen hundred and sixty-one, the calendar year nineteen hundred and sixty-two and the months of January to June, inclusive, nineteen hundred and sixty-three. 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 4. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-two of the General Laws, and all acts in amendment thereof and in addition thereto, and taxes levied under the provisions of sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to twenty per cent of the taxes assessed under the provisions of said sections, acts and chapters

in or on account of the months of March to December, inclusive, nineteen hundred and sixty-one, the calendar year nineteen hundred and sixty-two and the months of January to June, inclusive, nineteen hundred and sixty-three, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section. This additional tax shall apply also to taxes levied under sections one, two and three of this act.

SECTION 5. All property subject to a legacy and succession tax under the provisions of chapter sixty-five of the General Laws, and of any further amendments thereof or additions thereto, shall be subject to an additional tax of twenty per cent of all taxes imposed by said provisions with respect to property or interests therein passing or accruing upon the death of persons who died during the period beginning March first, nineteen hundred and sixty-one and ending June thirtieth, nineteen hundred and sixty-three. All provisions of law relative to the determination, certification, payment, collection and abatement of such legacy and succession taxes shall apply to the additional taxes imposed by this section.

SECTION 6. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-three A of the General Laws, and all acts in amendment thereof and in addition thereto, an additional tax equal to twenty per cent of the taxes assessed under the provisions of said chapter and acts in or on account of the months of March to December, inclusive, nineteen hundred and sixty-one, the calendar year nineteen hundred and sixty-two and the months of January to June, inclusive, nineteen hundred and sixty-three, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section.

SECTION 7. Notwithstanding the provisions of section two of chapter sixty-three of the General Laws, as most recently amended by section forty-nine of chapter six hundred and fifty-four of the acts of nineteen hundred and fifty-three, every bank taxed thereunder shall pay a tax assessed in the months of March to December, inclusive, nineteen hundred and sixty-one, the calendar year nineteen hundred and sixty-two and the months of January to June, inclusive, nineteen hundred and sixty-three, measured by its net income, as defined in section one of said chapter sixty-three at the rate assessed upon other financial corporations; provided, that such rate shall not be higher than the highest of the rates assessed upon mercantile and business corporations doing business in the commonwealth; and provided, further, that such rates shall not be higher than eight per cent. During the period that the provisions of this section are in effect, trust companies having a savings department shall not be subject to the excise imposed by section eleven of said chapter sixty-three, nor to the requirements of sections eleven to sixteen, inclusive, of said chapter sixty-three.

SECTION 8. Notwithstanding the provisions of section twenty-two of chapter sixty-three of the General Laws, as most recently amended by section one of chapter three hundred and eighty-seven of the acts of nineteen hundred and forty-six and in lieu thereof, every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five of the General Laws, except life insurance companies with respect to business taxable under section twenty, and marine, or fire and marine,

insurance companies with respect to business taxable under section twenty-nine A, shall pay for the years nineteen hundred and sixty-two and nineteen hundred and sixty-three, an excise of two per cent upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made by such company on policyholders during the preceding calendar year, exclusive of reinsurance; but such premiums and assessments for policies written or renewed for insurance, exclusive of reinsurance, of property or interest in other states or countries where a tax is actually paid by such company, or its agents, shall not be so taxed.

SECTION 9. There is hereby imposed an additional excise on the sale of alcoholic beverages and alcohol, other than malt beverages, for the period beginning March first, nineteen hundred and sixty-one and ending June thirtieth, nineteen hundred and sixty-three, as follows:

For each wine gallon, or fractional part thereof, of still wine, other than cider containing more than three per cent but not more than six per cent of alcohol as aforesaid, including vermouth, at the rate of twenty cents per wine gallon.

For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing twenty-four per cent or less of alcohol by volume at sixty degrees Fahrenheit, at the rate of forty-five cents per wine gallon.

For each wine gallon, or fractional part thereof, of all other alcoholic beverages containing more than twenty-four per cent but not more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit, at the rate of twenty-five cents per wine gallon.

For each proof gallon, or fractional part thereof, of all other alcoholic beverages containing more than fifty per cent of alcohol by volume at sixty degrees Fahrenheit, or alcohol, at the rate of twenty-five cents per proof gallon.

SECTION 10. If any part, section or subsection of this act or the application thereof shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions of said sections or the application of such provisions to persons or circumstances other than those as to which it is held invalid. It is hereby declared to be the legislative intent that said sections would have been adopted had such invalid or unconstitutional provisions not been included therein.

Approved February 28, 1961.

Chap. 140. AN ACT RELATIVE TO THE REGISTRATION OF MOTORBOATS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90B of the General Laws, as appearing in section 2 of chapter 275 of the acts of 1960, is hereby amended by striking out the definition "Motorboat", and inserting in place thereof the following definition: — "Motorboat", — any vessel propelled by machinery 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.

SECTION 2. Said chapter 90B is hereby further amended by striking out section 2, as so appearing, and inserting in place thereof the following section: — *Section 2.* Every motorboat of five horsepower or more 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.

(6) 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.

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. 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. *Approved March 2, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 2, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 140 of the Acts of 1961, entitled "An Act Relative to the Registration of Motorboats" and the enactment of which received my approval on March 2, 1961, 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 registration of all motorboats to the end that the protection of lives, property, and safety of the public will not be unnecessarily delayed.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, March 3, 1961.

I, Kevin H. White, 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 and twenty 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 one hundred and forty of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 141. AN ACT CONFIRMING CERTAIN PROCEEDINGS TAKEN BY THE CITY OF CHELSEA RELATIVE TO THE ISSUANCE OF BONDS AND NOTES PURSUANT TO THE LAW AUTHORIZING CERTAIN BORROWING WITH APPROVAL OF THE EMERGENCY FINANCE BOARD.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the board of aldermen of the city of Chelsea on December nineteenth, nineteen hundred and sixty, and approved by the mayor on December twenty-first, nineteen hundred and sixty, in voting the authorization of the issuance of two hundred and twenty-five thousand dollars in bonds or notes pursuant to chapter two hundred and seventy-five of the acts of nineteen hundred and forty-eight, as amended, is hereby confirmed and declared valid in all respects, and the bonds or notes may be issued accordingly without further appropriation pursuant to such action.

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

Approved March 2, 1961.

Chap. 142. AN ACT AUTHORIZING THE TOWNS OF BERLIN AND BOYLSTON TO APPROPRIATE FUNDS FROM THEIR STABILIZATION FUNDS FOR THE CONSTRUCTION OF A NEW SCHOOL BUILDING BY BERLIN-BOYLSTON REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of section five B of chapter forty of the General Laws, the town of Berlin and the town of Boylston is each authorized to appropriate, by a two-thirds vote, at a special town meeting called for the purpose and to be held during the current year, from their respective stabilization funds a sum or sums to be applied to the construction of a new school building by the Berlin-Boylston regional school district.

SECTION 2. Any appropriation voted pursuant to the authority contained in section one of this act by either of said towns 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 2, 1961.

Chap. 143. AN ACT CONFIRMING THE STATE HOUSING BOARD'S APPROVAL OF URBAN RENEWAL AND REDEVELOPMENT PLANS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to 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. The state housing board is authorized to exercise the powers conferred upon the division of urban and industrial renewal under sections twenty-six KK and twenty-six ZZ of chapter one hundred and twenty-one of the General Laws until such time as such division is established.

SECTION 2. Any action heretofore taken by the state housing board under said sections twenty-six KK and twenty-six ZZ of chapter one hundred and twenty-one of the General Laws shall be as valid as if this act had been in effect since November twenty-third, nineteen hundred and sixty. *Approved March 2, 1961.*

Chap. 144. AN ACT FURTHER DEFINING THE POWERS AND DUTIES OF THE HISTORIC DISTRICTS COMMISSION OF THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 601 of the acts of 1955 is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph: —

(*b*) The Historic Districts Commission, in passing upon appropriateness of exterior architectural features in any case, shall keep in mind the purposes set forth in section one, and shall consider among other things the general design, arrangement, texture, material and color of the building or structure in question, the location on the lot and the relation of such factors to similar features of buildings and structures 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.

SECTION 2. This act shall take effect upon its acceptance by the voters of the town of Nantucket at an annual town meeting or any special town meeting duly called for the purpose.

SECTION 3. The acceptance of this act by the town of Nantucket at its annual town meeting in the current year shall be valid and effective as though this act were in effect at the time of the posting of the warrant for said meeting. *Approved March 2, 1961.*

Chap. 145. AN ACT FURTHER REGULATING MEMBERSHIP OF STATE COMMITTEES AND REQUIRING THAT MEMBERS THEREOF ELECTED FROM SENATORIAL DISTRICTS BE RESIDENTS OF SUCH DISTRICTS.

Be it enacted, etc., as follows:

Section 1 of chapter 52 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 1 of chapter 138

of the acts of 1955, and inserting in place thereof the following paragraph: — Each political party shall, in the manner herein provided, elect from among its enrolled members a state committee, which shall consist of one man and one woman from each senatorial district, who shall be residents thereof, to be elected at the presidential primaries by plurality vote of the members of the party in the district, and such number of members as may be elected by the state committee as hereinafter provided. Members of said committee elected at the presidential primaries from senatorial districts shall hold office for a period of four years from May fifteenth next following their election. Members elected by the state committee shall hold office for two years from the date of their election; provided, however, that in no event shall the terms of office of such members extend beyond the term of office of members who were elected at the presidential primaries.

Approved March 2, 1961.

Chap. 146. AN ACT PROVIDING FOR THE SUBMISSION OF PLAN F TO THE VOTERS ONLY AT REGULAR CITY ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 43 of the General Laws is hereby amended by striking out the first sentence, as amended by section 3 of chapter 448 of the acts of 1959, and inserting in place thereof the following sentence: — Within seventy days after the petition has been filed with him by the petitioners the city clerk shall, except as provided in section ten, transmit a certified copy thereof to the city council, except that the signatures upon the petition need not be copied but in place thereof the city clerk shall state the number of signatures of registered voters thereon, certified as such by the registrars of voters.

SECTION 2. Section nine A of said chapter forty-three, inserted by section four of said chapter four hundred and forty-eight is hereby repealed.

Approved March 2, 1961.

Chap. 147. AN ACT PROVIDING FOR THE DISPOSITION OF BALLOTS WHEN A BALLOT BOX BECOMES FULL.

Be it enacted, etc., as follows:

Chapter 54 of the General Laws is hereby amended by striking out section 66, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 66.* The state ballot boxes shall be used for receiving the ballots in state and city elections, and in town elections where official ballots are used. The election officers at each polling place shall, at the opening of the polls and before any ballots are received, publicly open the ballot box, and ascertain by personal examination, and publicly show, that the same is empty, and shall immediately thereafter lock or fasten the box. The clerk of the precinct or town shall make a record of the condition of the box register, and, if a key is used, it shall be retained by the police officer or constable at the polling place. The ballot box shall not, after it is shown to be empty, be removed from public view until all ballots have been removed therefrom and the box has been relocked or sealed. The ballot box shall not be opened nor any ballot removed therefrom until the polls are

closed; but in order to make room for ballots, the presiding officer may, in the presence of all the election officers, open the box and pack and press down the ballots therein.

The presiding officer of each polling place shall have charge of the ballot box and ballot box seal, and shall, at the close of each election, return the same, either personally or by a police officer or constable in attendance at the polling place, to the city or town clerk.

Except as hereinafter provided, if it becomes impossible to use the state ballot box, the voting shall proceed in such manner as the presiding officer shall direct, and in such case the clerk shall record the reason why such ballot box is not used, and shall enclose an attested copy of such record in the envelope with the ballots cast. The provisions as to the use and custody of the state ballot box shall, so far as applicable, apply to the ballot box substituted therefor.

If it becomes impossible for voting to proceed because the ballot box is too full, the presiding officer, in the presence of a majority of the other election officers, shall open the ballot box, remove the ballots therefrom, without counting them, and shall place them in a container of fiber, wood, or metal. He shall then cause the container to be tied up lengthwise and crosswise with heavy twine securely tied, and the knot shall be sealed with stationer's sealing wax. Any election officer who so desires may affix his private seal to the container in such a way as to indicate later whether it has been opened. The container, with the uncounted ballots, shall not be removed from the polling place, but shall remain beside the ballot box, in full view of the voters and the election officers, until the polls close, when the container shall be opened in order to count the votes. *Approved March 2, 1961.*

Chap. 148. AN ACT AUTHORIZING THE CITY OF MALDEN TO USE THE UNEXPENDED BALANCE OF A LOAN FOR OFF-STREET PARKING PURPOSES FOR CERTAIN OTHER PURPOSES.

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 use the unexpended balance of thirty-six thousand eight hundred and seventy-nine dollars and fifty-two cents of a bond issue, dated April first, nineteen hundred and fifty-nine, for off-street parking purposes, for urban renewal purposes or for any other purpose for which said city could incur indebtedness for a period of five years or more.

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

Approved March 2, 1961.

Chap. 149. AN ACT TO PROVIDE THAT NO FEES BE REQUIRED IN CERTAIN ACTIONS BROUGHT OR DEFENDED BY THE ATTORNEY GENERAL.

Be it enacted, etc., as follows:

Section 2 of chapter 262 of the General Laws, as most recently amended by section 5 of chapter 556 of the acts of 1954, is hereby further amended by adding at the end the following paragraph: —

No fee shall be required in any action brought in a district court by the attorney general nor shall any fee be required for the removal from a district court of an action defended by the attorney general.

Approved March 2, 1961.

Chap. 150. AN ACT MAKING PERMANENT CERTAIN POSITIONS IN THE LABOR SERVICE IN CITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by inserting after section 46K the following section: — *Section 46L.* Every year round temporary position in the labor service of cities in which such service is classified under the civil service laws and rules and for which compensation has been duly paid for a continuous period of two years shall be deemed to be a permanent position. Certification to fill such positions shall first be made of persons with experience in the department as set forth in the civil service rules. If a person who has had temporary service as a result of civil service certification for at least two years receives a permanent appointment in the same department in which he had such temporary employment, he shall not be subject to a probationary period.

This section shall take effect in a city upon its acceptance by vote of the city council, subject to the provisions of its charter.

SECTION 2. The provisions of section forty-six L of chapter thirty-one of the General Laws, inserted by section one of this act shall apply to any position for which compensation has been duly paid for a continuous period of two years or more immediately preceding January first, nineteen hundred and sixty-one. *Approved March 2, 1961.*

Chap. 151. AN ACT REQUIRING A REHEARING ON PROPOSED ZONING AMENDMENTS ON WHICH A CITY COUNCIL HAS NOT TAKEN FINAL ACTION WITHIN NINETY DAYS OF THE ORIGINAL HEARING THEREON.

Be it enacted, etc., as follows:

Section 6 of chapter 40A of the General Laws, as most recently amended by section 1 of chapter 317 of the acts of 1959, is hereby further amended by adding at the end the following sentence: — If a city council fails to take final action thereon within ninety days after its hearing, it shall not act thereon until after it holds a subsequent hearing advertised as above provided. *Approved March 2, 1961.*

Chap. 152. AN ACT RELATING TO THE INDEMNIFICATION BY CITIES AND TOWNS OF CERTAIN RETIRED POLICE OFFICERS AND FIRE FIGHTERS FOR HOSPITAL, MEDICAL AND SURGICAL EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. Section 100B of chapter 41 of the General Laws, inserted by section 1 of chapter 628 of the acts of 1953, is hereby amended

by striking out clause (4) and inserting in place thereof the following clause: — (4) that the hospital, medical and surgical services to which such expenses relate were rendered within six months before the filing of the application.

SECTION 2. This act shall apply to applications filed under said section one hundred B subsequent to January first, nineteen hundred and sixty. *Approved March 2, 1961.*

Chap. 153. AN ACT ESTABLISHING A PENALTY FOR OBTAINING TELECOMMUNICATIONS SERVICE FRAUDULENTLY.

Be it enacted, etc., as follows:

Chapter 166 of the General Laws is hereby amended by inserting after section 42 the following section: — *Section 42A.* Whoever, with intent to defraud, obtains, or attempts to obtain, or aids or abets another in obtaining, any telecommunications service by any false representation, false statement, or stratagem, by unauthorized charging to the account of another, by installing or tampering with any facilities or equipment or by any other means, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both. *Approved March 2, 1961.*

Chap. 154. AN ACT AUTHORIZING THE TOWN OF STURBRIDGE TO CONVEY CERTAIN LAND TO THE FEDERATED CHURCH OF STURBRIDGE AND FISKDALE.

Be it enacted, etc., as follows:

SECTION 1. The town of Sturbridge is hereby authorized to sell and convey to the Federated Church of Sturbridge and Fiskdale a certain parcel of park land in said town bounded and described as follows: — Beginning at a stone bound on the easterly line of Maple Street distant about 72 feet N. 30° 40′ 11″ E. from the intersection of the northerly line of Main Street; thence S. 64° 47′ 49″ E. by land of the Town of Sturbridge 146.72 feet to a stone bound; thence N. 25° 42′ 11″ E. by land of the Town of Sturbridge 109.20 feet to a stone bound on the westerly line of Morse Street; thence N. 15° 05′ 09″ W. by the westerly line of Morse Street 77.73 feet to a stone bound; thence along a curve to the left having a radius of 47.7 feet a distance of 111.0 feet to a stone bound on the easterly line of Maple Street; thence S. 30° 40′ 11″ W. by the westerly line of Maple Street 142.70 feet to the point of beginning. Containing about .53 acre. The deed conveying said land shall provide that all right, title and interest therein shall revert to and revest in said town at any time said land ceases to be used by said church for its purposes.

SECTION 2. This act shall take effect upon its acceptance by majority vote of the voters of the town of Sturbridge at an annual or special town meeting called for the purpose. *Approved March 2, 1961.*

Chap. 155. AN ACT AUTHORIZING CERTAIN FRATERNAL BENEFIT SOCIETIES TO INVEST IN CERTAIN MUTUAL FUNDS.

Be it enacted, etc., as follows:

Chapter 540 of the acts of 1958 is hereby amended by inserting after section 2 the following section: — *Section 2A.* Any fraternal benefit society transacting business under authority of section forty-five of chapter one hundred and seventy-six of the General Laws, as in effect immediately preceding the effective date of this act, may, with the prior approval in writing of the commissioner of insurance, invest an amount not to exceed twenty-five per cent of its funds in certificates of beneficial interest issued by a common law trust or in shares of stock issued by a corporation organized as an investment company.

Approved March 2, 1961.

Chap. 156. AN ACT AUTHORIZING THE TOWNS OF NORTH ATTLEBOROUGH AND PLAINVILLE TO ENTER INTO AGREEMENTS FOR ADDITIONAL WATER SUPPLY.

Be it enacted, etc., as follows:

The towns of North Attleborough and Plainville, each town acting through its board of water commissioners, may enter into agreements for the purchase or sale of, and may purchase or sell, at such rates and under such terms as may be mutually agreed upon, water for the extinguishment of fires and for domestic and other purposes in such average annual amounts and from such sources in either of said towns as may first be approved by the state department of public health and may enter into agreements for the laying of such mains and the construction of such other works in either of said towns as may be necessary for carrying out the purposes of this act. *Approved March 2, 1961.*

Chap. 157. AN ACT PROVIDING TENURE OF OFFICE FOR BERNARD J. LONERGAN, DEPUTY ELECTION COMMISSIONER OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. Bernard J. Lonergan, deputy election commissioner of the city of Somerville, shall hold office continuously during good behavior unless incapacitated by physical or mental disability from performing the duties of said office; provided, however, that the board of aldermen may, subject to the provisions of law governing the removal of civil service employees, remove him.

SECTION 2. This act shall take effect upon its acceptance by the board of aldermen of the city of Somerville, with the approval of the mayor, during the current year. *Approved March 2, 1961.*

Chap. 158. AN ACT PROVIDING THAT NO BOND BE REQUIRED IN ACTIONS COMMENCED BY TRUSTEE PROCESS BY THE ATTORNEY GENERAL.

Be it enacted, etc., as follows:

Section 1 of chapter 246 of the General Laws, as most recently amended by section 1 of chapter 17 of the acts of 1943, is hereby further

amended by adding at the end the following sentence: — No bond shall be required to be filed as provided herein in an action brought hereunder by the attorney general on behalf of the commonwealth or any department, board, commission, office or officer thereof.

Approved March 2, 1961.

Chap. 159. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO ESTABLISH IN THE TOWN TREASURY A PARK AND RECREATION COMMISSION REVOLVING FUND.

Be it enacted, etc., as follows:

SECTION 1. The town of Nantucket may establish in the town treasury a revolving fund in which shall be deposited the receipts of the park and recreation commission created by the town under the provisions of section fourteen of chapter forty-five of the General Laws. Any and all such funds received by the town treasurer shall be kept separate from any other moneys, funds or property of the town, and the principal and interest thereof shall be expended at the direction of the park and recreation commission, without further appropriation, in such manner and at such times as shall in the discretion of the park and recreation commission best serve and promote the purposes for which such commission was established, the provisions of section fifty-three of chapter forty-four of the General Laws notwithstanding.

SECTION 2. The acceptance of this act by the voters of the town of Nantucket at its town meeting in the current year 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 acceptance by a majority vote of the voters of said town present and voting thereon at the annual or any special town meeting called for the purpose during the current year.

Approved March 2, 1961.

Chap. 160. AN ACT PROVIDING LIFE TENURE FOR N. ELLSWORTH WILLIAMS, THE INCUMBENT OF THE OFFICE OF SUPERVISOR OF THE HIGHWAY DEPARTMENT OF THE TOWN OF MARSHFIELD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of N. Ellsworth Williams, the incumbent of the office of supervisor of the highway department in the town of Marshfield, shall, on the effective date of this act, be unlimited and he shall hold office during good behavior unless incapacitated by physical or mental disability from performing the duties of said office and until the board of road commissioners shall remove him 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 for acceptance to the voters of said town at the annual town meeting in the current year, or in the year nineteen hundred and sixty-two, in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers: — "Shall an act passed by the General Court

in the year nineteen hundred and sixty-one, entitled 'An Act providing life tenure for N. Ellsworth Williams, the incumbent of the office of supervisor of the highway department of the town of Marshfield', 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 2, 1961.*

Chap. 161. AN ACT TO PROVIDE A LIEN IN FAVOR OF THE VETERANS ADMINISTRATION AND THE COMMONWEALTH FOR CERTAIN MEDICAL AND OTHER SERVICES FURNISHED IN HOSPITALS OPERATED BY THEM.

Be it enacted, etc., as follows:

Section 70A of chapter 111 of the General Laws, inserted by section 1 of chapter 624 of the acts of 1959, is hereby amended by inserting after the word "seventy-one", in line 3, the words: — , any hospital located in the commonwealth and operated by the United States Veterans' Administration, and any hospital operated by the commonwealth.

Approved March 2, 1961.

Chap. 162. AN ACT PLACING THE OFFICES AND POSITIONS IN THE BURLINGTON WATER DISTRICT UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The offices and positions in the Burlington Water District shall, upon the effective date of this act, become subject to the civil service laws and rules relating to the official and labor service.

SECTION 2. This act shall take full effect upon its acceptance by a majority vote of the voters of the Burlington Water District, present and voting thereon at a district meeting called for the purpose within three years after its passage, but not otherwise.

Approved March 2, 1961.

Chap. 163. AN ACT PROVIDING TENURE OF OFFICE FOR GEORGE MITCHELL, DEPUTY ELECTION COMMISSIONER OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. George Mitchell, deputy election commissioner of the city of Somerville, shall hold office continuously during good behavior unless incapacitated by physical or mental disability from performing the duties of said office; provided, however, that the board of aldermen may, subject to the provisions of law governing the removal of civil service employees, remove him.

SECTION 2. This act shall take effect upon its acceptance by the board of aldermen of the city of Somerville, with the approval of the mayor, during the current year. *Approved March 2, 1961.*

Chap. 164. AN ACT AUTHORIZING THE CITY OF MALDEN TO CONVEY CERTAIN PARK LAND IN SAID CITY.

Be it enacted, etc., as follows:

The city of Malden may sell and convey a certain parcel of land therein held by it for park purposes, on such terms and conditions as the mayor and city council may determine. Said parcel of land is bounded and described as follows: — Beginning at a point 53.04 feet south of the southerly line of Leonard street and 125 feet more or less easterly of the easterly line of Main street, thence running S 69° 40′ 25″ E 81.88 feet by land now or formerly of Charles Margeson to land now or formerly of Allan J. and Grace J. MacDonald, thence turning and running S 12° 12′ 40″ W 48.43 feet by land of said MacDonald and land of the city of Malden to a stake; thence turning and running S 48° 15′ W 118.15 feet by said land of the city of Malden to a brass pipe; thence turning and running southwesterly 20.79 feet to a point; thence turning and running in a general northerly direction in two courses, 128.98 feet and 26.51 feet respectively by land now or formerly of Albert and Josephine Giangregorio, by land now or formerly of Robert A. and Shirley Jean and by land now or formerly of E. Foster Quenn to the point of beginning; containing 8850 square feet of land, more or less, and being shown as Lot 1 on Plan of Land in Malden, Mass., dated June 20, 1959, George E. Hayes, Civil Engineer.

Approved March 2, 1961.

Chap. 165. AN ACT AUTHORIZING TOWNS TO ACCEPT THE STATE ASSESSMENT SYSTEM AT A SPECIAL TOWN MEETING.

Be it enacted, etc., as follows:

Section 7A of chapter 58 of the General Laws, as appearing in chapter 649 of the acts of 1955, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Any city having a plan D or plan E charter by the affirmative vote of a majority of all the members of its city council, any other city by vote of its city council subject to the provisions of its charter, and any town, by a majority vote at an annual or special town meeting called for the purpose, may petition the commission for the installation of an assessment system.

Approved March 2, 1961.

Chap. 166. AN ACT INCREASING THE MAXIMUM AMOUNT RECOVERABLE FOR DEATH RESULTING FROM A DEFECT, WANT OF REPAIR OR WANT OF A SUFFICIENT RAILING UPON A WAY, CAUSEWAY OR BRIDGE.

Be it enacted, etc., as follows:

Section 1 of chapter 229 of the General Laws, as most recently amended by section 1 of chapter 427 of the acts of 1949, is hereby further amended by striking out, in line 7, the word "one" and inserting in place thereof the word: — four.

Approved March 2, 1961.

Chap. 167. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SWIMMING POOL IN THE STONY BROOK RESERVATION IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON AS THE MARTIN L. OLSEN MEMORIAL POOL.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to designate the swimming pool facility located in the Stony Brook reservation in the Hyde Park district of the city of Boston as the Martin L. Olsen Memorial Pool, in memory of the late Martin L. Olsen who served in the United States Navy in time of war.

Approved March 2, 1961.

Chap. 168. AN ACT ESTABLISHING ADDITIONAL FINANCIAL REQUIREMENTS FOR CERTAIN LIABILITY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 48 of chapter 175 of the General Laws is hereby amended by striking out the paragraph contained in lines 15 to 17, inclusive, as appearing in the Tercentenary Edition, and inserting in place thereof the following two paragraphs: —

Under the first, first and eighth, fourth, fifth, except as otherwise provided herein, eighth, ninth, tenth, or twelfth clauses, not less than two hundred thousand dollars.

Under the sixth clause, except as otherwise provided herein, not less than four hundred thousand dollars.

SECTION 2. Said section 48 of said chapter 175 is hereby further amended by striking out the paragraph contained in lines 37 to 41, inclusive, as so appearing, and inserting in place thereof the following paragraph: —

Under the sixteenth clause, not less than two hundred thousand dollars, or under the sixth and sixteenth clauses as provided under (*e*), not less than six hundred thousand dollars, together, in either case, with a net cash surplus of not less than four hundred thousand dollars, exclusive of said capital.

SECTION 3. Section 51 of said chapter 175 is hereby amended by striking out clause (*d*), as so appearing, and inserting in place thereof the following clause: —

(*d*) The sixth, if authorized to transact life insurance, provided it has a paid-up capital of not less than six hundred thousand dollars and net cash assets over all liabilities, computed on the basis fixed by sections nine to twelve, inclusive, of not less than four hundred thousand dollars, exclusive of said capital.

SECTION 4. Section 54 of said chapter 175 is hereby amended by striking out clause (*c*), as so appearing, and inserting in place thereof the following clause: —

(*c*) The sixth, excepting subdivision (*e*) thereof, if authorized to transact life insurance, whether or not it has a capital stock, provided it has net cash assets over all liabilities, computed on the basis fixed by sections nine to twelve, inclusive, of not less than eight hundred thousand dollars.

SECTION 5. Said chapter 175 is hereby amended by striking out section 54C, inserted by section 2 of chapter 384 of the acts of 1945, and inserting in place thereof the following section: — *Section 54C.* Any company authorized to transact the kinds of business specified in the first or second clause, or in subdivision (*b*) of the sixth clause, of section forty-seven may insure against any loss of or damage to, or loss of use of, motor vehicles other than motor boats, or aircraft, their fittings or contents, or against legal liability for loss or damage on account of injury to or death of any person or on account of any damage to property of another, arising out of the ownership, maintenance or use of said vehicles or aircraft, provided it maintains a surplus to policyholders including any guaranty capital, of not less than six hundred thousand dollars.

SECTION 6. The first paragraph of section 93 of said chapter 175, as amended by section 1 of chapter 654 of the acts of 1941, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — No policy shall be issued by a mutual company formed to transact business under any one or more of the subdivisions of the sixth clause of section forty-seven until it has secured applications for insurance on risks in the commonwealth, the premiums on which shall amount to not less than one hundred thousand dollars and it has satisfied the commissioner that such premiums have been actually paid to it in full in cash, nor, if it proposes to transact business under subdivision (*b*) of said sixth clause, until it has also established a fully paid-up guaranty capital of not less than four hundred thousand dollars and deposited not less than two hundred thousand dollars with the state treasurer, nor, if it proposes to transact business under subdivision (*e*) of said clause, until it has also made arrangements satisfactory to the commissioner, by reinsurance, as provided in section twenty, to protect it from extraordinary losses caused by any one disaster.

SECTION 7. Clause Second of section 151 of said chapter 175 is hereby amended by striking out subdivision (3) (*c*), as most recently amended by section 2 of chapter 475 of the acts of 1950, and inserting in place thereof the following: — (*c*), if it proposes to transact business under the sixth clause of said section forty-seven, net cash assets, so computed, of not less than four hundred thousand dollars, or net cash assets, so computed, of not less than two hundred thousand dollars and contingent assets of not less than eight hundred thousand dollars; provided, that before transacting business under subdivision (*b*) of said sixth clause it shall have made a deposit with the state treasurer or with the proper board or officer of some other state in the United States in exclusive trust for the benefit and security of all its policyholders in the United States in an amount and subject to the conditions specified in section ninety-three, and it shall in addition have (1) a fully paid-up guaranty capital established in accordance with the laws of its home state of four hundred thousand dollars or (2) if the company is not permitted by the laws of its domiciliary state to establish or maintain a guaranty capital, a surplus to policyholders of not less than one million dollars unimpaired on the basis fixed by sections ten to twelve, inclusive.

SECTION 8. The provisions of this act shall not apply to any insurance company formed in or admitted to transact business in the commonwealth prior to its effective date. *Approved March 2, 1961.*

Chap. 169. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO SUPPLY AND SELL WATER TO THE OWNER OF CERTAIN LAND LOCATED IN THE TOWN OF LUNENBURG.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg, upon the request of the owners of the following described land, is hereby authorized to supply and sell water to the owners of said land, which is located on Summer street in the town of Lunenburg, being more particularly shown as lot C on a plan of land entitled, "Plan of property for Parts Rebuilders Inc." which plan is recorded in the Worcester Northern District Registry of Deeds, plan book 115 plan 25.

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 6, 1961.

Chap. 170. AN ACT MAKING AN APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-ONE, SUPPLEMENTING CERTAIN APPROPRIATIONS MADE TO DEFRAY THE COST OF SNOW AND ICE REMOVAL ON PUBLIC WAYS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain appropriations previously made for the highway department, the sum set forth in section two of this act is hereby made available from the Highway Fund to said department, to be in addition to any amounts at present 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 item in chapter five hundred and seven of the acts of nineteen hundred and sixty.

SECTION 2.

HIGHWAY FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Public Works.

Item		
	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:	
2900-08	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 . .	**$1,682,000**

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

Approved March 6, 1961.

Chap. 171. AN ACT PROVIDING THAT CERTAIN PROVISIONS OF LAW RELATIVE TO THE CUSTODY OF MINOR CHILDREN SHALL APPLY TO MINOR CHILDREN OF DIVORCED PARENTS AND PARENTS BETWEEN WHOM DIVORCE PROCEEDINGS ARE PENDING.

Be it enacted, etc., as follows:

Section 5 of chapter 201 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence. *Approved March 6, 1961.*

Chap. 172. AN ACT PROHIBITING THE SALE OR OFFERING FOR SALE OF IMPORTED GOODS UNLESS PROSPECTIVE PURCHASERS ARE NOTIFIED THAT SUCH GOODS ARE IMPORTED.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 277A, under the caption IMPORTED GOODS, the following section: — *Section 277B.* No person shall sell, or offer or expose for sale any machinery, fabrics, sporting goods or equipment, radios or parts thereof, which have been imported from a foreign country, without notifying each person purchasing or intending to purchase the same that it has been imported, by displaying in a conspicuous place, in letters at least as large as the figures indicating the price of the goods to be sold, a sign marked "Imported Goods". If the goods have an individual price marking, then in like manner, they shall also be marked with the words "Imported Goods" or the country of origin indicated.

No person shall advertise for sale such goods unless such advertisement also contains the words "Imported Goods".

Whoever violates any provision of this section shall, for the first offense be punished by a fine of not less than fifty dollars nor more than one hundred dollars and for each subsequent offense not less than fifty dollars nor more than five hundred dollars or imprisonment for one month, or both. *Approved March 6, 1961.*

Chap. 173. AN ACT GRANTING THE RIGHT OF WAY TO AMBULANCES ON CALLS FOR THE PURPOSE OF HOSPITALIZING SICK OR INJURED PERSONS.

Be it enacted, etc., as follows:

Section 7 of chapter 89 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words "hospital ambulances" and inserting in place thereof the words: — ambulances on a call for the purpose of hospitalizing a sick or injured person, — so as to read as follows: — *Section 7.* The members and apparatus of a fire department while going to a fire or responding to an alarm, police patrol wagons and ambulances, and ambulances on a call for the purpose of hospitalizing a sick or injured person shall have the right of way through any street, way, lane or alley. Whoever wilfully and maliciously obstructs or retards the passage of any of the foregoing in the exercise of such right shall be punished by a fine of not more than fifty dollars or imprisonment for not more than three months.

Approved March 6, 1961.

Chap. 174. AN ACT AUTHORIZING SAVINGS BANKS TO INVEST IN THE OBLIGATIONS OF THE INTER-AMERICAN DEVELOPMENT BANK.

Be it enacted, etc., as follows:

Section 42 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 5 and inserting in place thereof the following paragraph:—

5. *Other International Obligations.* — Bonds, notes or obligations issued, assumed or guaranteed by the International Bank for Reconstruction and Development or the Inter-American Development Bank containing an unconditional promise to pay, or an unconditional guarantee of the payment of, the interest thereon regularly, and the principal thereof on or before a specified date, in lawful currency of the United States; provided, that not more than three per cent of the deposits of any such corporation shall be invested in such bonds, notes or obligations; and provided, further, that the commissioner may at any time on his own initiative, or shall, upon the written request of the directors of the Mutual Savings Central Fund, Inc., suspend the authorization granted by this paragraph for such period or periods as he may determine. *Approved March 6, 1961.*

Chap. 175. AN ACT RELATIVE TO THE MUTUAL SAVINGS CENTRAL FUND, INC. AND TO THE NON-APPLICABILITY OF CERTAIN PROVISIONS OF LAW TO DEPOSITS MADE BY THE FEDERAL DEPOSIT INSURANCE CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 43 of the acts of 1934, added by section 10 of chapter 324 of the acts of 1956, is hereby amended by striking out clause (*c*) and inserting in place thereof the following clause: —

(*c*) Notwithstanding the provisions of section eleven of this act, sections twenty-two to thirty-six, inclusive, of chapter one hundred and sixty-seven of the General Laws shall apply and sections four, five and six of this act shall not apply to a member bank so long as it is a member of and its deposits are insured in whole or in part in the Federal Deposit Insurance Corporation;

SECTION 2. Said section 17 of said chapter 43 is hereby further amended by inserting after the word "Laws", in line 46, the following: — ; (*e*) Notwithstanding any other provisions hereof, if the Federal Deposit Insurance Corporation is at any time a depositor, either directly or through any other governmental agency, in any member bank which is a member of the Federal Deposit Insurance Corporation, the amounts deposited, directly or indirectly, by the Federal Deposit Insurance Corporation shall not be deemed insured to any extent by the Deposit Insurance Fund. *Approved March 6, 1961.*

Chap. 176. AN ACT DESIGNATING THE FAMILY PICNIC GROUNDS IN THE STONY BROOK RESERVATION IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON AS THE REVEREND F. TAYLOR WEIL PICNIC GROUNDS.

Be it enacted, etc., as follows:

The family picnic grounds located in the Stony Brook reservation in the Hyde Park district of the city of Boston shall be designated and known as the Reverend F. Taylor Weil Picnic Grounds, in honor of the late Reverend F. Taylor Weil, civic leader and pastor of Christ Episcopal Church in Hyde Park. *Approved March 6, 1961.*

Chap. 177. AN ACT EXCLUDING THOSE VEHICLES LEASED FOR MORE THAN THIRTY DAYS FROM THE LAW REQUIRING COMPULSORY PROPERTY DAMAGE INSURANCE COVERAGE BY PERSONS IN THE BUSINESS OF LEASING MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 32E of chapter 90 of the General Laws is hereby amended by striking out the last paragraph, added by section 1 of chapter 282 of the acts of 1959, and inserting in place thereof the following paragraph: —

Every lessor shall provide and maintain, during such time as he engages in the business of leasing motor vehicles under any system referred to in section thirty-two C a motor vehicle liability policy or bond or deposit, which, in addition to providing indemnity, protection or security for personal injuries, shall, except in the case of vehicles leased for a term of more than thirty days, further provide indemnity, protection or security for damage to property as required by the provisions of this chapter.

SECTION 2. The paragraph defining "Motor vehicle liability bond" in section 34A of said chapter 90 is hereby amended by striking out the proviso, added by section 2 of said chapter 282, and inserting in place thereof the following proviso: — ; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, the words "motor vehicle liability bond" shall mean a bond as described herein but conditioned further, except in the case of vehicles leased for a term of more than thirty days, that the obligor shall within thirty days after the rendition thereof satisfy all judgments rendered against him or against any person responsible for the operation of the obligor's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, in actions to recover damages for injury to property sustained during the term of said bond by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 3. The paragraph defining "Motor vehicle liability policy" in said section 34A of said chapter 90 is hereby amended by striking out the proviso, added by section 3 of said chapter 282, and inserting in place thereof the following proviso: — ; provided, however, that in the case of a person who is engaged in the business of leasing motor vehicles

under any system referred to in section thirty-two C, the words "motor vehicle liability policy" shall mean a policy of liability insurance as described herein and providing, in addition, except in the case of vehicles leased for a term of more than thirty days, indemnity for or protection to the insured and any person responsible for the operation of the insured's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, against loss by reason of the liability to pay damages to others for injury to property sustained during the term of the policy by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such injury to property.

SECTION 4. The first sentence of section 34D of said chapter 90 is hereby amended by striking out the proviso, added by section 4 of said chapter 282, and inserting in place thereof the following proviso: — ; provided, however, that if the applicant for registration is engaged in the business of leasing motor vehicles under any system referred to in section thirty-two C, such applicant shall deposit with said treasurer additional security in the amount or value of at least one thousand dollars for the payment by such applicant or by any person responsible for the operation of such applicant's motor vehicle with his express or implied consent, including such consent imputed under section thirty-two E, of all judgments rendered against such applicant or against such person in actions to recover damages for injury to property sustained during the term of registration by any person, and arising out of the ownership, operation, maintenance, control or use upon the ways of the commonwealth of such motor vehicle, to the amount or limit of at least one thousand dollars on account of any such judgment and provided further that no such deposit shall be required in the case of vehicles leased for a term of more than thirty days.

Approved March 6, 1961.

Chap. 178. AN ACT RELATIVE TO GARAGES IN THE FIRST FIRE ZONE, SO CALLED, IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 3 of chapter 577 of the acts of 1913 is hereby amended by striking out the words inserted by chapter 161 of the acts of 1959, and inserting in place thereof the words: —, but nothing in this proviso shall be construed to prohibit granting an application or issuing a permit for the erection, maintenance or use of a structure or building as a garage for more than four cars on premises owned and exclusively occupied for its corporate purposes by such school, hospital or church or on premises within that portion of said city commonly known as the first fire zone and described in section twenty-seven of chapter forty-five of the Revised Ordinances of 1898 of said city as in effect prior to the amendment of said section by chapter four of the Ordinances of 1913.

Approved March 6, 1961.

Chap. 179. AN ACT PROVIDING FOR THE CONSTRUCTION, EXTENSION AND MAINTENANCE OF STRUCTURES BRIDGING PUBLIC ALLEYS AND PUBLIC WAYS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Upon petition and after seven days' notice published in at least three newspapers published in the city of Boston, and a public hearing, the public improvement commission of said city may, with the approval of the mayor, grant and issue to any person or persons and his or their successors and assigns, a permit to construct a structure or structures bridging a portion or portions of public alleys and public ways in said city at a place where said person or persons own the land with the buildings thereon on opposite sides of such public alley or public way, for the purpose of connecting said buildings, or to extend and enlarge a structure constructed under such a permit, and, on such conditions and subject to such restrictions as said commission may prescribe, permanently to maintain any such structure, extension or enlargement.

No part of any structure bridging a public alley or a public way under a permit issued under this act, nor any extension or enlargement thereof under such a permit, nor the supports of any of them, shall rest upon the surface of such public alley or public way; and no such structure, extension or enlargement shall be constructed or maintained over any portion of such public alley or public way not owned in fee by such person or persons without the written consent of the owner of such portion in each instance. Such consent of said city may be given by said commission with the approval of the mayor. *Approved March 6, 1961.*

Chap. 180. AN ACT DESIGNATING A CERTAIN HIGHWAY IN WORCESTER COUNTY AS THE PURPLE HEART HIGHWAY.

Be it enacted, etc., as follows:

The state highway known as route 146, located within the county of Worcester, shall be designated and known as the Purple Heart Highway. The department of public works is hereby authorized and directed to erect along said highway suitable markers bearing said designation.

Approved March 6, 1961.

Chap. 181. AN ACT PROVIDING FOR THE SUSPENSION OR REVOCATION OF THE LICENSE OF A REAL ESTATE BROKER OR SALESMAN WHO FAILS TO COMPLY WITH AN ORDER OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

Be it enacted, etc., as follows:

The first paragraph of section 87AAA of chapter 112 of the General Laws, as appearing in section 2 of chapter 726 of the acts of 1957, is hereby amended by striking out, in line 28, the word "or", and by inserting after the word "inclusive", in line 30, the following: — ; or (*k*) failed to comply with an order of the Massachusetts Commission against Discrimination, after administrative hearing and determination under section five of chapter one hundred and fifty-one B, which has become final. *Approved March 6, 1961.*

Chap. 182. AN ACT REQUIRING OWNERS OF CERTAIN LANDS IN THE CITY OF CAMBRIDGE TO FILE CERTAIN INFORMATION WITH THE SUPERINTENDENT OF BUILDINGS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Whoever owns land in the city of Cambridge upon which there is a building used in whole or in part for dwelling purposes shall, unless he resides or has a usual place of business on such land, file with the superintendent of buildings of said city a certificate stating (1) his name, residence and place of business, with the street and number, if any, or in the case of a trust the name and place of business and the names and residences of the trustees thereof, 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 number or otherwise, of the location of the land owned. Within five days after any fact set forth in such certificate changes, the owner of such land shall file a new certificate. Any certificate so filed shall be open to public inspection. 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 of not more than one hundred dollars.

SECTION 2. This act shall take effect ninety days after its acceptance by the city council of the city of Cambridge, subject to the provisions of its charter. *Approved March 7, 1961.*

Chap. 183. AN ACT DESIGNATING THAT PORTION OF THE LYNNWAY LOCATED IN THE CITY OF LYNN AS THE REPRESENTATIVE MICHAEL J. CARROLL HIGHWAY.

Be it enacted, etc., as follows:

That portion of the Lynnway which is located in the city of Lynn between Broad street in said city and the town of Nahant town line shall be designated and known as the Representative Michael J. Carroll Highway. The metropolitan district commission shall erect suitable markers along said highway bearing said designation.

Approved March 7, 1961.

Chap. 184. AN ACT RELATIVE TO THE CIVIL SERVICE STATUS OF PERMANENT PART-TIME EMPLOYEES OF THE TOWN OF SWAMPSCOTT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 82 of the acts of 1958 is hereby amended by inserting after the word "agent", in line 6, the words: — but excluding therefrom permanent part-time employees.

SECTION 2. This act shall not apply to persons employed in said town on a permanent part-time basis on the effective date of this act.

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

Approved March 10, 1961.

Chap. 185. AN ACT APPROPRIATING FUNDS FOR THE PREPARATION OF EDUCATIONAL PLANS FOR THE SOUTHEASTERN MASSACHUSETTS TECHNOLOGICAL INSTITUTE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds forthwith for the preparation of educational plans for the Southeastern Massachusetts 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:

Item 8261-03 of section 2 of chapter 774 of the acts of 1960 is hereby amended by adding after the word "site", in line 9, the following words: — ; and, provided further, that a sum not to exceed ten thousand dollars may be expended for the preparation of educational plans for said institute. *Approved March 10, 1961.*

Chap. 186. AN ACT AUTHORIZING THE HOLDING OF TOWN MEETINGS OF THE TOWN OF ASHBURNHAM IN THE AUDITORIUM OF THE OAKMONT REGIONAL HIGH SCHOOL, SAID AUDITORIUM BEING LOCATED IN THE TOWN OF WESTMINSTER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the town of Ashburnham is hereby authorized to hold its regular and special town meetings in the auditorium of the Oakmont regional high school, which school is located on the town line dividing the towns of Ashburnham and Westminster, said auditorium being located on the Westminster side of said line.

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

Approved March 10, 1961.

Chap. 187. AN ACT AUTHORIZING THE CLERK OF THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CRIMINAL BUSINESS TO APPOINT CERTAIN OF HIS EMPLOYEES AS DEPUTY ASSISTANT CLERKS.

Be it enacted, etc., as follows:

SECTION 1. Section 53 of chapter 218 of the General Laws is hereby amended by striking out the second paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph: —

The clerk of said court for civil business and the clerk of said court for criminal business may each designate such employees in his office, as in his judgment may be necessary for the convenience of the public, as deputy assistant clerks of said court, who shall have the same authority to administer oaths as the assistant clerks of said court.

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

Approved March 10, 1961.

Chap. 188. AN ACT EMPOWERING HOUSING AND REDEVELOPMENT AUTHORITIES TO TAKE OR ACQUIRE AND CLEAR LANDS IN ADVANCE OF THE ADOPTION AND APPROVAL OF LAND ASSEMBLY AND REDEVELOPMENT, AND URBAN RENEWAL, PLANS, AND TO DISPOSE OF LAND.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to empower local housing authorities and local redevelopment authorities to acquire and clear land in a substandard, decadent or blighted open area without unnecessary delays, 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 26P of chapter 121 of the General Laws, as most recently amended by section 2 of chapter 640 of the acts of 1950, is hereby further amended by adding at the end the following paragraph: —

Notwithstanding any contrary provision of section twenty-six KK or section twenty-six ZZ or any other section of the Housing Authority Law, a housing authority may, with the consent of the housing board and the consent of the city or town in which the land lies, acting by the mayor with the authorization of the city council or by the board of selectmen, and after a temporary loan contract for the purpose has been executed under the federal Housing Act of 1949, as amended, take by eminent domain as aforesaid or acquire by purchase, lease, gift, bequest or grant, and hold, clear, repair, operate, and after having taken or acquired the same, dispose of, land constituting the whole or any part or parts of any area which, after a public hearing of which at least twenty days' notice has been given by publication in the City Record if the land lies in Boston and in a newspaper having a general circulation in the city or town in which the land lies if outside Boston, it has determined to be a substandard, decadent or blighted open area and for which it is preparing a land assembly and redevelopment plan or an urban renewal plan, and for such purposes may borrow money from the federal government or use any available funds or both; provided, however, that no such taking or acquisition shall be effected unless and until the expiration of thirty days after the housing authority has caused a notice of such determination to be published, if the land lies in Boston, in the City Record, and if the land lies in any other city or town, in a newspaper having a general circulation in such city or town. Within thirty days after publication of the notice of such determination, any person aggrieved by such determination may file a petition in the supreme judicial or superior court sitting in Suffolk county for a writ of certiorari against the housing authority to correct errors of law in such determination, which shall be the exclusive remedy for such purpose; and the provisions of section one D of chapter two hundred and thirteen, and of section four of chapter two hundred and forty-nine, shall apply to said petition except as herein provided with respect to the time for the filing thereof.

SECTION 2. Section 26Q of chapter 121 of the General Laws, as amended by section 2 of chapter 105 of the acts of 1950, is hereby further amended by adding at the end the following paragraph: —

A city or town in which the housing or redevelopment authority proposes to take, acquire or clear land constituting the whole or part or

parts of an area which the authority has determined to be a substandard, decadent or blighted open area and for which the authority is preparing a land assembly and redevelopment plan or an urban renewal plan, may enter into an agreement with the housing or redevelopment authority to bear any loss that may arise as the result of such taking, acquisition, or clearance in the event that such land is not used for land assembly and redevelopment or urban renewal purposes.

Approved March 10, 1961.

Chap. 189. 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 the 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 such use of the land and water areas of said county as, 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. Chapter six hundred and ninety-seven of the acts of nineteen hundred and sixty is hereby repealed.

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

Approved March 10, 1961.

Chap. 190. AN ACT RELATIVE TO THE COMPUTATION OF THE AMOUNT OF SUPERANNUATION RETIREMENT ALLOWANCE FOR EMPLOYEES UNDER THE CONTRIBUTORY RETIREMENT LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith for a change in the superannuation retirement formula and to extend forthwith the benefits thereof to certain career 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:

SECTION 1. Section 5 of chapter 32 of the General Laws is hereby amended by striking out subdivision (2), as most recently amended by chapter 215 of the acts of 1960, and inserting in place thereof the following subdivision: —

(2) Upon retirement under the provisions of this section a member shall receive a superannuation retirement allowance to become effective on the date of his retirement. Payments under such allowance shall be made as provided in sections twelve and thirteen.

(*a*) The normal yearly amount of the retirement allowance for any member classified in either Group 1 or Group 2, who has paid the full

amount of regular deductions on the total amount of regular compensation, including deductions specified in subdivision (3A) of section three, and in paragraph (*d*) of subdivision (1) of section twenty-two, shall, subject to the limitations set forth in this section, be based on the average annual rate of regular compensation received by such member during any period of five consecutive years of creditable service for which such rate of compensation was the highest or on the average annual rate of regular compensation 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, and shall be computed according to the following table based on the age of such member and his number of years and full months of creditable service at the time of his retirement.

Table showing Percentage of the Amount of Average Annual Rate of Regular Compensation to be multiplied by the Number of Years of Creditable Service.

PER CENT.	AGE LAST BIRTHDAY AT DATE OF RETIREMENT.	
	GROUP 1.	GROUP 2.
2.5	65 or over	60 or over
2.4	64	59
2.3	63	58
2.2	62	57
2.1	61	56
2.0	60	55
1.9	59	—
1.8	58	—
1.7	57	—
1.6	56	—
1.5	55	—

(*b*) Any member of Group 1 or Group 2, who is a veteran as defined in section one, shall receive an additional yearly retirement allowance of fifteen dollars for each year of creditable service or fraction thereof; provided, that the total amount of said additional retirement allowance shall not exceed three hundred dollars in any case.

(*c*) The total normal yearly amount of the retirement allowance of any member of Group 1 or Group 2, as determined in accordance with the provisions of this section, shall not exceed four fifths of the average annual rate of his regular compensation received during any period of five consecutive years of creditable service for which such rate of compensation was the highest or on the average annual rate of regular compensation 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.

(*d*) In the case of any member who has any years or fraction of years of creditable service on which he has not paid the full deductions specified in subdivision (3A) of section three and in paragraph (*d*) of subdivision (1) of section twenty-two, his allowance shall be computed as provided in paragraphs (*a*) and (*c*) of this subdivision, and shall then be reduced to the amount obtained by multiplying such allowance by a fraction, the numerator of which shall be the total regular deductions at

retirement, and the denominator of which shall be the sum of what his regular deductions for his creditable service would have been had they been made at the rate, and subject to the maximum limits in effect for the majority of the members of the system or systems, for the periods for which he is entitled to creditable service, plus the full additional deductions specified in subdivision (3A) of section three. To the retirement allowance so obtained shall be added the amount allowed in paragraph (*b*) of this subdivision, the total, however, not to exceed the maximum provided for in paragraph (*c*) of this subdivision.

SECTION 2. Section 10 of said chapter 32 is hereby amended by striking out subdivision (1), as most recently amended by section 17 of chapter 321 of the acts of 1958, and inserting in place thereof the following subdivision: —

(1) Any member classified in either Group 1 or Group 2 who, before attaining age fifty-five, and after completing twenty or more years of creditable service, resigns or voluntarily terminates his service, or fails of nomination or re-election, or fails of reappointment, or whose office or position is abolished, or is removed or discharged from his office or position without moral turpitude on his part, or any member who, after having attained age fifty-five, resigns, or fails of nomination or re-election, or fails to become a candidate for nomination or re-election, or fails of reappointment or is removed or discharged from his office or position without moral turpitude on his part, or any such member whose office or position is abolished, shall, upon his written application on a prescribed form filed with the board, receive a superannuation retirement allowance to become effective as provided in subdivision (3) of this section. Such retirement allowance shall be determined and computed in accordance with the provisions of paragraphs (*a*) and (*b*) of subdivision (2) of section five, and subject to the limitations set forth in paragraphs (*c*) and (*d*) of said subdivision (2), and shall be based on such member's age and number of years and full months of creditable service on the date the retirement allowance becomes effective, and if such retirement allowance becomes effective before such member has attained age fifty-five the per cent to be used in computing such retirement allowance shall be the per cent for age fifty-five as appearing in the table in paragraph (*a*) of said subdivision (2) with one tenth of one per cent subtracted for each year the age at last birthday preceding retirement is under age fifty-five. If such member has not attained age fifty-five on the date of his termination of service the normal yearly amount of such allowance shall be equal to that prescribed for a member classified in Group 1; otherwise it shall be equal to that prescribed for a member in the group in which he is classified.

SECTION 3. Anything in subdivision (2) of section five of chapter thirty-two of the General Laws, as amended by section one of this act, to the contrary notwithstanding, the retirement allowance of any person who on the effective date of this act was a member in service of a retirement system subject to sections one to twenty-eight, inclusive, of said chapter thirty-two, shall in no event be less than the retirement allowance provided by the provisions of law in effect immediately prior to the effective date of chapter six hundred and sixty-one of the acts of nineteen hundred and fifty-seven; nor shall the benefit of any beneficiary of such person be less than the benefit so provided.

Approved March 10, 1961.

Chap. 191. AN ACT AUTHORIZING THE TOWN OF MANCHESTER TO SELL AND CONVEY CERTAIN LAND TO AMARAL-BAILEY POST 113, THE AMERICAN LEGION, DEPARTMENT OF MASSACHUSETTS, INC.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of general or special law, the town of Manchester is hereby authorized to sell and convey to Amaral-Bailey Post 113, the American Legion, Department of Massachusetts, Inc. for the purpose of constructing a post headquarters, a certain parcel of land in Manchester, as shown on a plan entitled "Plan of Location of Proposed American Legion Lot, Off Central Street, Manchester, Mass.", dated October 27, 1960, Arthur Michelini, C.E., said parcel being bounded and described as follows: — Beginning at a stake at the Northeasterly corner of the lot and thence running North 83° 09′ West one hundred (100) feet to a stake; thence turning and running South 28° 51′ West one hundred fifty (150) feet to a stake; thence turning and running South 83° 09′ East one hundred (100) feet to a stake; thence turning and running North 28° 51′ East one hundred fifty (150) feet to a stake and the point of beginning and containing 13,908 square feet, as shown on said plan.

Said premises shall be conveyed subject to reserving to the people of said town forever the right (1) to travel on foot over a ten foot right of way on the northwesterly side of said premises, as shown on said plan, and (2) to travel on foot or by vehicle over a twenty foot right of way on the southeasterly side of said premises.

Said town is also authorized to grant to said Post an easement consisting of a twenty foot right of way running from the northeasterly corner of the premises herein described to Central street for travel on foot or in vehicles for the benefit of said Post, as shown on said plan, and such other easements over remaining land of said town as are necessary for the installation of public utility services by said Post.

SECTION 2. This act shall take full effect upon its acceptance by a majority vote of the voters of the town of Manchester present and voting thereon at an annual or special town meeting called for the purpose.

Approved March 10, 1961.

Chap. 192. AN ACT PROVIDING THAT SERVICE FURNISHED BY THE METROPOLITAN TRANSIT AUTHORITY SHALL NOT BE DISCONTINUED EXCEPT AFTER NOTICE TO THE ADVISORY BOARD OF SAID AUTHORITY.

Be it enacted, etc., as follows:

Section 1 of chapter 404 of the acts of 1952, as most recently amended by section 1 of chapter 725 of the acts of 1955, is hereby further amended by adding at the end the following sentence: — Said trustees shall not discontinue transportation service completely, nor discontinue Sunday, holiday or evening transportation service, on any subway, elevated or surface line or any bus or trackless trolley line, until at least sixty days after written notice of intention to discontinue has been given said advisory board by said trustees. *Approved March 10, 1961.*

Chap. 193. AN ACT AUTHORIZING GROUP INSURANCE WITH RESPECT TO EDUCATIONAL CREDIT TRANSACTION COMMITMENTS.

Be it enacted, etc., as follows:

Section 133 of chapter 175 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

Notwithstanding the provisions of clause (*c*) of this section, insurance on educational credit transaction commitments may be written under said clause (*c*) for the amount of such commitment that has not been advanced by the creditor; provided, that the amount of such insurance shall not exceed ten thousand dollars with respect to each student.

Approved March 10, 1961.

Chap. 194. AN ACT MAKING THE GENERAL MANAGER OF THE METROPOLITAN TRANSIT AUTHORITY A MEMBER EX OFFICIO OF THE PUBLIC SAFETY COMMISSION OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 1 of chapter 203 of the acts of 1959 is hereby amended by inserting after the word "city" in line 9, the words: — and the general manager of the Metropolitan Transit Authority.

Approved March 10, 1961.

Chap. 195. AN ACT RELATIVE TO THE FEE FOR CERTAIN VETERANS' ORGANIZATIONS IN THE CITY OF WORCESTER FOR LICENSES TO SELL ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the local licensing authority in the city of Worcester shall establish the license fee for a license to sell alcoholic beverages under the provisions of the fourth paragraph of section twelve of chapter one hundred and thirty-eight of the General Laws, for any war veterans' organization the headquarters of which are not provided by said city, at one half the amount of the fee for a similar license for any such organization the headquarters of which are provided by said city under the provisions of section nine of chapter forty of the General Laws.

SECTION 2. This act shall take effect upon its acceptance, in the current year, by vote of the city council of said city.

Approved March 10, 1961.

Chap. 196. AN ACT PROHIBITING APPOINTMENTS TO THE RESERVE FORCES OF THE FIRE AND POLICE DEPARTMENTS OF THE CITY OF FALL RIVER.

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 Fall River.

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, 1961.*

Chap. 197. AN ACT AUTHORIZING THE NORTH PARISH OF NORTH ANDOVER TO INCREASE THE AMOUNT OF PROPERTY IT MAY HOLD TO ONE MILLION DOLLARS.

Be it enacted, etc., as follows:

Section 3 of chapter 153 of the acts of 1905 is hereby amended by striking out, in line 2, the words "hundred thousand" and inserting in place thereof the word: — million, — so as to read as follows: — *Section 3.* Said corporation may hold real and personal property to the amount of one million dollars, the income of which shall be appropriated exclusively to parochial purposes. *Approved March 10, 1961.*

Chap. 198. AN ACT DESIGNATING A CERTAIN TRAFFIC CIRCLE IN THE CITY OF LOWELL AS THE CAPTAIN GEORGE T. WALTERS CIRCLE.

Be it enacted, etc., as follows:

The traffic circle at the northerly approach to the Quinn-Holmes bridge over the Merrimack river in the city of Lowell shall be known and designated as the Captain George T. Walters Circle, and a suitable marker bearing said designation shall be erected and maintained thereon by the department of public works. *Approved March 10, 1961.*

Chap. 199. AN ACT RELATIVE TO THE TAKING, TRANSPORTING AND SALE OF SCALLOPS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 80 of chapter 130 of the General Laws, as appearing in section 1 of chapter 598 of the acts of 1941, is hereby amended by striking out, in line 2, the words "and except that this section shall not apply to scallops,".

SECTION 2. The second paragraph of said section 80 of said chapter 130, as so appearing, is hereby amended by inserting after the word "shellfish", in line 1, the words: — , except scallops or sea scallops,.

SECTION 3. The second paragraph of section 81 of said chapter 130 is hereby amended by striking out the last sentence, added by section 2 of chapter 99 of the acts of 1945.

SECTION 4. Section 82 of said chapter 130 is hereby amended by striking out the last sentence, added by section 3 of said chapter 99 of the acts of 1945.

SECTION 5. The first paragraph of section 92 of said chapter 130, as appearing in section 1 of said chapter 598 of the acts of 1941, is hereby amended by adding at the end the following sentence: — Said box, carton, tray or container shall also be marked in the same manner with the number of the certificate under which said scallops were removed or with such other identification as may be required by the director by rule or regulation, which he is hereby authorized to adopt.

Approved March 10, 1961.

Chap. 200. AN ACT PROVIDING THAT THE COMPENSATION PAID TO A POLICE OFFICER REQUIRED TO WORK ON A LEGAL HOLIDAY SHALL BE BASED ON THE HOURLY RATE OF HIS REGULAR COMPENSATION.

Be it enacted, etc., as follows:

Section 17A of chapter 147 of the General Laws, added by chapter 268 of the acts of 1952, is hereby amended by inserting after the first sentence the following sentence: — Such additional day's pay shall be based on the hourly rate of his regular compensation for his average weekly hours of regular duty or such higher rate as may be determined by the person or persons authorized to establish pay scales in the respective police departments. *Approved March 10, 1961.*

Chap. 201. AN ACT DESIGNATING A CERTAIN PLAYGROUND IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON AS THE GUY CARDILLO MEMORIAL PLAYGROUND.

Be it enacted, etc., as follows:

The playground at the junction of Blakemore and Hyde Park avenues in the Hyde Park district of the city of Boston shall be designated and known as the Guy Cardillo Memorial Playground, in honor of Guy Cardillo, who, as a member of the armed forces of the United States, was killed in action in World War II. The metropolitan district commission is hereby authorized and directed to erect a suitable marker thereat bearing such designation. *Approved March 10, 1961.*

Chap. 202. AN ACT EXPEDITING APPROVAL OF THE ANNUAL REPORT OF A BUSINESS CORPORATION.

Be it enacted, etc., as follows:

Chapter 156 of the General Laws is hereby amended by striking out section 48, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 48.* The commissioner shall examine such report, and if he finds that it conforms to the requirements of section forty-seven shall endorse his approval thereon; and upon the payment of the fee required by section fifty-five, it shall be filed in the office of the state secretary, who shall receive and preserve it in book form convenient for reference and open to public inspection. *Approved March 10, 1961.*

Chap. 203. AN ACT PROVIDING THAT THE TERM OF OFFICE OF COUNCILLORS ELECT IN THE CITY OF GLOUCESTER SHALL COMMENCE ON THE FIRST DAY OF JANUARY FOLLOWING THEIR ELECTION.

Be it enacted, etc., as follows:

Notwithstanding any provision of general or special law to the contrary, the city council of the city of Gloucester elected at each regular municipal election shall meet at ten o'clock in the forenoon of the first day of January following the regular municipal election or on the day following if the first day of January occurs on a Sunday, and the members of the city council shall severally make oath, before the city clerk or a

justice of the peace, to perform faithfully the duties of their respective offices, except that any member-elect not present shall so make oath at the first regular meeting of the city council thereafter which he attends. *Approved March 10, 1961.*

Chap. 204. AN ACT DESIGNATING THE BRIDGE OVER THE FALL RIVER EXPRESSWAY ON ROUTE 27 IN THE CITY OF BROCKTON AS THE VETERANS OF FOREIGN WARS, POST 1046, MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge over the Fall River expressway on state highway route 27 in the city of Brockton shall be known and designated as the Veterans of Foreign Wars, Post 1046, Memorial bridge and a suitable marker bearing said designation shall be attached thereto by the state department of public works. *Approved March 10, 1961.*

Chap. 205. AN ACT FURTHER EXTENDING THE OPPORTUNITY TO CITIES AND TOWNS TO BORROW UNDER THE ACT CREATING THE EMERGENCY FINANCE BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 49 of the acts of 1933 is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 387 of the acts of 1959, and inserting in place thereof the following section: — *Section 2.* The treasurer of any city or town, if authorized by a two thirds vote, as defined by section one of chapter forty-four of the General Laws, and with the approval of the mayor or the selectmen, may, on behalf of such city or town, petition the board to approve of its borrowing money from the commonwealth for ordinary maintenance expenses and revenue loans, and the board may, if in its judgment the financial affairs of such city or town warrant, grant its approval to the borrowing as aforesaid of specified sums not at any time exceeding, in the aggregate, the total amount represented by tax titles taken or purchased by such city or town and held by it; provided, that such borrowing is made at any time or times prior to July first, nineteen hundred and sixty-three. In case of such approval, the treasurer of such city or town shall, without further vote, issue notes, with interest at such rate as may be fixed by the treasurer with the approval of the board, in the amount approved by the board, for purposes of sale to the commonwealth only, and said notes, upon their tender to the state treasurer, shall forthwith be purchased by the commonwealth at the face value thereof. Such notes shall be payable in not more than one year, and may be renewed from time to time, if authorized by the board, but no renewal note shall be for a period of more than one year, and the maturity of any loan or renewal shall not be later than July first, nineteen hundred and sixty-four. Such notes shall be general obligations of the city or town issuing the same, notwithstanding the foregoing provisions. Indebtedness incurred by a city or town under authority of this act shall be outside its limit of indebtedness as fixed by chapter forty-four of the General Laws. The excess, if any, of the amount of interest payments received by the commonwealth on account of notes issued by cities and towns hereunder over the cost to the commonwealth for interest on money borrowed under section five, expenses of the board, including

compensation paid to its appointive members, and expenses of administration of the funds provided by sections three and five shall be distributed to such cities and towns in November, nineteen hundred and sixty-five, or earlier at the discretion of the board, in the proportion which the aggregate amounts payable by them on account of interest on such notes bear to the total amounts so payable by all cities and towns hereunder.

SECTION 2. Said chapter 49 is hereby further amended by striking out section 5, as most recently amended by section 2 of said chapter 387, and inserting in place thereof the following section: — *Section 5.* The state treasurer, with the approval of the governor and council, may borrow from time to time, on the credit of the commonwealth, such sums as may be necessary to provide funds for loans to municipalities as aforesaid, and may issue and renew notes of the commonwealth therefor, bearing interest payable at such times and at such rate as shall be fixed by the state treasurer, with the approval of the governor and council; provided, that the total indebtedness of the commonwealth under this section, outstanding at any one time, shall not exceed ten million dollars. Such notes shall be issued for such maximum term of years 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 such notes, whether original or renewal, shall be payable not later than June thirtieth, nineteen hundred and sixty-six. All notes issued under this section shall be signed by the state treasurer, approved by the governor and countersigned by the comptroller.

Approved March 10, 1961.

Chap. 206. AN ACT AUTHORIZING THE PAYMENT OF COMMISSIONS ON ACCIDENT AND SICKNESS INSURANCE TO EMPLOYEES OF LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Section 184 of chapter 175 of the General Laws, as most recently amended by chapter 98 of the acts of 1948, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The said sections shall not prohibit any company from paying a commission to another company or to any person who is duly licensed as an insurance agent of such company or as an insurance broker and who holds himself out and carries on business in good faith as such, or prohibit any such person or any company from receiving a commission in respect to any policy under which he or it is insured, or in respect to any annuity or pure endowment contract held by him; nor shall said sections prohibit a life company from paying to any one of its employees, other than an insurance agent, who has been employed by it for at least one year a commission or commissions, or such employee from receiving a commission or commissions, in respect to accident and sickness insurance issued under section one hundred and eight insuring the employee or the employee and his dependents, and in respect to so much of the face amount of any policy or policies of insurance on his life at any time outstanding as does not exceed twenty-five thousand dollars; nor shall said sections apply to (1) a distribution, without special favor or advantage, by mutual companies to policyholders of savings, earnings

or surplus without specification thereof in the policy, or (2) the furnishing to the insured of information or advice by any company, officer, agent or broker with regard to any risk for the purpose of reducing the liability of loss, or (3) the payment or allowance to the insured of a return premium upon the cancellation or surrender of a policy, or of a cash surrender or other value upon the lapse or surrender of a policy of life or endowment insurance or upon the exchange, alteration or conversion of any such policy under section one hundred and thirty-nine.

Approved March 10, 1961.

Chap. 207. AN ACT RELATIVE TO THE ACKNOWLEDGMENT OF WRITTEN INSTRUMENTS BY PERSONS SERVING IN OR WITH THE ARMED FORCES OF THE UNITED STATES AND THEIR DEPENDENTS.

Be it enacted, etc., as follows:

Chapter 222 of the General Laws is hereby amended by striking out section 11, added by chapter 191 of the acts of 1953, and inserting in place thereof the following section: — *Section 11.* Persons serving in or with the armed forces of the United States or their dependents, wherever located, may acknowledge any instrument, in the manner and form required by the laws of this commonwealth, before any commissioned officer in the active service of the armed forces of the United States with the rank of second lieutenant or higher in the army, air force or marine corps, or ensign or higher in the navy or United States coast guard. Any such instrument shall contain a statement that the person executing the instrument is serving in or with the armed forces of the United States or is a dependent of a person serving in or with the armed forces of the United States, and in either case the statement shall include the serial number of the person so serving. No such instrument shall be rendered invalid by the failure to state therein the place of execution or acknowledgment.

No authentication of the officer's certificate of acknowledgment shall be required.

Instruments so acknowledged outside of the commonwealth, if otherwise in accordance with law, shall be received and may be used in evidence, or for any other purpose, in the same manner as if taken before a commissioner of the commonwealth appointed to take depositions in other states.

Approved March 10, 1961.

Chap. 208. AN ACT RELATIVE TO THE METHOD OF FILLING VACANCIES IN THE MUNICIPAL COUNCIL OF THE CITY OF ATTLEBORO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 680 of the acts of 1914 is hereby amended by striking out section 9 and inserting in place thereof the following section: — *Section 9.* If it shall appear that there is no choice of mayor, or if the person elected to that office shall refuse to accept the office, or shall die before qualifying, or if a vacancy in the office occurs, the president of the municipal council, or, in the event of his disability, the president pro tempore shall become acting mayor until the next municipal election. If the full number of members of the municipal

council then required to be chosen shall not be elected at the annual municipal election, or if a vacancy in the office of a member thereof shall occur, the municipal council shall choose whichever of the defeated candidates received the highest number of votes for the office in which the vacancy exists at the city election held next prior thereto who is eligible and willing to serve, or if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for the office in which there is a vacancy. If vacancies occur in any other elective office not specifically provided for in this act, the municipal council shall by majority vote elect some qualified person to fill such vacancy until the next municipal election.

SECTION 2. This act shall be submitted for acceptance by said city at the biennial state election to be held in the year nineteen hundred and sixty-two, 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-one, entitled 'An Act relative to the method of filling vacancies in the municipal council of the city of Attleboro', 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 March 10, 1961.

Chap. 209. AN ACT ELIMINATING THE REQUIREMENT OF A NOTARIAL SEAL AND REQUIRING DATE OF EXPIRATION OF COMMISSION OF THE ATTESTING NOTARY PUBLIC ON THE ENVELOPE ENCLOSING A MARKED ABSENTEE BALLOT.

Be it enacted, etc., as follows:

Clause (c) of section 87 of chapter 54 of the General Laws is hereby amended by striking out the second paragraph of the first affidavit, as amended by section 1 of chapter 231 of the acts of 1945, and inserting in place thereof the following paragraph: —

Subscribed and sworn to before me by the above affiant, personally known to me or identified to my satisfaction, this day of , 19 , in the city or town of , state of , and I hereby certify that when I was alone with the affiant he showed me the ballot herein enclosed, unmarked, and then in my presence marked the same without my seeing how he marked it, after which he sealed said ballot in this envelope. I had no communication with the affiant as to how he was to vote.

Name
Residence
Official title or military or naval rank
(Date of expiration of commission of notary public or justice of peace).

Approved March 10, 1961.

Chap. 210. AN ACT TO AUTHORIZE THE BETH ISRAEL HOSPITAL ASSOCIATION TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Chapter 205 of the acts of 1949 is hereby amended by striking out, in line 4, the word "fifteen" and inserting in place thereof the word: — thirty-five, — so as to read as follows: — The Beth Israel Hospital

Association, a corporation organized under general law, is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter to an amount not exceeding thirty-five million dollars. *Approved March 10, 1961.*

Chap. 211. AN ACT PROVIDING FOR THE FILING OF CERTIFICATES OF CHANGE IN DATE OF ANNUAL MEETING AND OF OFFICERS OF BUSINESS CORPORATIONS IN THE OFFICE OF THE STATE SECRETARY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 156 of the General Laws is hereby amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 24.* Whenever any change is made in the officers of a corporation, except at the annual meeting, the corporation shall forthwith submit to the commissioner a certificate of such change, signed and sworn to by the clerk. The commissioner shall examine such certificate, and if he finds that it conforms to the requirements of this chapter, he shall endorse his approval thereon and forward it to be filed in the office of the state secretary, who shall receive and preserve it in book form convenient for reference and open to public inspection. Any corporation which fails to submit a certificate as aforesaid within thirty days after such change has been made, or which fails to keep a clerk of the corporation in this commonwealth, shall forfeit not more than five hundred dollars, to be recovered in the manner prescribed by section fifty-two.

SECTION 2. Said chapter 156 is hereby further amended by striking out section 29, as so appearing, and inserting in place thereof the following section: — *Section 29.* Whenever any change is made altering the date fixed in the by-laws for the annual meeting of a corporation, the corporation shall forthwith submit to the commissioner a certificate of such change, signed and sworn to by the clerk of the corporation. The commissioner shall examine such certificate and if he finds that it conforms to the requirements of this chapter, he shall endorse his approval thereon and forward it to be filed in the office of the state secretary who shall receive and preserve it in book form convenient for reference and open to public inspection. Any corporation which fails to submit a certificate as aforesaid within thirty days after such a change has been made, shall forfeit not more than one hundred dollars, to be recovered in the manner prescribed by section fifty-two.

SECTION 3. This act shall take effect on July first, nineteen hundred and sixty-one and shall apply to all certificates of such change submitted to the commissioner on or after that date. *Approved March 10, 1961.*

Chap. 212. AN ACT RELATIVE TO THE FORM OF APPLICATION FOR AN ABSENT VOTING BALLOT.

Be it enacted, etc., as follows:

Subsection (*b*) of section 87 of chapter 54 of the General Laws, as amended, is hereby further amended by striking out, in lines 7 and 8, and lines 20 and 21, as appearing in section 1 of chapter 404 of the acts of 1936, the words "precinct , ward ," and inserting in place thereof, in each instance, the words: — ward , precinct *Approved March 10, 1961.*

Chap. 213. AN ACT AUTHORIZING A LICENSED PRACTICAL NURSE TO CERTIFY THAT A VOTER BY REASON OF PHYSICAL DISABILITY IS UNABLE TO CAST HIS VOTE IN PERSON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 86, as most recently amended by section 1 of chapter 178 of the acts of 1959, and inserting in place thereof the following section: — *Section 86.* Any voter who during the hours that the polling places are open on the day of the biennial state election is absent from the city or town where he is a voter by reason of his employment in another community or for any other reason or who will be unable by reason of physical disability to cast his vote in person at the polling place, and whose application for an official absent voting ballot has been filed with the city or town clerk as provided in section eighty-nine, or with the state secretary, and certified under section ninety-one, may vote in accordance with sections eighty-seven to one hundred and three, inclusive; provided, that a voter who is in a penal institution under sentence shall not be entitled or permitted to avail himself of the provisions of this and the seventeen following sections; and provided, further, that a voter who will be unable by reason of physical disability to cast his vote in person at the polling place shall file with the city or town clerk with his application for an official absent voting ballot a certificate executed by a registered physician, attending registered nurse, attending licensed practical nurse, superintendent of a hospital or like institution, a practitioner of the Christian Science Church, or an ordained minister, priest, or rabbi who is personally acquainted with the voter and aware of his physical disability, stating that the voter will be unable by reason of physical disability to cast his vote in person at the polling place on the day of election.

SECTION 2. Clause (*b*) of section 87 of said chapter 54 is hereby amended by striking out the heading "Certificate of Physician, Hospital Superintendent, Attending Registered Nurse, Ordained Minister, Priest, Rabbi, or Christian Science Practitioner", as appearing in section 2 of chapter 178 of the acts of 1959, and inserting in place thereof the following heading: — Certificate of Physician, Hospital Superintendent, Attending Registered Nurse, Attending Licensed Practical Nurse, Ordained Minister, Priest, Rabbi, or Christian Science Practitioner.

Approved March 10, 1961.

Chap. 214. AN ACT EXTENDING GROUP GENERAL OR BLANKET INSURANCE TO THE SURVIVING SPOUSE AND DEPENDENTS OF CERTAIN EMPLOYEES WHO DIE WHILE IN THE SERVICE OF POLITICAL SUBDIVISIONS OF THE COMMONWEALTH WITHOUT PREMIUM CONTRIBUTION BY SAID POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

Chapter 32B of the General Laws is hereby amended by striking out section 9B, inserted by section 2 of chapter 386 of the acts of 1960, and inserting in place thereof the following section: — *Section 9B.* Upon the death of an employee or a retired employee, his surviving spouse may continue the group general or blanket insurance coverage for him-

self 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 March 10, 1961.*

Chap. 215. AN ACT ESTABLISHING FEES FOR FURNISHING ABSTRACT COPIES OF BIRTHS, MARRIAGES AND DEATHS.

Be it enacted, etc., as follows:

SECTION 1. Section 34 of chapter 262 of the General Laws is hereby amended by inserting after clause (13), as most recently amended by section 1 of chapter 17 of the acts of 1957, the following clause: —

(13A) For furnishing an abstract copy of a record of birth, fifty cents.

SECTION 2. Said section 34 of said chapter 262 is hereby further amended by inserting after clause (30), as most recently amended by section 2 of said chapter 17, the following clause: —

(30A) For furnishing an abstract copy of a record of death, fifty cents.

SECTION 3. Said section 34 of said chapter 262 is hereby further amended by inserting after clause (44), as most recently amended by section 3 of said chapter 17, the following clause: —

(44A) For furnishing an abstract copy of a record of marriage, fifty cents. *Approved March 10, 1961.*

Chap. 216. AN ACT AUTHORIZING THE TOWN OF HARWICH TO RECEIVE AND ADMINISTER THE PROPERTY OF THE ISLAND POND CEMETERY IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The Island Pond cemetery association, situated in the town of Harwich, hereinafter called the association, may, by deed duly executed, convey and transfer to said town, and said town is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the association not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereafter provided, the association shall be dissolved; and the cemetery of the association shall be and become a public burial place, ground or cemetery.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from the association a conveyance and transfer of, and administer, all funds or other property held by the

association in trust for the perpetual care of the lots in the cemetery and for other purposes, and also any property devised or bequeathed to the association under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank under authority of section thirty-seven or section thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the association, or of any lots in the cemetery may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property and property rights, acquired by said town from the association under authority of this act, shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the cemetery of the association or any lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the association shall be delivered to the clerk of said town and such clerk may certify copies thereof.

SECTION 4. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Harwich voting thereon at a regular or special town meeting held in the current year, but not otherwise. *Approved March 10, 1961.*

Chap. 217. AN ACT INCREASING THE TRAVEL EXPENSES ALLOWED TO POLICE OFFICERS IN CERTAIN CASES FROM FIVE TO SIX CENTS PER MILE.

Be it enacted, etc., as follows:

Chapter 262 of the General Laws is hereby amended by striking out section 53A, as amended by section 7 of chapter 48 of the acts of 1958, and inserting in place thereof the following section: — *Section 53A.* Any police officer named in section fifty and section fifty-three, who attends as a witness at a place other than his residence in a criminal case pending in a district court, including the municipal court of the city of Boston, or in the superior court shall be paid six cents a mile for travel out and home for each day's attendance, except that travel allowance shall not be allowed when such travel is made in municipally-owned vehicles. Each officer shall certify in writing the amount of his travel and attendance. Such payments shall be in addition to his other expenses necessarily and actually incurred as provided for in section fifty and shall be paid in the same manner as such expenses are required to be paid by section fifty. *Approved March 10, 1961.*

Chap. 218. AN ACT PROVIDING LEAVE WITHOUT LOSS OF PAY FOR CERTAIN POLICE OFFICERS INJURED ON SPECIAL DUTY.

Be it enacted, etc., as follows:

The first sentence of section 111F of chapter 41 of the General Laws, as appearing in chapter 419 of the acts of 1952, is hereby amended by inserting after the word "own", in line 4, the following words: — or a

police officer assigned to special duty by his superior officer, whether or not he is paid for such special duty by the city or town, is so incapacitated because of injuries so sustained. *Approved March 10, 1961.*

Chap. 219. AN ACT AUTHORIZING THE TOWN OF EASTHAMPTON TO CONVEY A CERTAIN PARCEL OF PARK LAND TO CLARENCE E. LAMOUREUX.

Be it enacted, etc., as follows:

SECTION 1. The town of Easthampton is hereby authorized to sell and convey to Clarence E. Lamoureux a certain parcel of park land in said town, located at the corner of Glendale street and Knight avenue, and bounded and described as follows: —

Beginning at the junction of Glendale Street and Knight Avenue, so called, and running in a southeasterly direction along said Knight Avenue a distance of one hundred and thirty-six and eighty-five hundredths (136.85) feet to Lot No. 18 on a Plan of Lots recorded in Hampshire County Registry of Deeds in Book 663, Pages 370 and 371; thence running in a northeasterly direction along said Lot No. 18 a distance of one hundred and thirty-nine and ten hundredths (139.10) feet to Glendale Street aforesaid; thence running in a westerly direction along said Glendale Street a distance of one hundred and ninety-five and thirteen hundredths (195.13) feet to the point of beginning; said tract being triangular in shape and containing nine thousand five hundred and eighteen (9518) square feet and designated as Lot No. 17 on said plan.

SECTION 2. This act shall take effect upon its acceptance by a majority vote of the town meeting members of the town of Easthampton at a regular or special town meeting called for the purpose.

Approved March 10, 1961.

Chap. 220. AN ACT PROVIDING THAT A CERTAIN BRIDGE ON THE PILGRIMS HIGHWAY IN THE TOWN OF ROCKLAND SHALL, WHEN CONSTRUCTED, BE DESIGNATED AS THE DOCTOR JOSEPH H. DUNN BRIDGE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter six hundred and fifty-four of the acts of nineteen hundred and sixty, the bridge on the Pilgrims Highway over Hingham street in the town of Rockland shall, when constructed, be known and designated as the Doctor Joseph H. Dunn Bridge, and a suitable marker bearing said designation shall be attached thereto by the department of public works. *Approved March 13, 1961.*

Chap. 221. AN ACT PROVIDING THAT THE METROPOLITAN WATER DISTRICT GIVE NOTICE OF PUBLIC HEARINGS ON PROPOSED IMPROVEMENTS OR EXTENSIONS TO ITS WATER SUPPLY SYSTEM TO CERTAIN OFFICIALS OF MEMBER CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 26 of chapter 92 of the General Laws is hereby amended by striking out the fourth and fifth paragraphs, as appearing in chapter 618 of the acts of 1953, and inserting in place thereof the following two paragraphs: —

On or before November first of each year, the commission shall hold a public hearing on the subject of proposed improvements or extensions to its water supply system, due notice to be given to a designated official of each member city or town at least ten days prior to the date for such hearing. The official to receive such notice shall in a city, other than a Plan D or Plan E city, be designated by the mayor, and in a Plan D or Plan E city by the city manager; in a town having a board of water commissioners elected by the people by the members of said board; otherwise, by the board of selectmen. The mayor, city manager, board of water commissioners or board of selectmen, as the case may be, shall upon designating said official, forthwith mail notice thereof to the commission. No new city or town shall be admitted to membership in the district unless notice of the proposed addition has been given to each member city or town, and a public hearing after due notice has been held, and the commission has determined that the rate to be charged for water service and the cost of providing the service to the new member or members is to the advantage of the district as a whole.

The commission, before filing any proposal for a change in the rate per million gallons authorized by this section, shall give due notice to the designated official of each member city and town of the proposed change and shall hold a public hearing thereon.

Approved March 13, 1961.

Chap. 222. AN ACT REQUIRING PROPER VENTILATION IN CERTAIN PLACES OF EMPLOYMENT.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 117, as amended by chapter 208 of the acts of 1935, and inserting in place thereof the following section: — *Section 117.* Every establishment in which one or more persons is employed shall be so ventilated that all gases, vapors, dust, fumes, or any impurity injurious to health, whether generated in the course of the work carried on therein or otherwise, shall, so far as practicable, be rendered harmless.

Approved March 13, 1961.

Chap. 223. AN ACT REPEALING THE PROVISIONS FOR THE PAYMENT OF A FEE BY CREDIT UNIONS IN CONNECTION WITH THE LATE FILING OF CERTAIN REPORTS.

Be it enacted, etc., as follows:

Section 27 of chapter 171 of the General Laws is hereby amended by striking out the last sentence, as appearing in the Tercentenary Edition.

Approved March 13, 1961.

Chap. 224. AN ACT INCREASING THE PENALTY FOR VIOLATION OF REGULATIONS FOR THE PREVENTION OF OCCUPATIONAL DISEASES CAUSED BY IONIZING RADIATION.

Be it enacted, etc., as follows:

The third paragraph of section 6 of chapter 149 of the General Laws, added by chapter 155 of the acts of 1952, is hereby amended by striking

out the first sentence and inserting in place thereof the following sentence: — Whoever violates any reasonable rule, regulation or requirement made by the department under authority hereof shall, except as hereinafter provided, be punished by a fine of not more than one hundred dollars for each offense, and whoever violates any such rule, regulation, or requirement for the prevention of industrial or occupational diseases caused by ionizing radiation shall be punished by a fine of not more than five hundred dollars for each offense.

Approved March 13, 1961.

Chap. 225. AN ACT RELATIVE TO PROSECUTIONS FOR VIOLATION OF THE LAWS REQUIRING TOILETS AND WASHING FACILITIES IN INDUSTRIAL AND RAILROAD ESTABLISHMENTS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 135, as amended by chapter 64 of the acts of 1933, and inserting in place thereof the following section: — *Section 135.* A criminal prosecution shall not be begun against a person for a violation of any provision of sections one hundred and thirty-three or one hundred and thirty-four unless he has, after receiving notice from the department of the changes necessary to comply with said sections, neglected to make such changes. A notice shall be sufficient under this section if given to one member of a firm, or to the clerk, cashier, secretary, agent or any other officer having charge of the business of a corporation, or to its attorney, or, in the case of a foreign corporation, to the officer or person having charge of such industrial establishment or railroad establishment; and such officer or person shall be personally liable for the amount of any fine if a judgment against the corporation is unsatisfied.

Approved March 13, 1961.

Chap. 226. AN ACT FURTHER REGULATING THE REMOVAL OF CERTAIN BANK OFFICERS FOR THE VIOLATION OF CERTAIN BANKING LAWS.

Be it enacted, etc., as follows:

The first paragraph of section 5 of chapter 167 of the General Laws, as appearing in chapter 337 of the acts of 1933, is hereby amended by striking out the first four sentences and inserting in place thereof the following six sentences: — If, in the opinion of the commissioner, any officer of any bank, including a director or trustee thereof, has violated any law relating to such bank or has conducted the business of such bank in an unsafe or unsound manner or has used his official position in a manner contrary to the interests of such bank or its depositors or has been negligent in the performance of his duties, the commissioner may, in his discretion, send a statement of facts about such conduct to the executive officer, and each director or trustee of the bank affected. Within such reasonable time as the commissioner may direct, a special meeting of the directors or trustees of the bank shall be held with respect to the statement of the commissioner. If, in the opinion of the commissioner, appropriate action is not taken to protect the interests

of the bank or its depositors, or if such conduct is continued, the commissioner may certify the facts if, in his opinion, such action is warranted to a board composed of the state treasurer, the attorney general and the commissioner of corporations and taxation. In such event the board shall cause notice to be served on such officer, director or trustee to appear before such board, to show cause why he should not be removed from office. A copy of such notice shall be sent by registered mail to each officer, director or trustee of the bank affected. If, after granting the officer, director or trustee so summoned a reasonable opportunity to be heard, the said board finds that he has been guilty of any such delinquency, the said board, in its discretion, may order that such officer, director or trustee be removed from office and from all participation in the management of such bank. *Approved March 13, 1961.*

Chap. 227. AN ACT MAKING PERMANENT THE CENTRAL CREDIT UNION FUND, INC., AND FURTHER REGULATING THE INVESTMENTS OF ITS FUNDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 216 of the acts of 1932 is hereby amended by striking out section 4, as most recently amended by chapter 266 of the acts of 1950, and inserting in place thereof the following section: — *Section 4.* The corporation may invest its funds in loans to member credit unions in such manner as its by-laws shall prescribe and may borrow money for said purpose. It may also invest its funds in the funds and securities which are legal investments for savings banks in this commonwealth under the provisions of clauses 1, 2 and 3 of section forty-two and clause 1 of section forty-three of chapter one hundred and sixty-eight of the General Laws, and in deposits in trust companies or savings banks incorporated under the laws of this commonwealth or in national banks located therein.

SECTION 2. Section seven of said chapter two hundred and sixteen, as most recently amended by chapter four hundred and sixty-four of the acts of nineteen hundred and fifty, is hereby repealed.

Approved March 13, 1961.

Chap. 228. AN ACT PROVIDING FOR THE TRANSFER OF THE RECORDS OF CERTAIN RETIRED PERSONS AND THE LIABILITY FOR PAYMENT OF THE PENSIONS AND RETIREMENT ALLOWANCES OF SAID PERSONS TO RETIREMENT BOARDS.

Be it enacted, etc., as follows:

SECTION 1. In order to properly effectuate the provisions of chapter seven hundred and twenty-eight of the acts of nineteen hundred and sixty, each retiring authority referred to therein is hereby authorized and directed to transfer to the appropriate retirement board, as provided in said chapter, all books, records, documents, memoranda, data and any other material pertaining to pensions or allowances granted by such retiring authority prior to July first, nineteen hundred and sixty-one.

SECTION 2. On and after July first, nineteen hundred and sixty-one, payment of any pension or allowance in effect as of June thirtieth,

nineteen hundred and sixty-one under the provisions of any section of law, the administration of which is transferred to a retirement board under the provisions of chapter seven hundred and twenty-eight of the acts of nineteen hundred and sixty, shall be made by the appropriate retirement board from whatever funds may be appropriated for such purpose.

SECTION 3. This act shall take effect on July first, nineteen hundred and sixty-one. *Approved March 13, 1961.*

Chap. 229. AN ACT RELATIVE TO ELECTION OF TRUSTEES, MANAGEMENT OF TRUST FUNDS OF TREMONT TEMPLE BAPTIST CHURCH AND THE NUMBER FOR A QUORUM.

Be it enacted, etc., as follows:

SECTION 1. Tremont Temple Baptist Church, located in the city of Boston, incorporated by charter duly made and issued on June twenty-ninth, eighteen hundred and ninety-one, is hereby authorized to elect five trustees, within ninety days after the effective date of this act, for one, two, three, four and five years and at each annual meeting thereafter one trustee shall be elected for the term of five years, to hold and manage trust funds, including absolute gifts and devises heretofore or hereafter received, for an indefinitely long period or forever, for the benefit of the said Church, subject to whatever limitations which by law appertain thereto, and notwithstanding any provision of section three of chapter sixty-eight of the General Laws or any other law to the contrary.

SECTION 2. Tremont Temple Baptist Church is further authorized to establish rules and regulations for the government of said trustees, within one year of the effective date of this act, by a two-thirds vote of the resident members present and voting at a special meeting called for the purpose, which regulations shall not be subject to alteration or amendment except by consent of all trustees at the time and by a four-fifths vote of the resident members present and voting at a special meeting called for the purpose, at which meeting not less than twenty per cent of the members entitled to vote are present, notwithstanding any provision of section three of chapter sixty-eight of the General Laws or any other law to the contrary.

SECTION 3. A quorum for the transaction of business and the election of officers at any meeting shall be such number of resident members as may be established by the by-laws, but in no event less than one hundred and fifty such members.

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

Approved March 15, 1961.

Chap. 230. AN ACT PROVIDING FOR THE ANNUAL APPORTIONMENT OF THE COSTS OF THE CONSTRUCTION AND OPERATION OF THE METROPOLITAN SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

Section 5A of chapter 92 of the General Laws, as appearing in section 3 of chapter 612 of the acts of 1959, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Not later than September first in the year nineteen hundred

and sixty-one and in each year thereafter, the commission shall establish, as provided in section five, the proportion in which each of the cities and towns served by said system shall annually pay money to the commonwealth to meet interest and principal requirements to be borne by all cities and towns served by the metropolitan sewerage system; provided, however, that no changes shall be made in the proportions established in the year nineteen hundred and sixty except such as are occasioned by construction and connections authorized by law after January first, nineteen hundred and sixty or authorized by the commission under section two or by changes, authorized by the commission, made in a municipality's sewer connections to said system subsequent to said January first, or by inequities, if any, which the commission prior to September first, nineteen hundred and sixty-one, may find to exist in the proportions established in the year nineteen hundred and sixty. *Approved March 15, 1961.*

Chap. 231. AN ACT AUTHORIZING THE TOWN OF FAIRHAVEN TO SELL CERTAIN PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Fairhaven, acting by its board of selectmen, is hereby authorized to sell and convey, pursuant to article 13 in the warrant for the special town meeting of October first, nineteen hundred and sixty, as adopted, all or any part of the following described portion of the land conveyed for park purposes to the inhabitants of the town of Fairhaven by Frederic A. Delano et al in the year nineteen hundred and forty-two: — Easterly by Middle street, one hundred and twenty (120) feet; southerly by land of Frank C. Taylor, incorporated; westerly by the channel of the Acushnet river or by the line limiting the rights of private ownership in said river; and northerly by a line parallel to and one hundred and twenty (120) feet distant from the southerly line.

SECTION 2. The consideration for the sale of the whole or any part or parts of the land described in section one shall be for such sum or sums as the board of selectmen deems adequate but not less, in any case, than the highest amount offered.

SECTION 3. This act shall take effect upon its acceptance by a majority vote of the town meeting members voting thereon at an annual or special town meeting called for the purpose.

SECTION 4. Any action taken at the annual town meeting of the town of Fairhaven 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 such meeting was posted.

Approved March 16, 1961.

Chap. 232. AN ACT PROVIDING FOR THE APPOINTMENT OF A SUPERINTENDENT OF SEWERS AND HIGHWAYS IN THE TOWN OF WINTHROP.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of general or special law to the contrary, the board of selectmen of the town of Winthrop

shall each year appoint a person as superintendent of sewers and highways who shall, under the direction of said selectmen, exercise all the powers and have all the duties vested in the superintendent of streets and in the superintendent of sewers of said town prior to the effective date of this act. He shall receive such compensation as said selectmen or the town determine and shall be removable by them when the public interest requires. He shall be sworn to the faithful performance of his duties and shall hold office until his successor is qualified. Upon the qualification of a superintendent of sewers and highways in said town the offices of superintendent of streets and superintendent of sewers shall terminate.

SECTION 2. This act shall take effect upon its acceptance by majority vote of the town meeting members of the town of Winthrop at an annual or special town meeting called for the purpose.

Approved March 20, 1961.

Chap. 233. AN ACT AUTHORIZING THE BOSTON TRAFFIC COMMISSION TO ESTABLISH A SCHEDULE OF FINES FOR THE NON-CRIMINAL DISPOSITION OF PARKING VIOLATIONS IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 20A of chapter 90 of the General Laws, as amended by chapter 454 of the acts of 1960, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following sentence: — If it is the first offense subject to this section committed by such person within the jurisdiction of the court and in a particular city or town in the calendar year, the clerk shall dismiss the charge without the payment of any fine; if it is the second, third, fourth or fifth such offense so committed in such city or town in the calendar year, payment to the clerk of a fine of one dollar shall operate as a final disposition of the case; and if it is the sixth or subsequent such offense so committed in such city or town in the calendar year, payment to the clerk of a fine of two dollars shall operate as a final disposition of the case; provided, however, that the provisions of this sentence shall not apply to any offense subject to this section committed in the city of Boston or in the city of Cambridge; but for such an offense, payment of the fine established therefor by the Boston traffic commission or the city of Cambridge, as the case may be, shall operate as a final disposition of the case.

SECTION 2. Said section 20A of said chapter 90 is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 249 of the acts of 1953, and inserting in place thereof the following paragraph: —

As used in this section, the words "motor vehicle" shall, so far as apt, include trailer, semi-trailer and semi-trailer unit.

SECTION 3. Said section 20A of said chapter 90 is hereby further amended by inserting after the fourth paragraph the following paragraph: —

The Boston traffic commission shall from time to time establish, with the approval of the city council of the city of Boston, in accordance with the provisions of the charter of said city, by rule or regulation, a

schedule of fines for offenses subject to this section committed in the city of Boston; and the city of Cambridge shall from time to time establish by ordinance a schedule of fines for offenses subject to this section committed in the city of Cambridge; provided, however, that neither the Boston traffic commission nor the city of Cambridge shall establish under the provisions of this paragraph any fine exceeding fifteen dollars.

SECTION 4. Section 2 of chapter 263 of the acts of 1929 is hereby amended by striking out the fourth sentence, as most recently amended by chapter 499 of the acts of 1960, and inserting in place thereof the following sentence: — By any rule or regulation adopted under this section, the commission may authorize, with such limitations, if any, as the commission may think proper, the police commissioner of the city, or such sergeants or officers of higher rank in the police department of the city as he 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 city, or by an independent contractor selected on the basis of competitive bids invited by advertisement in the City Record, as said police commissioner shall from time to time determine, 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 downtown area of the city, as hereinafter defined, 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, in violation of any rule or regulation adopted under this section which prohibits the parking or standing of all vehicles on such part at such time and recites that whoever violates it shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine, and 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 for removal shall not exceed eight dollars, that the liability so imposed for storage shall not exceed the schedule of maximum rates contained in the then latest lease of an off-street parking facility under chapter four hundred and seventy-four of the acts of nineteen hundred

and forty-six, as amended, and that neither such removal nor such storage shall be deemed to be services rendered or work performed by the city or any department thereof within the meaning of chapter two hundred and twenty-two of the acts of nineteen hundred and forty-nine; and provided, further, that the city of Boston 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 5. Said section 2 of said chapter 263 of the acts of 1929 is hereby further amended by inserting after the fifth sentence, as appearing in section 1 of chapter 369 of the acts of 1954, the following sentence: — The words "downtown area of the city" as used in this section shall be deemed to mean that part of the city of Boston bounded by the waterfront starting at an imaginary line drawn through the center of Staniford street that meets the Charles river near the North Station, and following the waterfront to the Charlestown bridge, turning right thereon and running along and including both sides of Washington street north to Haymarket square and crossing Haymarket square, including both sides thereof, to Blackstone street, thence down Blackstone street on both sides to Commercial street, turning left on Commercial street and following the center line of Commercial street to Boston harbor, thence along the waterfront to the Broadway bridge, thence turning on Broadway and continuing through Park square to Charles street, including both sides of said ways to Beacon street, thence turning on said Beacon street and proceeding up Beacon street on the Common side to Bowdoin street, thence turning on Bowdoin street and proceeding down Bowdoin street on the easterly side thereof to Cambridge street, thence crossing Cambridge street to Bowdoin square, thence down Chardon street to Merrimac street, turning left on Merrimac street, including both sides thereof, to Staniford street, thence turning and proceeding down the center of Staniford street and continuing in an imaginary line to the Charles river at the North Station to the point of beginning, as shown on a map filed in the office of the state secretary and marked "Downtown area of the City of Boston referred to in General Laws, chapter 90, section 20A". *Approved March 21, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 17, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 233 of the Acts of 1961, entitled "An Act Authorizing the Boston Traffic Commission to Establish a Schedule of Fines for the Non-Criminal Disposition of Parking Violations in Said City" and the enactment of which received my approval on March 21, 1961, 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 a schedule of fines to

be paid in connection with the non-criminal disposition to the end that the parking violations and vehicular congestion in the city of Boston would be eliminated.

Very truly yours,
JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 17, 1961.

I, Kevin H. White, 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 forty-five 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 thirty-three of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 234. AN ACT RELATIVE TO THE ELECTION OF COUNCILLORS IN THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 300 of the Special Acts of 1916 is hereby amended by striking out section 5 and inserting in place thereof the following section: — *Section 5.* The legislative powers of the city shall be vested in a city council, composed of eleven members, one of whom shall be elected from each ward by and from the qualified voters of that ward, and the remaining members shall be elected at large by and from the qualified voters of the city. One of the members shall be elected annually by the council as its president. Members of the council elected as aforesaid shall serve for a term of two years from the first Monday of January following their election and until their successors are elected and qualified.

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

Approved March 21, 1961.

Chap. 235. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO ACQUIRE CERTAIN PROPERTY IN THE CITY OF NORTHAMPTON FOR OFF-STREET PARKING FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of establishing off-street parking facilities in the vicinity of the county court house, the county commissioners of the county of Hampshire are hereby authorized to raise and expend a sum not exceeding thirty thousand dollars for the purchase and subsequent development of a parcel of land situated on the westerly side of Gothic street in the city of Northampton and bounded and described as follows: —

Beginning at a point on the southwesterly side of Gothic street in the city of Northampton at land of the county of Hampshire; thence

southwesterly along land of said county, one hundred fifteen and one-tenth feet to a point at land now or formerly of the Levi Clark heirs; thence southeasterly along land of said Levi Clark heirs forty-one and fifty-eight hundredths feet to a stone bound; thence southeasterly along land of said Levi Clark heirs forty-five and seventy-five hundredths feet to a stone bound at land of one Shumway; thence northeasterly along land of said Shumway and other land of said county ninety-seven and thirty-five hundredths feet to Gothic street; thence northwesterly along Gothic street sixty-eight and sixty-five hundredths feet to the point of beginning.

SECTION 2. Said county commissioners are hereby authorized to sell any securities now held by them in the post-war rehabilitation fund established under the provisions of chapter five of the acts of nineteen hundred and forty-three, and apply the proceeds of such sale and any other cash balance remaining in said fund toward the payment of the expenditure authorized by section one of this act.

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

Approved March 21, 1961.

Chap. 236. AN ACT FURTHER DEFINING THE DUTIES OF CERTAIN PUBLIC AUTHORITIES IN CONNECTION WITH ADVISORY COMMITTEES IN THE PURCHASE OF CONTRIBUTORY GROUP GENERAL OR BLANKET INSURANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further define forthwith the duties of certain public authorities in connection with advisory committees in the purchase of contributory group general or blanket insurance, 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 3 of chapter 32B of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 337 of the acts of 1960, and inserting in place thereof the following three sentences: — Upon acceptance of this chapter as hereinafter provided, the appropriate public authority of the governmental unit, 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. Prior to the purchase of said insurance, and execution of all such agreements or contracts within the limits established by section eleven, the appropriate public authority shall consult with an advisory committee consisting of five persons duly elected or appointed to membership on such committee by organizations of the employees affected, for the purpose of securing the

written recommendations of a majority of the membership of said committee. If the appropriate public authority finds that the committees' recommendations in whole or in part cannot be included within the aforementioned agreements or contracts, at the written request of any member of said committee within thirty days from the effective date of the agreements or contracts, the appropriate public authority shall submit to said member, in writing, the reasons for the rejection of any or all of the recommendations and a copy shall be filed with the commission. *Approved March 21, 1961.*

Chap. 237. AN ACT AUTHORIZING CONSOLIDATION OF FLORENCE CRITTENTON LEAGUE OF COMPASSION AND HASTINGS HOUSE UNDER THE NAME OF CRITTENTON HASTINGS HOUSE OF THE FLORENCE CRITTENTON LEAGUE.

Be it enacted, etc., as follows:

SECTION 1. Florence Crittenton League of Compassion, incorporated under chapter one hundred and twenty-five of the Revised Laws, whose powers and purposes were increased by chapter three hundred and sixty-four of the acts of nineteen hundred and twenty-six, and Hastings House, incorporated by chapter one hundred and fifty of the acts of eighteen hundred and forty-six, whose name was changed by chapter two hundred and ten of the acts of eighteen hundred and sixty-nine and by articles of amendment filed on June thirteenth, nineteen hundred and twenty-four, October thirtieth, nineteen hundred and thirty-four, and January twenty-seventh, nineteen hundred and forty-eight, are hereby authorized to consolidate into one corporation under the name of Crittenton Hastings House of the Florence Crittenton League which shall in all respects be a continuation of and shall have all the powers, privileges and exemptions of each of said existing consolidating corporations, and shall be subject to all the duties, liabilities and restrictions provided by law in so far as they relate to the said existing consolidating corporations.

SECTION 2. Upon such consolidation, all property, real and personal, and all rights and interests, legal or equitable, of said existing consolidating corporations and all devises, bequests, conveyances and gifts heretofore and hereafter made to or for any of said existing consolidating corporations shall vest in or for the benefit of said consolidated corporation and otherwise shall be held by said consolidated corporation subject to the same terms, conditions, limitations and trusts as they are now held by said existing consolidating corporations or would have been held by said existing consolidating corporations but for this act, and the treasurers of said existing consolidating corporations are hereby respectively authorized to execute and deliver all papers and documents that they may deem necessary or proper for the purpose of confirming in the consolidated corporation the record title to the property of the existing consolidating corporations.

SECTION 3. Upon such consolidation the members of the existing consolidating corporations shall be the members of the consolidated corporation until such time as the consolidated corporation may, by an amendment to its by-laws, provide for a different membership, and the officers and trustees of Florence Crittenton League of Compassion shall be, until their successors are chosen and qualified, the officers and

trustees of the consolidated corporation which shall, except as herein provided with respect to the initial membership and name, be governed by the by-laws of Florence Crittenton League of Compassion in effect at the time of consolidation, until amended by the consolidated corporation.

SECTION 4. Upon the acceptance of this act within one year after its passage by each of the existing corporations at meetings duly called for the purpose, duly certified copies of the respective votes of acceptance shall be filed in the registry of deeds for Suffolk county and with the state secretary and the consolidation of the corporations so accepting this act shall thereupon be complete. Nothing herein shall affect any existing corporation not so accepting this act.

SECTION 5. Crittenton Hastings House of the Florence Crittenton League may hold real and personal estate to any amount.

SECTION 6. For the purpose of its acceptance, this act shall take effect upon its passage. *Approved March 21, 1961.*

Chap. 238. AN ACT EXTENDING TO DISTRICTS THE POWER TO INCREASE CERTAIN RETIREMENT ALLOWANCES, PENSIONS AND ANNUITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32 of the General Laws is hereby amended by striking out section 96, as amended by section 1 of chapter 513 of the acts of 1959, and inserting in place thereof the following section: — *Section 96.* A city, town, district, or county may increase to an amount not exceeding twelve hundred dollars the annual amount of any retirement allowance, pension, annuity or other benefit, payable by it under any general or special law, to any former official or employee or to his dependent as provided in such general or special law, which is less than twelve hundred dollars; provided, that such official or employee had been in the service of such city, town, district, or county for not less than fifteen years.

SECTION 2. Said chapter 32 is hereby further amended by striking out section 97, as most recently amended by section 2 of chapter 670 of the acts of 1960, and inserting in place thereof the following section: — *Section 97.* Annuities or increases of retirement allowances, pensions or annuities under sections ninety-five and ninety-six may be granted in any city by a two thirds vote of all the members of the city council and the approval of the mayor or city manager, as the case may be; and in a town by a two thirds vote of the voters at an annual town meeting upon recommendation of the selectmen. In a district increases under section ninety-six may be granted by a majority vote of the prudential committee, or board having similar powers. In a county increases under section ninety-six may be granted by a majority vote of the county commissioners.

SECTION 3. Any increase granted under the provisions of section one of this act may by majority vote of a prudential committee, or board having similar powers, be made retroactive to November twenty-third, nineteen hundred and fifty-nine.

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

Approved March 21, 1961.

Chap. 239. AN ACT RELATIVE TO THE CONVEYANCE BY THE CITY OF BOSTON OF CERTAIN PARK LAND TO THE WILLIAM G. WALSH POST #369 AMERICAN LEGION INC., DEPARTMENT OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 1 of chapter 718 of the acts of 1960 is hereby amended by striking out, in line 2, the word "convey" and inserting in place thereof the words: — sell and convey; striking out, in line 5, the initials "T.V." and inserting in place thereof the following: — Thomas J.

Approved March 21, 1961.

Chap. 240. AN ACT PROVIDING FOR THE REIMBURSEMENT OF CERTAIN TEACHERS AND SUPERINTENDENTS OF SCHOOLS FOR EXPENSES INCURRED IN DEFENDING THEMSELVES AGAINST REMOVAL PROCEEDINGS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 43A, inserted by chapter 462 of the acts of 1958, the following section: — *Section 43B.* Any teacher or superintendent of schools employed at discretion who has incurred expense in defending himself against an unwarranted removal or suspension shall be reimbursed for such expense from the same source from which his salary is paid; provided, however, that the amount of such reimbursement shall in no event exceed ten per cent of the amount of the usual compensation of such person for the period during which such removal or suspension was in effect; and provided, further, that such teacher or superintendent makes written application to the school committee for such reimbursement.

Approved March 21, 1961.

Chap. 241. AN ACT EXTENDING THE TIME DURING WHICH A STAY OR SUCCESSIVE STAYS OF EXECUTION TOTALLING NINE MONTHS MAY BE GRANTED IN AN ACTION OF SUMMARY PROCESS BROUGHT TO RECOVER POSSESSION OF PREMISES USED 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 96 of the acts of 1960, and inserting in place thereof the following section: — *Section 2.* This act shall become inoperative on June thirtieth, nineteen hundred and sixty-three.

Approved March 21, 1961.

Chap. 242. AN ACT PROVIDING THAT A VOTER PHYSICALLY UNABLE TO MARK AN ABSENTEE BALLOT MAY BE ASSISTED THEREIN AND FURTHER REGULATING THE USE OF ABSENTEE BALLOTS.

Be it enacted, etc., as follows:

SECTION 1. Section 92 of chapter 54 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 2 of chapter 685 of the acts of 1960, and inserting in place thereof the follow-

ing paragraph: — A voter who has received an official absent voting ballot as provided in section eighty-nine may vote by mailing the same to the city or town clerk, 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, by delivering the same to such clerk. 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. Before marking the ballot he shall exhibit it to said official, who shall satisfy himself that it is unmarked, but he shall not allow said official to see how he marks it. Except as provided in section ninety-eight, said official shall hold no communication with the voter, nor he with said official, as to how he is to vote. Thereafter the voter shall enclose and seal the same in the proper envelope provided for by clause (*c*) of section eighty-seven. He shall then execute before said official the necessary affidavit on said envelope as set forth in said clause (*c*), and shall enclose and seal the envelope with the ballot in the envelope provided for in clause (*d*) of said section, and mail the same within the time prescribed in section ninety-three, postage prepaid, at a post office in a municipality other than the city or town wherein the voter is registered, or in any municipality in case 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, 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, may deliver the same within the time so prescribed to the clerk of the municipality wherein he is registered.

SECTION 2. Said chapter 54 is hereby further amended by striking out section 98, as most recently amended by section 6 of chapter 466 of the acts of 1945, and inserting in place thereof the following section: — *Section 98.* An absent voter who declares on oath to the official in whose presence he is to mark his ballot that from blindness or other physical disability he is unable to prepare his ballot may at his discretion be assisted in such marking by any qualified voter whom he may designate or by said official. In either case said official shall add in writing to the jurat a statement of the fact that the voter is unable to write, stating the reason therefor, and shall sign the voter's name on both envelopes.

Approved March 21, 1961.

Chap. 243. AN ACT TO CONSOLIDATE THE YOUNG MEN'S HEBREW ASSOCIATION OF BOSTON AND BOSTON Y. M. H. A.–HECHT HOUSE, INC.

Be it enacted, etc., as follows:

SECTION 1. The Young Men's Hebrew Association of Boston, a corporation incorporated under chapter one hundred and eighty of the General Laws, is hereby authorized to consolidate with and into Boston

Y. M. H. A.-Hecht House, Inc., a corporation incorporated under said chapter one hundred and eighty, and said Boston Y. M. H. A.-Hecht House, 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. Boston Y. M. H. A.-Hecht House, 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 4. Such consolidation shall take effect when this act shall have been accepted by votes of the board of directors 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 5. 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.

Approved March 21, 1961.

Chap. 244. AN ACT ESTABLISHING THE POSITION OF SUPERVISOR OF POLICE RADIO AND SIGNAL SYSTEM–PATROLMAN IN THE POLICE DEPARTMENT OF THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the police department of the city of Holyoke the position of supervisor of police radio and signal system-patrolman. Such position shall be filled by competitive promotional examination open to patrolmen who have served at least five years in said grade in a permanent capacity. Any patrolman appointed to such position shall continue to be employed, without loss of civil service or other rights, as a permanent patrolman.

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

Approved March 21, 1961.

Chap. 245. AN ACT TO CLARIFY THE DEFINITION OF "NURSE" IN THE LAW RELATING TO ADMINISTRATION OF NARCOTIC DRUGS.

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 amended by chapter 660 of the acts of 1960, and inserting in place thereof the following definition: —

"Nurse", a person duly registered or licensed as a nurse or licensed practical nurse under chapter one hundred and twelve and actively engaged as such, or a student in a school for nurses or for practical nurses duly approved under said chapter. *Approved March 21, 1961.*

Chap. 246. AN ACT PROVIDING THAT POLICE OFFICERS IN CERTAIN CITIES AND TOWNS SHALL BE EXCUSED FROM DUTY WITHOUT LOSS OF PAY WHILE IN ATTENDANCE AS OFFICIAL DELEGATES AT THE ANNUAL CONVENTION OF THE MASSACHUSETTS POLICE ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 147 of the General Laws is hereby amended by striking out the sentence added by chapter 325 of the acts of 1954, and inserting in place thereof the following two sentences: — Members of police departments may be excused from duty and from attendance at a police station or other place for not more than two days in any year without loss of pay while in attendance as an official delegate at the annual convention of the Massachusetts Police Association held within the commonwealth. The provisions of the preceding sentence shall not apply in any city or town which accepts the provisions of section seventeen D as therein provided.

SECTION 2. Said chapter 147 is hereby further amended by inserting after section 17C, inserted by chapter 349 of the acts of 1956, the following section: — *Section 17D.* Members of police departments shall be excused from duty and from attendance at a police station or other place for two days without loss of pay while in attendance as an official delegate at the annual convention of the Massachusetts Police Associa-

tion held within the commonwealth. 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 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 21, 1961.*

Chap. 247. AN ACT RELATIVE TO EMPLOYMENT SECURITY BENEFITS TO CERTAIN PERSONS WHO WERE UNEMPLOYED DUE TO A LABOR DISPUTE.

Be it enacted, etc., as follows:

Subsection (*b*) of section 25 of chapter 151A of the General Laws, as most recently amended by chapter 554 of the acts of 1959, is hereby further amended by striking out clause (4) and inserting in place thereof the following clause: —

(4) The individual has, subsequent to his unemployment because of a labor dispute, obtained employment, and has been paid wages of not less than six hundred and fifty dollars; provided, however, that during the existence of such labor dispute the wages of such individual used for the determination of his benefit rights shall not include any wages such individual earned from the employer involved in such labor dispute.

Approved March 21, 1961.

Chap. 248. AN ACT REQUIRING OPERATORS OF MOTOR VEHICLES TO BRING THEIR VEHICLES TO A FULL STOP BEFORE CROSSING RAILROAD CROSSINGS PROTECTED BY FLASHING RED LIGHTS OR AUTOMATIC GATES.

Be it enacted, etc., as follows:

Section 15 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 557 of the acts of 1951, and inserting in place thereof the following sentence: — Every person operating a school bus, or any motor vehicle carrying explosive substance or inflammable liquids as a cargo, or part of a cargo, upon approaching a railroad crossing at grade, and every person operating a motor vehicle, upon approaching at grade a railroad crossing protected by red lights which flash as a warning or by an automatic gate, while such lights are flashing or such gate is lowered, shall bring his vehicle to a full stop not more than seventy-five feet from the nearest track of said railroad, and shall not proceed to cross until he is satisfied that it is safe to do so. *Approved March 21, 1961.*

Chap. 249. AN ACT AUTHORIZING THE TOWN OF NORTH READING TO BORROW MONEY TO MEET ITS SHARE OF THE COST OF IMPROVEMENT OF CERTAIN PORTIONS OF THE IPSWICH RIVER.

Be it enacted, etc., as follows:

SECTION 1. The department of public works acting through its division of waterways, is hereby authorized and directed to do stream

improvement work in the Ipswich river in the town of North Reading from the North Reading-Lynnfield town line to the vicinity of the Washington street bridge, a distance of approximately four thousand feet, and from a point approximately one thousand feet upstream from the Haverhill street bridge to a point approximately one mile upstream from the Chestnut street bridge. Said work shall include the reconstruction of the Chestnut street bridge if said division deems said bridge to be inadequate to accommodate the design flood flow or its foundation inadequate to provide proper bridge bearing for the design stream grade. Said department may use any available funds for said purpose.

SECTION 2. No work shall be begun until the town of North Reading 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 town the sum of fifty-three thousand dollars which shall represent the town's share for the work to be done under this act.

SECTION 3. For the purpose of meeting the payment required to be made by the town of North Reading under this act, said town may borrow, from time to time, within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifty-three thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of North Reading, Ipswich River Improvement Loan, Act of 1961. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit of indebtedness, and 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.

Approved March 21, 1961.

Chap. 250. AN ACT CLARIFYING THE TAXATION OF INTEREST ON DEPOSITS HELD IN BANKS OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

Subsection (a) of section 1 of chapter 62 of the General Laws is hereby amended by striking out paragraph First, as most recently amended by section 1 of chapter 554 of the acts of 1958, and inserting in place thereof the following paragraph: — First, Deposits in any savings bank chartered by the commonwealth, in any banking company or Morris Plan company subject to the provisions of chapter one hundred and seventy-two A, or in the Massachusetts Hospital Life Insurance Company, or in the savings department of any trust company so chartered or in credit unions chartered by the commonwealth, and deposits in any bank in any other state which exempts from taxation to its inhabitants similar deposits, and interest and dividends thereon, owned by such inhabitants in banks in this commonwealth.

Approved March 21, 1961.

Chap. 251. AN ACT TO REPEAL THE LAW RELATIVE TO ACCOUNTING FOR TAXES RECEIVED BY INCOME TAX ASSESSORS.

Be it enacted, etc., as follows:

Section forty of chapter sixty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby repealed.

Approved March 21, 1961.

Chap. 252. AN ACT RELATIVE TO THE TIME WITHIN WHICH APPLICATIONS FOR ABATEMENT OF PERSONAL INCOME TAX MAY BE FILED.

Be it enacted, etc., as follows:

SECTION 1. Chapter 62 of the General Laws is hereby amended by striking out section 43, as most recently amended by section 2 of chapter 17 of the acts of 1959, and inserting in place thereof the following section: — *Section 43.* Any person who believes that he has been over-assessed or has overpaid any tax imposed by this chapter may apply in writing to the state tax commission, hereinafter called the commission, on a form prescribed by it, for an abatement of any such over-assessment or over-payment at any time within three years from the last day for filing the return required by this chapter, within one year after the date of the notice of the tax due or within one year of the date that the return was actually filed, whichever occurs later. If after hearing, or otherwise, the commission finds that the tax assessed or paid exceeds the tax due it shall abate such excess. If there has been an over-payment, the state treasurer shall refund the same with interest thereon at the rate of three per cent per annum from the time it was paid, except that to the extent that an over-payment arises from the fact that the total of the credit allowed under section nine of chapter sixty-two B and the aggregate payments on account of the declaration of estimated tax pursuant to said chapter sixty-two B exceeds the tax imposed by this chapter, interest shall be paid from a date six months after the date upon which the return for the taxable year was due to be filed or from the date of actual payment of such tax, whichever is later, and except that no interest shall be paid in the case of an over-payment arising from the fact that an employee has understated in the withholding exemption and deduction certificate filed by him pursuant to section four (*a*) of chapter sixty-two B the number of dependency deductions, as therein defined, to which he was entitled or has failed to claim a personal exemption. The commission shall notify the applicant by certified mail of its decision upon the application for abatement.

SECTION 2. This act shall apply to any application for abatement filed on and after January first, nineteen hundred and sixty-one.

Approved March 21, 1961.

Chap. 253. AN ACT MAKING CLARIFYING CHANGES IN THE UNIFORM SIMULTANEOUS DEATH LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 190A of the General Laws is hereby amended by striking out section 2, as appearing in section 1 of chapter 549 of the acts of 1941, and inserting in place thereof the following section: —

Section 2. If property is so disposed of that the right of a beneficiary to succeed to any interest therein is conditional upon his surviving another person, and both persons die, and there is no sufficient evidence that the two have died otherwise than simultaneously, the beneficiary shall be deemed not to have survived. If there is no sufficient evidence that two or more beneficiaries have died otherwise than simultaneously and property has been disposed of in such a way that at the time of their death each of such beneficiaries would have been entitled to the property if he had survived the others, the property shall be divided into as many equal portions as there were such beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each of such beneficiaries had survived.

SECTION 2. Section 5 of said chapter 190A, as so appearing, is hereby amended by inserting after the word "chapter", in line 6, the words: — , or to any other situation where provision is made for distribution of property or for payment different from the provisions of this chapter, or where provision is made for a presumption as to survivorship which results in a distribution of property or in a payment different from that here provided, — so as to read as follows: — *Section 5.* This chapter shall not apply to a will, living trust or deed wherein provision has been made for distribution different from the distribution under this chapter, or to a policy or contract of insurance wherein provision has been made for payment of its proceeds different from such payment under this chapter, or to any other situation where provision is made for distribution of property or for payment different from the provisions of this chapter, or where provision is made for a presumption as to survivorship which results in a distribution of property or in a payment different from that here provided.

Approved March 21, 1961.

Chap. 254. AN ACT DESIGNATING THE VETERANS ADMINISTRATION AS A COMPETENT PARTY TO REPRESENT CERTAIN PERSONS IN THE ALLOWANCE OF CERTAIN PROBATE ACCOUNTS.

Be it enacted, etc., as follows:

The second paragraph of section 24 of chapter 206 of the General Laws, as appearing in chapter 413 of the acts of 1950, is hereby amended by adding at the end the following sentence: — In cases where the Veterans Administration is entitled to notice and the accountant certifies that the value of the estate does not exceed five thousand dollars, the Veterans Administration shall be deemed a competent and disinterested party to represent persons unborn, unascertained or legally incompetent to act in their own behalf. *Approved March 21, 1961.*

Chap. 255. AN ACT MAKING A CORRECTIVE CHANGE IN THE CIVIL SERVICE LAW RELATIVE TO THE PROBATIONARY PERIOD.

Be it enacted, etc., as follows:

Section 20D of chapter 31 of the General Laws, inserted by section 2 of chapter 703 of the acts of 1945, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Except as otherwise expressly provided in this chapter or in section

thirty-six of chapter forty-eight, no person shall be regarded as holding office or employment until he has been appointed to a permanent position in the official or labor service and has actually performed the duties of the office or position thereof for a probationary period of six months.

Approved March 21, 1961.

Chap. 256. AN ACT EXTENDING THE RIGHT TO VOTE FOR THE ELECTION OF CERTAIN TRUSTEES OF AMHERST COLLEGE.

Be it enacted, etc., as follows:

SECTION 1. All non-graduates of Amherst College who have matriculated at said college and whose classes shall have graduated shall be equally entitled with the graduates of said college to vote for the election of the six trustees of said college whose election is provided for in chapter fifty-five of the acts of nineteen hundred and twenty-nine.

SECTION 2. All acts and parts of acts in amendment of and in addition to chapter eighty-four of the acts of eighteen hundred and twenty-four, in so far as they provide that only graduates of Amherst College shall be entitled to vote for trustees of said college are hereby repealed.

SECTION 3. This act shall take effect upon its acceptance by the society of the alumni and the board of trustees of Amherst College, respectively, at meetings held for that purpose.

Approved March 21, 1961.

Chap. 257. AN ACT TO AUTHORIZE BRANDEIS UNIVERSITY TO INCREASE THE MEMBERSHIP OF ITS BOARD OF TRUSTEES FROM TWENTY-NINE TO THIRTY-FIVE.

Be it enacted, etc., as follows:

The last sentence of section 1 of chapter 326 of the acts of 1937, as amended by chapter 233 of the acts of 1956, is hereby further amended by striking out, in line 7, the word "twenty-nine" and inserting in place thereof the word "thirty-five", — so as to read as follows: — Said trustees shall be self-perpetuating and shall have power as shall be required, to elect a president, vice-president, secretary, and treasurer, and such other officers as may be necessary, and to declare the duties and tenures of their respective offices; provided, nevertheless, that the number of the members shall not be greater than thirty-five.

Approved March 21, 1961.

Chap. 258. AN ACT AUTHORIZING CONSERVATION COMMISSIONS TO ACQUIRE CERTAIN INTERESTS IN LAND.

Be it enacted, etc., as follows:

Section 8C of chapter 40 of the General Laws, inserted by section 1 of chapter 223 of the acts of 1957, is hereby amended by striking out the last two sentences and inserting in place thereof the following two sentences: — Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the selectmen in a town, such gifts to be managed

and controlled by the commission for the purposes of this section. Said commission may acquire by gift, purchase, grant, bequest, devise, lease or otherwise the fee in such land or water rights, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances on conditions or with limitations or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same. *Approved March 21, 1961.*

Chap. 259. AN ACT AUTHORIZING THE STATE TAX COMMISSIONER TO ACCEPT CERTAIN OTHER SECURITY IN LIEU OF THE SURETY BOND REQUIRED OF LICENSEES FOR THE PAYMENT OF THE EXCISE ON ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

The next to the last paragraph of section 21 of chapter 138 of the General Laws, as appearing in chapter 402 of the acts of 1954, is hereby amended by adding at the end the following sentence:— In lieu of a surety bond, the commissioner may in his discretion accept such other security as he may deem adequate. *Approved March 21, 1961.*

Chap. 260. AN ACT FURTHER REGULATING THE APPOINTMENT OF PERSONS AS OFFICERS OR INSPECTORS OF THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Chapter 22 of the General Laws is hereby amended by inserting after section 6 the following section: — *Section 6A.* No person who has been convicted of a felony shall be appointed as an officer or inspector of the department. *Approved March 21, 1961.*

Chap. 261. AN ACT RELATIVE TO THE ARRANGEMENT AND FORM OF BALLOTS AT CITY AND TOWN PRIMARIES.

Be it enacted, etc., as follows:

Section 34 of chapter 53 of the General Laws is hereby further amended by striking out the seventh paragraph, as appearing in section 3 of chapter 406 of the acts of 1953, and inserting in place thereof the following paragraph: —

Except where vacancies caused by death, withdrawal or physical disability are filled, no names shall be printed on a ballot other than those endorsed for nomination by state conventions and those presented on nomination papers. On ballots at city and town primaries names of candidates for offices of which they are the elected incumbents shall be placed first in alphabetical order according to their surnames to be followed by the names of all other candidates for such offices in alphabetical order. Against the name of each such candidate there shall be printed, if the candidate requests, a statement in not more than eight words setting forth the public offices which he holds or has held, showing

clearly that he is a former incumbent thereof if such is the case and, if he is an elected incumbent of an office for which he seeks renomination, that he is a candidate for such renomination; and if he is a veteran, as defined in section twenty-one of chapter thirty-one, the word "veteran" may be used. Immediately following the names of candidates on ballots at city and town primaries, blank spaces equal to the number of persons to be chosen shall be provided for the insertion of other names. Immediately following the names of candidates on ballots at state and presidential primaries, where there are fewer names than there are persons to be chosen, blank spaces shall be provided, equal in number to the deficiency, for the insertion of other names.

Approved March 21, 1961.

Chap. 262. AN ACT PROVIDING FOR THE ASSIGNMENT OF QUARTERS IN THE STATE HOUSE FOR THE USE OF THE AMPUTEE VETERANS ASSOCIATION OF AMERICA, 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 725 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, of the Massachusetts Regional Group of the Blinded Veterans Association, Inc., and of the Amputee Veterans Association of America, 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 March 21, 1961.*

Chap. 263. AN ACT EXTENDING THE TIME FOR FILING PETITIONS FOR A RECOUNT IN PRIMARIES AND PRELIMINARY ELECTIONS.

Be it enacted, etc., as follows:

Section 135 of chapter 54 of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 315 of the acts of 1945, and inserting in place thereof the following paragraph: — A petition for a recount may be filed with the city or town clerk on or

before five o'clock in the afternoon on the seventh day following a primary or preliminary election or following an election, in a ward of a city or in a town, if ten or more voters of such ward or town, except a town having more than twenty-five hundred voters and voting by precincts and except Boston, and in such a town voting by precincts ten or more voters of each precinct in which a recount is petitioned for and in Boston fifty or more voters of a ward, shall sign in person as registered, adding thereto their respective residences on the preceding January first, or their residence when registered if subsequent thereto, and the place where such person is then living, with the street and number, if any. *Approved March 21, 1961.*

Chap. 264. AN ACT AUTHORIZING THE ADAMS FIRE DISTRICT TO LEASE CERTAIN OF ITS PROPERTY TO THE TOWN OF ADAMS FOR USE OF ITS CIVIL DEFENSE AGENCY.

Be it enacted, etc., as follows:

SECTION 1. The Adams Fire District is hereby authorized to lease to the town of Adams for a period of twenty-five years for the use of its civil defense agency the land and building located on the easterly side of Park street in said town; provided, that said lease shall expire on the termination of the existence of said civil defense agency. Said lease shall provide that the lessee heat said building and keep it in good repair during said term.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of said district present and voting thereon, at a meeting called for the purpose, and held within three years after the passage of this act. *Approved March 21, 1961.*

Chap. 265. AN ACT AUTHORIZING THE CUTTING OR TRIMMING OF CERTAIN TREES TO EXPEDITE THE MOVING OF BUILDINGS.

Be it enacted, etc., as follows:

The first sentence of section 5 of chapter 87 of the General Laws, as appearing in section 18 of chapter 490 of the acts of 1941, is hereby amended by inserting after the word "thereon", in line 9, the words: — or to obstruct buildings being moved pursuant to the provisions of section eighteen of chapter eighty-five. *Approved March 21, 1961.*

Chap. 266. AN ACT REQUIRING THE PAYMENT OF A FEE FOR APPLICATIONS FOR APPROVAL OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE ACQUISITION OF CAPITAL STOCK OF A MOTOR CARRIER.

Be it enacted, etc., as follows:

Section 11 of chapter 159B of the General Laws is hereby amended by adding at the end the following sentence: — Each application for authority from the department to purchase, acquire, take or hold, any part of the capital stock of any motor carrier subject to the provisions of this chapter shall be accompanied by a fee of ten dollars.

Approved March 21, 1961.

Chap. 267. AN ACT RELATIVE TO PAYMENTS ON ACCOUNT OF DISABLED PERSONS WHO DIE BEFORE THEIR APPLICATIONS FOR ASSISTANCE HAVE BEEN APPROVED.

Be it enacted, etc., as follows:

Section 5 of chapter 118D of the General Laws, as most recently amended by chapter 461 of the acts of 1953, is hereby further amended by adding at the end the following sentence: — If an applicant dies before his application is approved, the payments to which he would have been entitled had he survived shall be made in accordance with rules and regulations made by the secretary of health, education and welfare of the United States applicable to such situation.

Approved March 21, 1961.

Chap. 268. AN ACT RELATIVE TO THE TRANSFER OF CERTIFICATES, LICENSES AND PERMITS FOR CHARTER AND SPECIAL SERVICE VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 7A of chapter 159A of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 355 of the acts of 1952, and inserting in place thereof the following paragraph: — Any certificate of public convenience and necessity granted by the department pursuant to section seven and chapter three hundred and seventy-eight of the acts of nineteen hundred and forty-seven and any license or permit granted pursuant to sections one, three and eleven A, may be assigned and transferred in whole or in part, with the approval and consent of the department, after a public hearing, at which hearing it shall be established to the satisfaction of the department that the proposed transfer and assignment are consistent with the public interest, that public convenience and necessity require it, and that the transferee is fit, willing and able properly to conduct the operation or business authorized by said certificate, provided, however, that no certificate, license or permit shall be transferred except in connection with the bona fide sale to the transferee of the business of the transferor theretofore conducted in connection with the certificate, permit and license or any part thereof sought to be transferred. Notice of such public hearing shall be given to the holders of licenses issued under section eleven A in the city or town into which said change is sought to be made, and to holders of certificates issued under section seven and doing business in such city or town.

SECTION 2. Section 11A of said chapter 159A, as most recently amended by section 2 of chapter 319 of the acts of 1954, is hereby further amended by adding at the end the following paragraph: —

No licensee under this section shall change his address, place of business, the place where his buses or any of them are usually garaged, or his base of operations from one city or town to another, unless such change shall be approved by the department after a public hearing and notice to the holders of other licenses under this section in the city or town into which said change is sought to be made, and in the adjacent cities and towns thereto, and to holders of certificates issued under

section seven, and doing business in such city or town, and unless a finding is made by said department that such change is consistent with the public interest and that public convenience and necessity require such change. *Approved March 21, 1961.*

Chap. 269. AN ACT REGULATING THE ADVERTISING BY BANKS OF ANTICIPATED INTEREST OR DIVIDEND RATES.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 18 the following section: — *Section 18A.* Without the consent of the commissioner, no bank shall advertise in any manner more than sixty days prior to the date interest or dividends on deposits or shares will be payable, the rate at which it is anticipated or estimated such interest or dividends will be paid. *Approved March 22, 1961.*

Chap. 270. AN ACT DESIGNATING A PORTION OF NEW ROUTE 25 IN THE TOWN OF MIDDLEBOROUGH AS MASSACHUSETTS STATE GUARD VETERANS HIGHWAY.

Be it enacted, etc., as follows:

That portion of the state highway known as new route 25 in the town of Middleborough commencing just south of the Middleborough traffic circle at state highway route 18 and extending seven and eight tenths miles to a point just south of the circle at Main and Wareham streets, shall be designated and known as the Massachusetts State Guard Veterans Highway. Suitable markers bearing said designation shall be erected at appropriate places thereon by the department of public works. Said department may expend for the purposes of this act such sums as may be appropriated therefor. *Approved March 22, 1961.*

Chap. 271. AN ACT RELATIVE TO TRUST SAVINGS ACCOUNTS IN FEDERAL SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 48 the following section: — *Section 48A.* Any federal savings and loan association or national banking association in the commonwealth having a savings account in the name of one or two persons in trust for another may make payments of the same to the trustee, or if there are two trustees, to either trustee, to both, or to the survivor. If no other notice of the existence and terms of a trust has been received in writing by the association, upon the death of the trustee or, if there are two trustees, upon the death of both trustees, the amount in said savings account, with the dividends thereon, may be paid to the other person named in said account or to his legal representative. Withdrawals and payments made under this section shall fully discharge the liability of the association to all persons.

Approved March 22, 1961.

Chap. 272. AN ACT PERMITTING THE EMPLOYMENT AT LESS THAN MINIMUM WAGE RATES OF EMPLOYEES WHO ARE CERTIFIED BY THE MASSACHUSETTS REHABILITATION COMMISSION AS HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

Section 9 of chapter 151 of the General Laws, as most recently amended by chapter 27 of the acts of 1958, is hereby further amended by inserting after the word "injury", in line 6, the words: —, or of an employee who is certified by the Massachusetts rehabilitation commission as a handicapped person. *Approved March 22, 1961.*

Chap. 273. AN ACT ENABLING THE HILLSIDE UNIVERSALIST PARISH OF MEDFORD, THE FIRST PARISH IN MEDFORD AND THE FIRST UNIVERSALIST SOCIETY IN MEDFORD TO COMPLETE THEIR CONSOLIDATION.

Be it enacted, etc., as follows:

SECTION 1. The Hillside Universalist Parish of Medford, organized in the year eighteen hundred and ninety-six, The First Parish in Medford, organized in the year eighteen hundred and twenty-four, and the First Universalist Society in Medford, organized in the year eighteen hundred and thirty-four, which are and are hereby declared to be religious corporations existing under the laws of the commonwealth, are hereby authorized to consolidate into one corporation, under the name of The Unitarian Universalist Church of Medford with all the privileges, powers and immunities which said existing corporations have heretofore acquired or enjoyed by statute or otherwise, and with the powers, privileges and immunities set forth in all general laws pertaining to religious societies or churches and all acts in amendment thereof and in addition thereto, which consolidated corporation shall in all respects be a continuation of and the lawful successor to said existing corporations.

SECTION 2. Upon such consolidation all property of said existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore made to them, shall vest in and may be received by said consolidated corporation, and all bequests, devises, gifts and transfers of any kind hereafter made to or for the benefit of said existing corporations shall vest in said consolidated corporation, and said consolidated corporation shall have with respect to such property and with respect to such bequests, devises, gifts and transfers, whether heretofore or hereafter made, the same powers, rights and privileges as would have been possessed by said existing corporations had such consolidation not been effected; provided, that no property now held by, or hereafter bequeathed, devised or given to either of said existing corporations upon specific and limited charitable uses and trusts, as distinguished from property held by, or hereafter bequeathed, devised or given to them for their general purposes, shall be so received unless authorized by decree of a court of competent jurisdiction.

SECTION 3. The Trustees of the Congregational Ministerial Fund for the First Parish in the town of Medford, incorporated in the year eighteen hundred and thirty-seven under the laws of the commonwealth, are hereby authorized upon the effective date of such consolidation to

pay over to such consolidated church such monies as they were heretofore authorized and empowered to pay over to The First Parish in Medford and for the same uses and purposes.

SECTION 4. The officers, or any of them, of each of said existing corporations are hereby respectively authorized to execute and deliver all instruments and to perform all such other acts as may be necessary or proper to carry out and implement the consolidation authorized by this act.

SECTION 5. Said consolidated corporation shall assume and is hereby charged with the payment of all valid and existing obligations of said existing corporations.

SECTION 6. All members of the existing corporations shall become members of said consolidated corporation on the effective date of this act. 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 proceedings and votes of The Hillside Universalist Parish of Medford, The First Parish in Medford, and the First Universalist Society in Medford relative to the consolidation of said churches and their change of names, taken prior to the acceptance of this act, and all acts in pursuance thereof, are hereby ratified, confirmed and validated, any informalities, errors or omissions to the contrary notwithstanding.

SECTION 8. The consolidation shall not be completed unless, at a meeting called for the purpose, each of said existing corporations, by such vote as is required by its by-laws accepts this act; and unless, after the aforesaid acceptances, said existing corporations shall have called and held a meeting, to be held in the city of Medford, to organize the consolidated corporation, which meeting shall be composed of persons designated by said existing corporations for the purpose of adopting a constitution and by-laws for the consolidated corporation and electing the initial trustees or directors and other officers thereof.

SECTION 9. The consolidation shall be complete and effective upon the filing with the state secretary and the recording in the office of the register of deeds for the southern district of Middlesex county of an affidavit, signed by the clerks of the existing corporations, setting forth detailed compliance with the provisions of section eight and stating the names and addresses of the trustees or directors and other officers initially elected at said organizing meeting. Said affidavit shall be filed and recorded not later than sixty days after the date of said organizing meeting.

SECTION 10. Any questions arising as to the powers, rights, privilege 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 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 11. For the purpose of acceptance, this act shall take effect upon its passage. *Approved March 23, 1961.*

Chap. 274. AN ACT RELATIVE TO THE FORMATION OF A REGIONAL SCHOOL DISTRICT FOR VOCATIONAL EDUCATION FOR THE TOWNS OF METHUEN, ANDOVER AND NORTH ANDOVER AND THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 330 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — 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 three members from said city, one of whom shall be a member of the school committee, to be appointed by the city council, and three members, one of whom shall be a member of the school committee, from each of the said towns so voting to be appointed by the moderator.

SECTION 2. Section 6 of said chapter 330 is hereby amended by striking out clause (*l*).

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

Approved March 23, 1961.

Chap. 275. AN ACT TO PROTECT LAND TITLES FROM DEFECTIVE DISCHARGES OF MORTGAGES HELD BY THE ENTIRETY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 183 of the General Laws is hereby amended by inserting after section 54 the following section: — *Section 54A*. After the expiration of a period of ten years from the recording of a discharge or release of a mortgage held by husband and wife as tenants by the entirety and signed by only the husband or the wife, no steps shall be taken by action, entry or otherwise to foreclose or enforce such mortgage or the note or notes secured thereby, unless within such period the spouse who did not sign such discharge or release has recorded in the registry of deeds for the county or district where the mortgage is recorded a notice identifying the mortgage and the book and page of its recording and stating that rights of a tenant by the entirety may be claimed in the mortgage or the note or notes secured thereby. A reference to such notice shall be noted on the margin of the record of the mortgage.

SECTION 2. Section fifty-four A of chapter one hundred and eighty-three of the General Laws, inserted by section one of this act, shall apply to discharges or releases of mortgages recorded prior to the effective date of this act as well as to those recorded thereafter; provided, however, that as to any such discharge or release recorded prior to said effective date, the period for recording notice that rights of a tenant by the entirety may be claimed in such mortgage and the note or notes secured thereby shall not expire prior to January first, nineteen hundred and sixty-three. *Approved March 23, 1961.*

Chap. 276. AN ACT PROHIBITING A MEMBER OF A PLANNING BOARD, OR A BOARD OF APPEAL UNDER THE ZONING LAW, FROM REPRESENTING BEFORE HIS BOARD ANY PARTY OF INTEREST IN ANY MATTER PENDING BEFORE IT.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 14 of chapter 40A of the General Laws, as most recently amended by chapter 202 of the acts of 1958, is hereby further amended by adding at the end the following sentence: — No member or associate member of the board of appeals shall represent before such board any party of interest in any matter pending before it.

SECTION 2. The first paragraph of section 81A of chapter 41 of the General Laws, as most recently amended by chapter 143 of the acts of 1959, is hereby further amended by adding at the end the following sentence: — No member of a planning board shall represent before such board any party of interest in any matter pending before it.

Approved March 23, 1961.

Chap. 277. AN ACT INCREASING THE PERIOD WITHIN WHICH AN APPEAL MAY BE TAKEN TO THE APPELLATE TAX BOARD FROM A DECISION OF THE STATE TAX COMMISSION RELATIVE TO CORPORATION TAXES.

Be it enacted, etc., as follows:

The first sentence of section 71 of chapter 63 of the General Laws, as amended by section 3 of chapter 523 of the acts of 1958, is hereby further amended by striking out, in line 4, the word "thirty" and inserting in place thereof the word: — ninety. *Approved March 23, 1961.*

Chap. 278. AN ACT INCREASING THE POWER OF THE COMMISSIONER OF CORPORATIONS AND TAXATION TO REQUIRE CORPORATIONS TO SUBMIT RECORDS FOR INSPECTION.

Be it enacted, etc., as follows:

Chapter 63 of the General Laws is hereby amended by striking out section 69, as amended by section 17 of chapter 641 of the acts of 1951, and inserting in place thereof the following section: — *Section 69.* Every corporation taxable under this chapter, except a foreign corporation taxable under section twenty-one or twenty-three, shall, when required for the purposes of any tax submit its books to the inspection of the commissioner, and its treasurer and directors to examination on oath relative to all matters affecting the determinations to be made by said commissioner. *Approved March 23, 1961.*

Chap. 279. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE OBSERVANCE OF THE CENTENNIAL OF THE CIVIL WAR.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the appropriation of money by

cities and towns for the observance of the centennial of the Civil War, 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. Each city and town may, in the years nineteen hundred and sixty-one to nineteen hundred and sixty-five, inclusive, appropriate money for the observance of the centennial of the Civil War, not exceeding, however, in any one year, an amount equal to one two hundredths of one per cent of the assessed valuation of such city or town in the preceding year.

SECTION 2. Any action taken prior to the effective date of this act by any city or town in appropriating money for the purposes set forth in section one and subject to the limitation set forth therein, is hereby validated and confirmed, and shall have the same force as though this act were in effect at the time such action was taken.

Approved March 24, 1961.

Chap. 280. AN ACT AUTHORIZING THE TOWN OF LEXINGTON TO SELL WATER TO THE UNITED STATES OF AMERICA FOR USE AT LAURENCE G. HANSCOM FIELD.

Be it enacted, etc., as follows:

SECTION 1. The town of Lexington, with the consent of the metropolitan district commission, may furnish and sell water to the United States of America, for use at Laurence G. Hanscom Field, a military reservation of the United States. Water so furnished and sold shall be at such rate or rates and upon such terms as shall be mutually agreed upon between said town, acting by its selectmen, and the United States.

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

Approved March 24, 1961.

Chap. 281. AN ACT PROVIDING A PENALTY FOR ANY PERSON WHO OPERATES OR PERMITS TO BE OPERATED ANY VEHICLE UNLESS IT IS CONSTRUCTED OR LOADED SO AS TO PREVENT ANY OF ITS LOAD ESCAPING THEREFROM.

Be it enacted, etc., as follows:

Chapter 85 of the General Laws is hereby amended by striking out section 36, inserted by chapter 303 of the acts of 1951, and inserting in place thereof the following section: — *Section 36.* No vehicle shall be driven or moved on any way, as defined in section one of chapter ninety, nor shall the owner or bailee of any vehicle require or permit the same to be driven or moved on any such way, unless such vehicle is constructed or loaded so as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on such a way in cleaning or maintaining the same. Whoever violates the provisions of this section shall be punished by a fine of not more than ten dollars. *Approved March 24, 1961.*

Chap. 282. AN ACT AUTHORIZING THE PAROLE BOARD TO ISSUE CERTIFICATES OF FINAL DISCHARGE TO CERTAIN PAROLEES.

Be it enacted, etc., as follows:

The second paragraph of section 129 of chapter 127 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by section 4 of chapter 765 of the acts of 1960, and inserting in place thereof the following two sentences: — A prisoner released on parole by the parole board, who has faithfully observed all the rules of his parole and has not been returned to prison or a county penal institution 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 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 sections 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. Any other prisoner released on parole from a county penal institution who is entitled to have the term of his imprisonment so reduced shall receive from the county commissioners, or in Suffolk county the penal institutions commissioner of Boston, a certificate of final discharge.

Approved March 24, 1961.

Chap. 283. AN ACT AUTHORIZING THE COMMISSIONER OF CORPORATIONS AND TAXATION TO EXTEND THE TIME FOR FILING CORPORATION EXCISE RETURNS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 63 of the General Laws is hereby amended by inserting after section 68A the following section: — *Section 68B.* Whenever good cause exists, the commissioner may grant a reasonable extension of time for filing any return required by this chapter, provided that the corporation, on or before the date prescribed for payment of the tax, files a tentative return, in such form as the commissioner may require, and pays therewith the amount of tax reasonably estimated to be due under this chapter. An application for any such extension of time must be made prior to the date prescribed for payment of the tax.

An extension of three months for filing any return required by this chapter shall be allowed any corporation if, in such manner and at such time as the commissioner may prescribe, such corporation files a request, in such form as the commissioner may require, and pays, on or before the date prescribed for payment of the tax, the amount of tax

reasonably estimated to be due under this chapter; but this extension may be terminated at any time by the commissioner by mailing to the corporation notice of such termination at least ten days prior to the date for termination fixed in such notice.

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

Approved March 24, 1961.

Chap. 284. AN ACT PROHIBITING INTERFERENCE WITH GAS FACILITIES OWNED BY PERSONS OTHER THAN GAS COMPANIES.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 126, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 126.* Whoever wilfully or fraudulently injures, disconnects, removes or otherwise interferes with, or suffers to be injured, disconnected, removed or otherwise interfered with, any meter, pipes or fittings belonging to a gas company or to any person, or prevents a meter from duly registering the quantity of gas supplied through the same, or in any way hinders or interferes with its proper action or just registration, or fraudulently burns or wastes the gas of such company or of any person, or whoever attaches a pipe or any appliance to a main or pipe belonging to a gas company, or, without the written consent of such company, uses or causes to be used any gas supplied by such company, unless the same passes through a meter set by the company, or uses or causes to be used, any gas charged to any person without his written consent, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year, or both.

Approved March 24, 1961.

Chap. 285. AN ACT PERMITTING THE CITY OF HAVERHILL TO ACCEPT IN ITS PUBLIC SCHOOLS CERTAIN PUPILS FROM THE STATE OF NEW HAMPSHIRE.

Be it enacted, etc., as follows:

The city of Haverhill, acting through its school committee, is hereby authorized to accept in any of its public schools, including its trade school, any pupil whose parent or guardian resides in the state of New Hampshire; provided, however, that, if there is no provision of general or other special law under which such pupil may be accepted, such parent or guardian or, being authorized by law to so contract, the school board of the municipality in which such parent or guardian resides, contracts with said city to pay such tuition for such pupil as may be established by said school committee. Such tuition shall in no case be less than the average expense per pupil in such school for the period of attendance.

Approved March 24, 1961.

Chap. 286. AN ACT FURTHER REGULATING THE APPOINTMENT OF REGISTRARS AND ASSISTANT REGISTRARS OF VOTERS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 25, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 25.* No person shall be appointed a registrar or assistant registrar who is not a voter of the city or town for which he is appointed, who holds an office in the city or town for which he is appointed either by election or by direct appointment of the mayor or of the selectmen or of a city manager or town manager, or who holds an office by election or appointment under the government of the United States or of the commonwealth, except as a justice of the peace, notary public, or officer of the state militia. The acceptance by a registrar or assistant registrar of any such office shall vacate his office as registrar or assistant registrar. *Approved March 24, 1961.*

Chap. 287. AN ACT REQUIRING THE DIRECTOR OF THE DIVISION OF CIVIL SERVICE TO KEEP RECORDS OF ALL PERMANENT APPOINTMENTS IN THE OFFICIAL OR LABOR SERVICE.

Be it enacted, etc., as follows:

Paragraph (*i*) of section 2A of chapter 31 of the General Laws, as appearing in section 2 of chapter 725 of the acts of 1945, is hereby amended by inserting after the word "all", in line 3, the word permanent, — so as to read as follows: — (*i*) Keep complete and accurate records of all examinations held, of all eligible lists established, of all persons certified for appointment, and of all permanent, provisional and temporary appointments made in the official or labor service.

Approved March 24, 1961.

Chap. 288. AN ACT PROVIDING FOR SUPERVISION OF ELECTION OFFICERS IN TOWNS WHICH ARE NOT DIVIDED INTO PRECINCTS.

Be it enacted, etc., as follows:

Section 71A of chapter 54 of the General Laws, inserted by section 17 of chapter 411 of the acts of 1943, is hereby amended by striking out, in line 2, the words "divided into voting precincts", — so as to read as follows: — *Section 71A.* Election officers in cities and in towns shall perform their duties under the supervision of the city or town clerk.

Approved March 24, 1961.

Chap. 289. AN ACT RELATIVE TO SCHOOL BUILDINGS IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the city of Malden shall present to the mayor in January of each year a detailed estimate in writing of the expenses of the public schools in said city for the then current financial year.

SECTION 2. Whenever, in the opinion of said school committee, a new school building is required, or alterations or additions to an existing school building to obtain additional floor space therein, which involves the expenditure of more than one thousand dollars, the school committee shall notify the city council of said city, said notification to be in writing and signed by a majority of the committee. Within six months after receipt of said notification by the school committee, the city council shall, subject to the approval of the mayor, reply in writing to the school committee stating its affirmative or negative action upon such request.

SECTION 3. Whenever the city council authorizes the construction of a new school building for the use of the school department, or an addition or alteration to any school building, involving the expenditure of more than one thousand dollars the same shall be constructed under the supervision of a school building committee, consisting of the mayor, two members of the city council, the superintendent of schools, two members of the school committee and the inspector of buildings. At the commencement of each municipal year the president of the city council shall appoint one councillor, the mayor shall appoint one councillor, and the chairman of the school committee shall appoint two members of the school committee to be members of the school building committee, to serve until their successors are appointed. Said school building committee shall execute all plans and contracts for such buildings or additions.

SECTION 4. So much of chapter one hundred and sixty-nine of the acts of eighteen hundred and eighty-one, and acts in amendment thereof or in addition thereto, as is inconsistent with the provisions of this act, is hereby repealed.

SECTION 5. This act shall take effect upon its acceptance by the city council of the city of Malden, subject to the provisions of its charter, but not otherwise. *Approved March 27, 1961.*

Chap. 290. AN ACT PROHIBITING INTERFERENCE WITH ELECTRICAL FACILITIES OWNED BY, OR DIVERSION OF ELECTRICITY CHARGED TO, PERSONS OTHER THAN ELECTRIC COMPANIES.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 127, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 127.* Whoever unlawfully and intentionally injures or destroys, or suffers to be injured or destroyed, any meter, pipe, conduit, wire, line, pole, lamp or other apparatus belonging to a corporation engaged in the manufacture or sale of electricity or to any person, or unlawfully and intentionally prevents an electric meter from duly registering the quantity of electricity supplied, or in any way interferes with its proper action or just registration, or, without the consent of such corporation or person, unlawfully and intentionally diverts any electrical current from any wire of such corporation or person, or otherwise unlawfully and intentionally uses or causes to be used, without the consent of such corporation or person, any electricity manufactured or distributed by such corporation, or charged to such person, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year, or both.

Approved March 27, 1961.

Chap. 291. AN ACT EXPANDING THE POWERS OF A DEVELOPMENT AND INDUSTRIAL COMMISSION IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

The first paragraph of section 8A of chapter 40 of the General Laws, as appearing in section 1 of chapter 297 of the acts of 1954, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such commission shall conduct researches into industrial conditions, investigate and assist in the establishment of educational or commercial projects, including projects involving private enterprise, for the purpose of expanding or strengthening the local economy, and shall seek to co-ordinate the activities of unofficial bodies organized for said purposes, and may advertise, prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further the purposes for which it is established.

Approved March 27, 1961.

Chap. 292. AN ACT REQUIRING THE PAYMENT OF A FEE BY A PUBLIC ENTERTAINER APPEARING UNDER AN ASSUMED NAME.

Be it enacted, etc., as follows:

Section 181A of chapter 140 of the General Laws, inserted by chapter 534 of the acts of 1948, is hereby amended by inserting after the word "perjury", in line 8, the words: — and shall be accompanied by a fee of two dollars, for which the commissioner shall issue a receipt, — so as to read as follows: — *Section 181A.* Whoever, for compensation, appears in a public exhibition, public show, public amusement or other public performance under an assumed name shall file with the commissioner of public safety on a form prescribed by him a statement containing the true name, legal address and the assumed name of such person. Such statement shall be under the penalties of perjury and shall be accompanied by a fee of two dollars, for which the commissioner shall issue a receipt. Violations of this section shall be punished by a fine not to exceed one hundred dollars for each offence.

Approved March 27, 1961.

Chap. 293. AN ACT ELIMINATING COUNTY LICENSES FOR HAWKERS AND PEDLERS.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 101 of the General Laws is hereby amended by striking out, in line 40, as appearing in the Tercentenary Edition, the words "or twenty-three".

SECTION 2. Section twenty-three of said chapter one hundred and one is hereby repealed.

SECTION 3. Section 24 of said chapter 101, as amended, is hereby further amended by striking out, in line 2, as appearing in section 22 of chapter 627 of the acts of 1954, the words "or county".

SECTION 4. Said chapter 101 is hereby further amended by striking out section 25, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 25.* A license granted

under section twenty-two may be transferred by the director, upon application therefor, accompanied by a fee of one dollar and upon evidence furnished by the applicant like that required for the original granting of such license.

SECTION 5. Section 26 of said chapter 101 as so appearing, is hereby amended by striking out, in line 3, the word "counties,".

Approved March 29, 1961.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 29, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 293 of the Acts of 1961, entitled "An Act Eliminating County Licenses for Hawkers and Pedlers" and the enactment of which received my approval on March 29, 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 put in effect uniform fees for licensing hawkers and pedlers throughout the Commonwealth and furthermore, the beginning of the licensing season is April 1st.

Very truly yours,
JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, March 30, 1961.

I, Kevin H. White, 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 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 two hundred and ninety-three of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 294. AN ACT ESTABLISHING THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION AND PROVIDING FOR THE ESTABLISHMENT OF A FUND FOR THE INSURANCE OF SHARES IN MASSACHUSETTS CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. *Section 1. Creation, Purpose.* — There is hereby constituted a corporation under the name of Massachusetts Credit Union

Share Insurance Corporation, hereinafter referred to as the corporation, for the purpose of creating and maintaining a fund for the insurance of shares and deposits of members of credit unions established under the laws of the commonwealth which become members of the corporation, hereinafter referred to as member credit unions.

Section 2. Organization. — In the election of directors and, except as otherwise provided, in voting on any matter legally to come before a meeting each member credit union by a delegate authorized by its board of directors shall have one vote; provided, that such delegate shall not vote by proxy nor shall any one delegate represent more than one member credit union. All matters shall be determined by a majority of the votes so cast.

A quorum shall consist of a majority of the delegates entitled to vote or eleven delegates whichever is the smaller number.

Section 3. By-Laws. — The delegates to the corporation may, subject to the approval of the commissioner of banks, hereinafter referred to as the commissioner, make such by-laws as they may deem necessary to carry out the provisions of this act.

Subject to the provisions of section five of this act the by-laws may be amended, altered or repealed in whole or in part by a thirty-day written notice to all the delegates containing a notice of the time and place of the meeting and the proposed changes; provided, that such alteration, amendment or repeal shall be by vote of two thirds of the delegates present and voting at the meeting.

Section 4. Officers. — There shall be a board of fifteen directors of the corporation not more than five of whom at any one time shall represent credit unions in any one county of the commonwealth who shall be elected by the delegates of the member credit unions for the period ending with the first annual meeting of the corporation following the effective date of this act and thereafter as follows: —

Five members shall be elected for a term of one year, five members for a term of two years and five members for a term of three years and thereafter at each annual election five directors shall be elected for a term of three years. All directors shall be sworn and hold office until their successors are qualified. If a person elected does not within thirty days thereafter take the oath of office, his office shall thereupon become vacant. The directors shall fill any vacancies on the board until the next annual meeting. The directors shall from time to time adopt such rules and regulations as they may deem necessary to effect the purposes of this act; provided, that such rules and regulations shall not become effective until they have been approved by the commissioner, and for such purposes the commissioner may confer and advise with the directors and furnish them with such information as they may request.

There shall be a president, vice-president, treasurer, and clerk of the corporation and such other officers and committees thereof as the board of directors may deem necessary, which officers and committees shall be elected annually by the directors, at a meeting held not more than fifteen days following the adjournment of the annual meeting. The president and vice-president shall be elected from the board of directors. The clerk of the corporation shall be clerk of the board of directors. The directors may fill any vacancies in said offices and committees until the next annual meeting and, for cause shown, may remove by a two thirds vote of all members of the board, any officer or committee member.

Section 5. Meetings. — The annual meeting of the corporation shall be held in the commonwealth in the month of October and shall be called by the clerk at a time and place to be designated by the directors. Special meetings of the corporation may be called by a majority of the members of the board of directors or at the request of fifteen member credit unions or the commissioner. The request of each of such member credit unions shall be signed by a duly authorized officer thereof, shall state the proposed purposes and proposed time and place of the meeting, and shall be given to the clerk of the corporation at least forty-five days before the proposed time of the meeting. The call for such meeting shall state the time, place and purpose or purposes thereof and shall be mailed to each member credit union at its place of business at least thirty days before the date of the meeting. If any of the purposes of the meeting are to adopt an amendment to the by-laws such request and the call for the meeting shall contain notice of the proposed amendment and a copy thereof.

The board of directors shall meet at least quarterly, once in the month of October, January, April and July. A quorum of the board of directors shall consist of not less than eight directors.

Section 6. Powers. — Whenever it shall appear to the commissioner that it is inadvisable or inexpedient for any member credit union to continue to transact the business for which it is organized without receiving financial assistance as provided in this section, he may, in his discretion, so notify the corporation, and thereupon the corporation shall take such action as may reduce the risk or avert a threatened loss to the corporation, or may facilitate a merger or consolidation of such member credit union with another member credit union, or may facilitate the sale of assets of such member credit union to, and the assumption of its liabilities by one or more other credit unions, and the corporation may with the approval of the commissioner and in order to effect the purposes of this act, do any one or more of the following: (*a*) purchase from such member credit union the whole or any part of, or any equitable or any other interest in, its assets at the book value thereof, or at some other value mutually agreed upon by such member credit union and said directors, notwithstanding that either of such values may exceed the market value of the assets so purchased, and upon such terms and conditions as said directors with the approval of the commissioner, may determine; (*b*) make loans to such member credit union, secured in whole or in part in such amounts, and upon such terms and conditions, as said directors, with the approval of the commissioner, may determine; (*c*) pay to such member credit union in accordance with an agreement entered into between such member credit union and the corporation, with the approval of the commissioner, an amount not in excess of the difference between the book value of certain or all its assets and the fair value thereof as determined by said agreement, in consideration for which such member credit union shall agree to write down such assets to such fair value and to pay over to the corporation so much of any net proceeds realized from the sale or other disposition of each and all such assets as is in excess of such fair value, such payment to be made in such amounts, at such times and upon such terms and conditions as said directors, with the approval of the commissioner, may determine; provided, that any amount paid by the corporation hereunder to such member credit union and the agreement of such member

credit union to repay the excess, as hereinbefore provided, shall constitute liabilities of such member credit union only to the extent of any such excess from time to time actually realized; (*d*) pay into the guaranty fund or surplus account of such member credit union in accordance with an agreement entered into between such member credit union and the corporation, with the approval of the commissioner, an amount not in excess of the difference between the book value of certain or all its assets and the fair value thereof as determined by said agreement, such member credit union being hereby authorized and empowered, notwithstanding any other provision of law, to repay such amount to the corporation at such time or times and in such manner as such agreement may prescribe; provided, that any such payment made by the corporation to such member credit union, and any agreement of such member credit union to repay the same, shall constitute liabilities of such member credit union only to the extent provided by said agreement. Such member credit union, by vote of at least two thirds of its directors, may take any and all action necessary or advisable to enable it to carry out any or all provisions of this section.

In addition to or apart from the financial assistance authorized under the preceding paragraph, the corporation by vote of at least two thirds of its directors and in order to effect the purposes of this act may, by agreement with a member credit union and with the approval of the commissioner, grant financial assistance to such member credit union by any or all of the methods prescribed in clauses (*a*) to (*d*), inclusive, and for any of the purposes stated in this section or for the purpose of providing reserve funds for the protection of shareholders of such member credit union; provided, that the total financial assistance granted to a member credit union under the authority of this paragraph shall not at any one time exceed a sum equal to the greater of five per cent of the share liabilities of such credit union or one hundred thousand dollars.

At any time after ten years from the date financial assistance shall have been granted to a member credit union under any of the provisions of this section, any unpaid balance thereof may be compromised or settled for such cash payment or other consideration as the corporation and the member credit union with the approval of the commissioner, may agree upon, and upon such compromise or settlement the member credit union shall be deemed to be released and discharged from any further obligation to repay the unpaid balance of such financial assistance except to the extent provided by such agreement. The supreme judicial court shall have jurisdiction in equity to approve any such agreement for compromise or settlement and to enforce the provisions of this paragraph and to act upon all applications and in all proceedings thereunder.

Notwithstanding the provisions of section twenty-nine of chapter one hundred and seventy-one of the General Laws relative to voluntary dissolution and liquidation of a credit union, in order to give effect to the purposes of this section and subject to the approval of the commissioner and of the corporation, such member credit union may be dissolved and liquidate its affairs if authorized by vote of at least two thirds of its directors. A committee of three shareholders, subject to the approval of the corporation, shall thereupon be elected by the directors, and, under such regulations as may be prescribed by the commissioner,

shall liquidate the remaining assets, and after satisfying or adjusting all debts of and claims against such member credit union shall distribute the remaining proceeds among those entitled thereto in proportion to their respective interests therein. The supreme judicial court, or any justice thereof, shall have jurisdiction in equity to enforce the provisions of this paragraph and to act upon all applications and in all proceedings thereunder.

Whenever it shall appear to the commissioner that any member credit union is in an unsound or unsafe condition to transact the business for which it is organized he may so certify to the corporation and upon receipt of such certificate the corporation shall, by notice in writing to the commissioner and to the credit union, take possession and control forthwith of the property and business of such credit union and shall operate such credit union subject to such rules and regulations as the commissioner may prescribe until the credit union shall resume business or until its affairs shall be liquidated. The corporation may, while thus carrying on such business, pay to such credit union out of the share insurance fund such sums as the corporation's directors deem necessary for the protection of the credit union's shareholders, and may order the same to be repaid when no longer required for that purpose, or may purchase assets from said credit union to effect the purposes of this act on such terms and conditions and at such valuations as the directors, with the approval of the commissioner, may determine.

At any time after the corporation has taken over the control, possession and operation of any member credit union as provided herein, it may with the approval of the commissioner turn back the control, possession and operation thereof to such member credit union which may resume business free from any control by the corporation, subject to such conditions as the commissioner may approve. The corporation shall not thus turn back the control, possession and operation of any credit union until there has been repaid into the share insurance fund all sums paid out by it from such fund to such credit union or its shareholders or depositors or until it has received security for such repayment satisfactory to the directors of the corporation.

The corporation, with the approval of the commissioner, may and at the request of the commissioner shall, at any time after it has taken over the control, possession and operation of any member credit union, discontinue the business of such credit union and proceed to liquidate its affairs. The corporation shall in such event pay to the shareholders and depositors of such credit union the full amount of their shares or deposits at the date of the discontinuance of the business of the credit union with interest from the last dividend date to the date of discontinuance at such rate, not exceeding three per cent per annum, as the directors of the corporation shall determine, such payments to be made within five years from such discontinuance and at such times and in such instalments as the said directors with the approval of the commissioner shall determine. For such purpose the corporation shall use in addition to the assets of the credit union such sums as may be required from the share insurance fund. In case of liquidation the corporation shall be subject to such orders, rules and regulations as may be prescribed from time to time by the commissioner. The corporation shall collect all debts due and claims belonging to such credit unions and with the approval of the commissioner may sell or compound all bad or

doubtful debts, and with like approval may sell all or any part of the real or personal property or other assets of the credit union on such terms and conditions and at such valuation as the directors shall determine and to effect the purposes of this act the corporation may itself be the purchaser at any or all such sales. To execute and perform the powers and duties conferred upon the corporation, it may in the name of any such credit union prosecute and defend all suits and other legal proceedings and may in the name of the credit union execute, acknowledge and deliver all deeds, assignments, leases and other instruments necessary and proper to effectuate any sale of real or personal property or other assets or any compromise approved by the commissioner, and any deed or other instrument executed pursuant to the authority hereby given shall be valid and effectual for all purposes to the same extent as though executed by the officers of the credit union by authority of its board of directors. The compensation of employees, counsel and other assistants employed by the directors of the corporation to liquidate the affairs of any member credit union under this section, and all expenses incurred in connection with the liquidation of any such credit union, shall be fixed, subject to the control of the commissioner, by the directors of the corporation. The officers of the corporation and any other persons employed by its directors to liquidate the affairs of any member credit union under this section shall give bond to the directors of the corporation for the faithful performance of their duties in relation to such liquidation in such amount and with such surety or sureties as the commissioner may approve. The persons appointed for the purpose of liquidating the affairs of any such credit union shall be subject to all the penalties to which agents appointed by the commissioner for the purpose of liquidating the affairs of a credit union are now or may hereafter be subject. All accounts for which no claimant can be found after six years following the discontinuance of the business of any such credit union shall, if no other provisions to care for said claim have been made, be turned over to the commissioner of corporations and taxation pursuant to the provisions of chapter two hundred A of the General Laws.

With the approval of the commissioner, and subject to such rules and regulations as he may prescribe, the corporation may appoint conservators or agents to assist it in the operation, management, liquidation and distribution of the assets of any member credit union in its possession under this act, and wherever practicable such conservators and agents shall be member credit unions doing business in or near the city or town in which such credit union in possession has its principal place of business. With the approval of the commissioner, and subject to such rules and regulations as he may prescribe the corporation may appoint member credit unions as agents to assist it in the operation, management and liquidation of assets purchased or otherwise acquired from member credit unions by the corporation under this act. Certificates of appointment of such conservators and agents shall be filed in the office of the commissioner. Notwithstanding any other provisions of law, all member credit unions are hereby authorized to act as such conservators and agents and to exercise the powers and perform the duties contemplated by this section.

For the purpose of carrying out the provisions of this act the corporation may exercise all the powers, rights and franchises of any credit union the control, possession and operation of which has been taken

over by it under this act. Notwithstanding any other provisions of law, any member credit union may, with the approval of the commissioner, advance or loan upon, or purchase, (*a*) the whole or any part of the assets of any other member credit union which is in possession of the corporation under this act or which has been the subject of a notice from the commissioner to the corporation as provided herein, at such valuations and upon such terms and conditions as such member credit unions, by authorization of their boards of directors, may agree upon, and the member credit union making such an advance, loan or purchase, for the purpose of effecting the same, may assume and agree to pay the whole or any part of the share, deposit and other liabilities of such other member credit union such terms and conditions and subject to such adjustments as may be approved by the commissioner, and (*b*) the whole or any part of the assets acquired or held by the corporation, and may participate in such an advance, loan or purchase with one or more other member credit unions, at such valuation and upon such terms and conditions as the corporation and such member credit union or credit unions with authorization of their boards of directors, may agree upon, and with like approval, the corporation may do any and all things and may take any and all action which its directors may deem necessary or advisable to give effect to this provision; provided, that the approval of the commissioner shall not be required in the case of the purchase hereunder by a member credit union from the corporation of any mortgage for a sum equal to the unpaid balance thereof.

Section 7. Assessments. — For the purpose of carrying out the provisions of this act in addition to the assessments hereinafter provided for, the directors of the corporation shall require each member credit union to pay over in cash to the corporation one per cent of its total member share and deposit balances as shown by its last preceding report to the commissioner whether such report be annual or semiannual. This assessment shall be paid within ten days after the acceptance of a member credit union by the corporation. Such assessments may be charged by the member credit union to its guaranty fund, reserve account, or established as a prepaid asset to be charged against its guaranty fund, reserve accounts or current earnings over a period of five years.

The directors of the corporation shall semiannually declare additional assessments of member credit unions when the ratio of any particular member credit union of assessments to total share and deposit balance falls below one per cent.

The corporation shall be subject to such examinations and audits to such extent and manner and at such times as the commissioner may determine. The cost of any such examination or audit, as well as the cost of administration of the fund, shall be borne by the corporation.

A credit union, before admission to the corporation, shall be subject to such audit as the commissioner and the corporation determine to be necessary, the auditor to be approved by the corporation and the commissioner. The corporation and the commissioner shall be the sole judges of the eligibility of each applicant for admission.

Section 8. Share Insurance Fund. — Any credit union shall first give notice in writing to the corporation of its intention to participate in the share insurance fund and shall submit such preliminary financial statements and other information concerning its assets, liabilities and affairs as the commissioner may determine.

On June first and December first of each year, except as hereinbefore provided, while a member credit union, such credit union shall pay to the corporation an assessment equal to one twenty-fourth of one per cent of its share and deposit liabilities payable as shown by its last preceding report to the commissioner; provided, however, that the directors may with the approval of the commissioner, by action taken not more than sixty days prior to the semiannual assessment date, reduce the rate of the semiannual assessment or waive the same.

All assessments paid into the share insurance fund by a member credit union may be carried by it as an asset to the extent authorized by the commissioner.

Section 9. Financial Assistance. — The corporation may by vote of its directors and with the approval of the commissioner borrow money for the purposes of the share insurance fund and pledge any assets in which such fund is invested as security for such loans.

Section 10. Dissolution of Fund. — The corporation at a special meeting called for this special purpose and held in accordance with the by-laws and section five of this act, may determine by vote of four fifths of all member credit unions that as a fact the share insurance fund is no longer needed for the insurance in full of shares in credit unions and if such fact also is determined by the commissioner then, by like vote of such member credit unions, with the approval of the commissioner may vote to dissolve and liquidate the fund. When voting for the purpose provided in this section, each such member credit union, by a delegate authorized by its board of directors, shall have one vote. Upon any dissolution and liquidation of the share insurance fund, the corporation shall proceed to distribute to the then member credit unions the proceeds of the fund after payment of all losses, expenses and obligations of the corporation, in the following order of priority: First, in payment pro rata of the assessments referred to in section seven. Second, in payment pro rata of all assessments paid by the then member credit unions under section eight. Third, the balance, if any, of the proceeds from such dissolution and liquidation shall be distributed pro rata to the then member credit unions on the basis of the total payments described in clauses First and Second above.

Section 11. Applicability of Certain Laws. — This corporation shall be exempt for any and all state and local taxation except in respect to any real estate owned and used by it for its corporate purposes.

Section 12. Investments. — Except as herein provided, any fund or funds of the corporation may be invested by the corporation only in the cash, securities or other property referred to in section twenty-one of chapter one hundred and seventy-one of the General Laws.

SECTION 2. Section 20A of chapter 171 of the General Laws, inserted by chapter 119 of the acts of 1936, is hereby amended by adding at the end the following sentence: — The provisions of this section shall not apply to a credit union which is a member of the Massachusetts Credit Union Share Insurance Corporation.

SECTION 3. Section 29 of said chapter 171, as most recently amended by section 2 of chapter 179 of the acts of 1954, is hereby further amended by adding at the end the following paragraph: —

The provisions of this section providing for a preference in the payment of deposit liability shall not apply to credit unions which are members of the Massachusetts Credit Union Share Insurance Corporation.

SECTION 4. The second paragraph of section 31 of said chapter 171, as appearing in section 1 of chapter 509 of the acts of 1948, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — All credit unions established under the laws of the commonwealth, the Massachusetts CUNA Association Inc., the Credit Union League of Massachusetts Inc., the Central Credit Union Fund Inc. and the Massachusetts Credit Union Share Insurance Corporation, and such of their respective employees as may be provided by the by-laws of the association shall be eligible for membership in the association. *Approved March 29, 1961.*

Chap. 295. AN ACT AUTHORIZING THE TOWN OF WINCHESTER TO PROVIDE FOR A DEFICIENCY IN AN APPROPRIATION FOR SCHOOL CONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchester is hereby authorized to appropriate forty-four thousand nine hundred and ninety dollars and twelve cents, to be raised by taxation or from available funds to provide for a deficiency existing in the appropriation for the construction of a new elementary school called the Johnson Road-Ridge Street School, said deficiency comprising the excess of outstanding bills amounting to one hundred and fourteen thousand nine hundred and ninety-two dollars and sixty-five cents over the available appropriation balance of seventy thousand and two dollars and fifty-three cents and being the result of liabilities 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 aggregating one hundred and fourteen thousand nine hundred and ninety-two dollars and sixty-five cents have been signed and filed with said town accountant stating under the penalties of perjury that the goods, materials and services for which such bills have been submitted were ordered by an official or an employee of said town and that such goods and 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 goods, 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. No payment shall be made by the town treasurer of Winchester of any bill authorized to be paid under the provisions of this act except upon further approval of the director of accounts of the bureau of accounts in the department of corporations and taxation. Said director for said purpose may investigate the accounts and financial transactions of any department, board, commission or officer of said town relating to the construction of the said Johnson Road-Ridge Street School.

SECTION 5. This act shall take effect upon its passage.

Approved March 29, 1961.

Chap. 296. AN ACT REQUIRING THE AUTHORIZATION OF THE DIRECTORS OF GAS AND ELECTRIC COMPANIES FOR AN INCREASE IN STOCK.

Be it enacted, etc., as follows:

The last sentence of section 14 of chapter 164 of the General Laws, as appearing in chapter 222 of the acts of 1935, is hereby amended by striking out, in line 4, the word "stockholders" and inserting in place thereof the word: — directors, — so as to read as follows: — No application for the approval of an issue of stock shall be made unless authorized by vote of the incorporators, if an original issue, or of the directors if an increase of stock, passed not more than four months prior to such application; but a vote of the stockholders to increase the capital stock may be passed before or after the decision of the department.

Approved March 29, 1961.

Chap. 297. AN ACT EXTENDING THE TIME FOR THE ACCEPTANCE BY ANY COUNTY, CITY, TOWN OR DISTRICT OF THE VETERANS RETIREMENT LAW, SO CALLED.

Be it enacted, etc., as follows:

Notwithstanding the limitation contained in the first paragraph of section sixty of chapter thirty-two of the General Laws, sections fifty-six to fifty-nine, inclusive, of said chapter thirty-two shall be in effect in any county, city, town or district which accepts said sections prior to January first, nineteen hundred and sixty-three, by majority vote of the county commissioners, by the mayor, by majority vote of the selectmen, or by majority vote of the prudential committee, as the case may be.

Approved March 29, 1961.

Chap. 298. AN ACT CONCERNING CERTAIN REMEDIES FOR THE COLLECTION OF, AND CERTAIN APPEALS FOR THE ABATEMENT OF, CERTAIN LOCAL TAXES ASSESSED TO CERTAIN PUBLIC SERVICE CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to prevent forthwith the default of certain taxes on properties of public service corporations concerned with the transportation of persons or property and to permit certain appeals to the appellate tax board, it is hereby declared to be an emergency law necessary for the preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. If a real estate or personal property tax, or motor vehicle excise, assessed in or for the year nineteen hundred and fifty-nine or the year nineteen hundred and sixty to a public service corporation concerned with the transportation of persons or property remains unpaid after it has become due and payable, the collector of the city or town to which it is payable may serve on such corporation a statement of the amount thereof with a demand for its payment, may file a statement pursuant to section thirty-seven A of chapter sixty of the General Laws to continue any lien therefor, may certify such tax under section sixty-one of said chapter sixty, if applicable, may proceed with respect

to such tax under section ninety-three of said chapter sixty, and may file and prosecute a proof of claim for such tax in any proceeding under any bankruptcy act of the United States or insolvency law of this commonwealth or in any receivership proceeding, but shall not, without the written approval of the department of public utilities, which approval shall not be unreasonably withheld, distrain any goods of such corporation, nor sell nor take its land for the nonpayment of such tax, nor institute any other action, suit or proceeding to collect such tax; and before approval for such distraint, sale, taking, action, suit or proceeding is so given, such corporation shall not be deemed to have defaulted in the payment of such tax. Any failure or refusal of the department to grant approval under this section shall be reviewable upon a petition for a writ of mandamus.

SECTION 2. If a public service corporation concerned with the transportation of persons or property and aggrieved by the refusal of the assessors of a city or town to abate a personal property tax assessed to it in the year nineteen hundred and sixty or a tax of more than one thousand dollars so assessed on a parcel of real estate, claims that half the amount due on such personal property or real estate tax will be equalled or exceeded by refunds which will become payable to such corporation upon the final disposition of pending appeals from the refusal of the assessors of such city or town to abate other taxes which have been paid in full, such corporation may appeal under section sixty-four or sixty-five of chapter fifty-nine of the General Laws as if such tax had been paid in full; but such appeal shall not be heard unless one half of such tax has been paid by the application of such refunds; and, further, such appeal shall be dismissed if the entire tax due is not paid in full prior to such hearing. *Approved March 30, 1961.*

Chap. 299. AN ACT AUTHORIZING THE TOWN OF HUNTINGTON TO APPROPRIATE THE UNEXPENDED BALANCE OF A TOWN HALL CONSTRUCTION LOAN TOWARD ITS SHARE OF PRELIMINARY EXPENSES FOR A JUNIOR-SENIOR REGIONAL HIGH SCHOOL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of Huntington is hereby authorized to appropriate, for the purpose of paying to the Gateway Regional School District its share of the preliminary expenses of the construction of a junior-senior regional high school building, the sum of four thousand two hundred eleven dollars and sixty-three cents, representing the balance of the proceeds of a loan issued by said town on January sixth, nineteen hundred and fifty-five under the provisions of clause (3) of section seven of chapter forty-four of the General Laws, for constructing a town hall.

SECTION 2. Any action taken by the town of Huntington at 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 of said meeting.

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

Approved March 30, 1961.

Chap. 300. AN ACT TO PROVIDE FOR DEPOSITING GOVERNMENT BONDS IN LIEU OF FURNISHING A SURETY COMPANY BOND BY CERTAIN APPLICANTS UNDER THE PROVISIONS OF THE GASOLINE EXCISE TAX LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate forthwith the administration of the gasoline excise tax law, 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 64A of the General Laws is hereby amended by inserting after the fifth paragraph, as appearing in section 5 of chapter 617 of the acts of 1957, the following paragraph: —

In lieu of a surety company bond the applicant may deposit with the state treasurer bonds or other negotiable obligations of the commonwealth or of the United States of America of such aggregate face amount as the commissioner may deem necessary adequately to secure payment of the excise provided by this chapter, provided that bonds need not be accepted by the state treasurer unless in registered form and of denominations satisfactory to him. In case of a deposit of bonds or other negotiable obligations with the state treasurer, hereunder, he shall, while in possession of such bonds, remit to such distributor or unclassified importer, or person entitled thereto the interest accruing and payable thereon, and, if such excises together with all interest and other charges accrued thereon shall be paid in full and if the distributor or unclassified importer is no longer a licensee hereunder, he shall return such bonds or obligations to the distributor or unclassified importer or person entitled thereto. If the excise together with all interest and other charges accrued thereon provided by this chapter, is not paid in accordance with this chapter, the state treasurer may sell all or any part of such bonds or obligations to satisfy the amount due the commonwealth as aforesaid and shall return to the distributor or unclassified importer or person entitled thereto any excess left in his hands, if the distributor or unclassified importer is no longer a licensee hereunder.

Approved March 30, 1961.

Chap. 301. AN ACT INCLUDING GOATS' MILK WITHIN THE MEANING OF THE WORD "MILK" IN CERTAIN INSTANCES.

Be it enacted, etc., as follows:

SECTION 1. The paragraph following the definition of "Cream cheese" in section 1 of chapter 94 of the General Laws, as appearing in section 2 of chapter 335 of the acts of 1937, is hereby amended by striking out, in line 7, the word "Agriculture" and inserting in place thereof the words: — Health, Education and Welfare.

SECTION 2. Section 20 of chapter 180 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

For the purposes of this section and sections twenty-one to twenty-five, inclusive, the word "milk" shall include goats' milk.

Approved March 30, 1961.

Chap. 302. AN ACT RELATIVE TO THE MEMBERSHIP AND THE METHOD OF ELECTION OF THE BOARD OF ALDERMEN IN THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. The board of aldermen in the city of Holyoke shall be composed of fifteen members, one from each ward and eight from the city at large. At the biennial municipal election to be held in the year nineteen hundred and sixty-three and at every biennial municipal election thereafter, the voters of the city at large shall elect eight aldermen at large and the voters of each ward shall elect one alderman who shall be a resident therein. The aldermen so elected shall hold office for terms of two years beginning with the first Monday in January following their election and until their successors shall be elected and qualified. The aldermen elected in the year nineteen hundred and sixty-one shall continue to hold office until the qualification of their successors elected in accordance with this section.

SECTION 2. So much of chapter four hundred and thirty-eight of the acts of the year eighteen hundred and ninety-six and acts in amendment thereof and in addition thereto, as is inconsistent with this act, is hereby repealed.

SECTION 3. This act shall be submitted for acceptance to the qualified voters of the city of Holyoke at the biennial municipal 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-one, providing for a fifteen member board of aldermen, of whom eight shall be elected by and from the qualified voters of the city, and one by and from the qualified voters of each ward, be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take effect forthwith for all purposes relating to the biennial municipal election to be held in said city in the year nineteen hundred and sixty-three. *Approved March 30, 1961.*

Chap. 303. AN ACT EXEMPTING CERTAIN PERSONS RETIRED FOR DISABILITY FROM FILING ANNUAL STATEMENTS OF EARNINGS FROM GAINFUL EMPLOYMENT.

Be it enacted, etc., as follows:

The first sentence of section 91A of chapter 32 of the General Laws, as amended by section 1 of chapter 504 of the acts of 1959, is hereby further amended by adding after the word "year", in line 8, the words:— or, in lieu of such statement, a waiver on behalf of himself, his heirs and assigns, of any such pension or retirement allowance payable to him during the year in which said waiver is filed.

Approved March 30, 1961.

Chap. 304. AN ACT REPEALING THE PROVISION OF LAW REQUIRING AN ELECTION OFFICER CANVASSING AND COUNTING VOTES TO BE UNDER THE INSPECTION OF AN ELECTION OFFICER OF A DIFFERENT POLITICAL PARTY.

Be it enacted, etc., as follows:

The first paragraph of section 105 of chapter 54 of the General Laws, as most recently amended by section 1 of chapter 155 of the acts of 1959, is hereby further amended by striking out the fifth sentence.

Approved March 30, 1961.

Chap. 305. AN ACT REQUIRING CERTAIN EMPLOYEES OF CORPORATIONS SUPPLYING GAS, ELECTRICITY OR WATER TO DISPLAY A BADGE AND PHOTOGRAPH BEFORE ENTERING UPON THE PREMISES OF A CUSTOMER.

Be it enacted, etc., as follows:

SECTION 1. Section 116 of chapter 164 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "company", in line 3, the words: — and who displays on his outer garment a suitable badge bearing his photograph, issued to him by his employer, identifying him as such officer or servant.

SECTION 2. Chapter 165 of the General Laws is hereby amended by inserting after section 11C the following section: — *Section 11D.* Any person employed by a city, town, district or company engaged in supplying water who displays on his outer garment a suitable identification badge bearing his photograph, issued to him by his employer, may at any reasonable time enter any premises supplied with water by such city, town, district or company for the purpose of examining or removing meters, pipes, fittings and works for supplying or regulating the supply of water and of ascertaining the quantity of water consumed or supplied.

Approved March 30, 1961.

Chap. 306. AN ACT RELATIVE TO THE DETERMINATION OF THE HORSE POWER OF CERTAIN STEAM BOILERS AND ENGINES.

Be it enacted, etc., as follows:

Section 48 of chapter 146 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following four paragraphs: — When solid fuel is burned the horse power of a boiler shall be ascertained upon a basis of three horse power for each square foot of grate surface when the safety valve is set to blow at a pressure exceeding twenty-five pounds per square inch, and on a basis of one and one half horse power for each square foot of grate surface when the safety valve is set to blow at twenty-five pounds pressure per square inch or less.

When liquid or gaseous fuel, electric or atomic energy or any other source of heat is used the horse power of a boiler shall be based on the relieving capacity or aggregate relieving capacity of the safety valve or valves, divided by 34.5, when the safety valve or valves are set to blow at a pressure exceeding twenty-five pounds per square inch.

When liquid or gaseous fuel, electric or atomic energy or any other source of heat is used the horse power of a boiler shall be based on the relieving capacity or aggregate relieving capacity of the safety valve or valves, divided by 34.5, divided by two, when the safety valve or valves are set to blow at twenty-five pounds per square inch or less.

The minimum safety valve relieving capacity shall be determined in accordance with the American Society of Mechanical Engineers Code.

Approved March 30, 1961.

Chap. 307. AN ACT REQUIRING INCREASED INSURANCE COVERAGE ON BUSES USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 6 of chapter 271 of the acts of 1932, and inserting in place thereof the following paragraph: —

For the furnishing of transportation of school children. Contracts for such transportation may be made by the school committee for periods not exceeding three years; provided, that no such contract, whether written or oral, shall be made for the use for such transportation of a school bus, as defined in section one of chapter ninety, other than a motor vehicle for the operation of which security is required to be furnished under section six of chapter one hundred and fifty-nine A, unless there shall first have been filed with the registrar of motor vehicles and by copy with the city or town clerk the certificate of an insurance company or surety company authorized to issue or to execute as surety within the commonwealth motor vehicle liability policies or bonds, both as defined in section thirty-four A of chapter ninety, except as to amount, that there is in force such a policy or bond issued or executed as aforesaid, covering such school bus, which provides indemnity, protection or security to the amount or limit of at least fifteen thousand dollars on account of injury to or death of any one person, and subject to such limits as respects injury to or death of one person, of at least two hundred thousand dollars on account of any one accident resulting in injury or death of more than one person; and provided, further, that the termination of such a policy or bond during the term of any such contract shall be a breach thereof and forthwith terminate it. All provisions of law applicable to motor vehicle liability policies and bonds as defined as aforesaid shall apply to policies and bonds containing such additional amount of indemnity, protection or security.

Approved March 30, 1961.

Chap. 308. AN ACT RELATIVE TO THE MARKING OF CERTAIN ANIMALS UPON WHICH A BOUNTY FOR KILLING HAS BEEN PAID.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 109, as amended by chapter 244 of the acts of 1959, and inserting in place thereof the following section: — *Section 109.* Whoever in any city or town kills a wildcat, Canada lynx or loupcervier not being in

captivity shall, upon producing the body of such animal and furnishing a sworn statement that such animal was killed within such city or town, be entitled to receive from the treasury of such city or town the sum of ten dollars. The city or town treasurer, in order to identify such animal as one for which a bounty has been paid, shall cause its tongue to be slit at least one inch in the middle. All sums so paid shall be repaid to the city or town treasurer by the treasurer of the county where the city or town is situated upon receipt from said city or town of a certificate that a bounty has been paid as herein provided, accompanied by the sworn statement of the claimant. *Approved March 30, 1961.*

Chap. 309. AN ACT RELATIVE TO THE BOARD OF TRUSTEES OF ST. MARK'S SCHOOL AND INCREASING THE AMOUNT OF PROPERTY THEY MAY HOLD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 106 of the acts of 1865, is hereby amended by striking out section 2, as most recently amended by chapter 107 of the acts of 1948, and inserting in place thereof the following section: — *Section 2.* Said board of trustees shall consist of not less than seven nor more than twenty-five members, and shall have power to determine the number of such members and the method of their election and removal, including the power to elect one or more who shall have been nominated therefor by the alumni of St. Mark's school; to determine those of their members who shall serve with term and those without term, including the power to fix different terms for different members and to change such terms from time to time; and to fill vacancies in their own number.

SECTION 2. Chapter 43 of the acts of 1928, is hereby amended by striking out, in line 4, the word "five" and inserting in place thereof the word: — ten. *Approved March 30, 1961.*

Chap. 310. AN ACT RELATIVE TO EXAMINATION FOR LICENSE AS AN ENGINEER OR FIREMAN.

Be it enacted, etc., as follows:

Chapter 146 of the General Laws is hereby amended by striking out section 64, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 64.* Whoever desires to act as an engineer or fireman shall apply for a license to the inspector of the division for the town where he resides or is employed. The examinations shall be uniform throughout the commonwealth. The applicant shall be given a practical examination, and, if found competent and trustworthy, he shall receive a license graded according to the merits of his examination. An applicant for a first class or second class engineer's license shall be examined by a board consisting of three inspectors of the division, or two inspectors and the chief, and, if the applicant is employed, one member of said board shall be the department inspector of boilers for the town where the applicant is employed, and the decision of said board shall be final. An applicant for a license as an engineer of any other class or as a fireman, or for a special license, shall be examined by one inspector of the division, from whose decision there shall be an appeal as provided in section sixty-six. *Approved March 30, 1961.*

Chap. 311. AN ACT AUTHORIZING THE CITY OF BOSTON TO ESTABLISH ANNUAL CHARGES FOR THE USE OF ITS SEWERS.

Be it enacted, etc., as follows:

Section 16 of chapter 83 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "except Boston". *Approved March 30, 1961.*

Chap. 312. AN ACT PROVIDING FOR THE ALTERATION, WIDENING AND RECONSTRUCTION, BY THE STATE DEPARTMENT OF PUBLIC WORKS, OF PUBLIC WAYS BOUNDING THE SITE OF THE PROPOSED STATE OFFICE BUILDING.

Be it enacted, etc., as follows:

The state department of public works is hereby authorized and directed to alter, widen and reconstruct so much of the public ways in the city of Boston called Ashburton place, Bowdoin street, Cambridge street and Somerset street as abuts the area described in section four of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty, using for the purpose so much of said area as the government center commission, established by section one of said chapter six hundred and thirty-five, shall designate. After said work has been completed, said ways as thus altered, widened and reconstructed shall be public ways of the city of Boston and shall be maintained and policed by said city. *Approved April 3, 1961.*

Chap. 313. AN ACT AUTHORIZING CITIES AND TOWNS TO CONTRACT FOR THE PREPARATION OF ASSESSORS' MAPS.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by inserting before the last paragraph, added by section 2 of chapter 798 of the acts of 1951, the following paragraph: —

For the preparation of assessors' maps. Contracts for the preparation of such maps may be made by the assessors for periods not exceeding three years; provided, that such contracts, in any city or town except Boston, shall not involve an expenditure in any year in excess of one fourth of one per cent, and in Boston in excess of one one-hundredth of one per cent, of the assessed valuation of the taxable property for such year. *Approved April 3, 1961.*

Chap. 314. AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL OR GIVE CERTAIN LAND ACQUIRED BY IT TO THE BOSTON REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 434 of the acts of 1943 is hereby amended by adding at the end the following sentence: — Notwithstanding any provision of this act or of any general or special law to the contrary, the chairman, in behalf of the city, may sell without public auction

or may grant and convey, without consideration, to the Boston Redevelopment Authority any property acquired by the city by foreclosure of tax titles or acquired under section eighty of chapter sixty of the General Laws.

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

Approved April 3, 1961.

Chap. 315. AN ACT DESIGNATING A CERTAIN HIGHWAY IN THE CITY OF BOSTON AS THE ITALIAN AMERICAN WAR VETERANS HIGHWAY.

Be it enacted, etc., as follows:

The state highway in the city of Boston, presently known as the East Boston Expressway, running from Professor Enrico Fermi Overpass to McLellan Highway, shall be designated and known as the Italian American War Veterans Highway. The department of public works is hereby authorized and directed to erect suitable markers bearing said designation along said highway. *Approved April 3, 1961.*

Chap. 316. AN ACT PROVIDING FOR NOTICE TO THE PARENT OR GUARDIAN OF A MINOR WHO DETAINS LIBRARY BOOKS AND REPEALING THE PENALTY OF IMPRISONMENT FOR THE DETENTION OF SUCH BOOKS.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 100, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 100.* Whoever wilfully, intentionally and without right, or wantonly and without cause, detains a book, newspaper, magazine, pamphlet or manuscript which belongs to a law, city, town or other public or incorporated library for thirty days after a written notice to such person and to his parent or guardian, if he is a minor, from the librarian thereof, containing a copy of this section and sent by certified mail after the expiration of the time during which, by the regulations of such library, such book, newspaper, magazine, pamphlet or manuscript may be kept, shall be punished by a fine of not less than one nor more than twenty-five dollars.

Approved April 3, 1961.

Chap. 317. AN ACT STRIKING OUT THE PROVISION OF LAW THAT CERTAIN APPLICANTS FOR VETERANS' BENEFITS BE DEEMED ABLE TO SUPPORT THEMSELVES.

Be it enacted, etc., as follows:

Section 5 of chapter 115 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 2 of chapter 305 of the acts of 1955, and inserting in place thereof the following paragraph: —

Veterans' benefits shall not be subject to trustee process, and no assignment thereof shall be valid. Only such amount shall be paid to

or for any veteran or dependent as may be necessary to afford him sufficient relief or support and such benefits shall not be paid to any person who is able to support himself or who is in receipt of income from any source sufficient for his support. The applicant's receipt of income from any source in an amount insufficient for his support shall not bar him from receiving veterans' benefits to supplement the same, if determined necessary by the commissioner. No payment of benefits shall be made for any period of time prior to the date of application; provided, however, that the commissioner, on recommendation of the veterans' agent of the city or town paying the benefits, may authorize the payment of benefits for not more than thirty days prior to the date of the application if the necessity therefor has been caused by serious accident or illness to the applicant or to one or more dependents of the veteran upon whose service the application is made.

Approved April 3, 1961.

Chap. 318. AN ACT PROVIDING THAT EVERY OPERATOR OF A MOTOR VEHICLE SHALL REDUCE HIS SPEED AND SOUND HIS HORN UPON APPROACHING A CHILD RIDING ON A BICYCLE OR STOP IF SIGNALED BY SUCH CHILD.

Be it enacted, etc., as follows:

Section 14 of chapter 90 of the General Laws, as most recently amended by chapter 166 of the acts of 1957, is hereby further amended by inserting after the first sentence the following sentence: — Every person operating a motor vehicle shall reduce the speed of said vehicle to fifteen miles per hour and sound his horn when approaching a child on a bicycle and if said child shall signal for him to stop shall do so.

Approved April 3, 1961.

Chap. 319. AN ACT PROVIDING THAT CITIES AND TOWNS MAY MAKE REPAIRS ON PRIVATE WAYS WITHOUT LIABILITY FOR DAMAGES.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by adding after section 6G, added by chapter 195 of the acts of 1958, the following section: — *Section 6H.* A city which accepts this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the same at an annual town meeting, may make repairs on private ways which have been open to public use for six years or more, and in such cases section twenty-five of chapter eighty-four shall not apply.

A city or town which makes such repairs under the provisions of this section shall not be liable on account of any damage whatever caused by such repairs.

The provisions of sections six E, six F and six G shall not apply in or be accepted by any city or town which accepts this section.

Approved April 3, 1961.

Chap. 320. AN ACT FURTHER REGULATING THE POWERS OF THE DIRECTOR OF THE DIVISION OF MOTORBOATS RELATIVE TO FIRE EXTINGUISHERS AND FLAME ARRESTORS.

Be it enacted, etc., as follows:

Section 11 of chapter 90B of the General Laws, as appearing in section 2 of chapter 275 of the acts of 1960, is hereby amended by striking out clauses (*d*) and (*e*) and inserting in place thereof the following two clauses: —

(*d*) Prescribe the type of fire extinguishers to be carried on board motorboats; provided, that any type so prescribed has been approved by the Coast Guard.

(*e*) Prescribe the type of flame arrestors, backfire traps or similar devices to be used on motorboats with inboard engines and using gasoline as fuel; provided, that any device so prescribed has been approved by the Coast Guard. *Approved April 3, 1961.*

Chap. 321. AN ACT RELATIVE TO THE MOLESTING, ATTACKING OR KILLING OF DEER BY DOGS IN FRANKLIN COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 88 of chapter 131 of the General Laws is hereby amended by striking out the last sentence, added by section 1 of chapter 265 of 1959, and inserting in place thereof the following sentence: — The provisions of this section shall not apply in Berkshire county or Franklin county.

SECTION 2. Said chapter 131 is hereby further amended by striking out section 88A, inserted by section 2 of said chapter 265, and inserting in place thereof the following section: — *Section 88A.* Any person who owns, keeps or possesses a dog which during the period from the close of the rabbit season to the first day of May in each year is found molesting, attacking or killing deer in Berkshire county or Franklin county shall be punished by a fine of twenty-five dollars. An enforcement officer in the division of law enforcement may, without any liability on his part, destroy any dog found molesting, attacking or killing deer in either of said counties during said period. The provisions of section sixteen shall not be applicable to this section. *Approved April 3, 1961.*

Chap. 322. AN ACT AUTHORIZING THE TOWING OF VEHICLES FROM CITY AND TOWN WAYS WHERE SUCH VEHICLES ARE PARKED OR STANDING IN VIOLATION OF THE LAW.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 22C the following section: — *Section 22D.* In a city or town which accepts this section, as hereinafter provided, the city council or board of selectmen or if, in any city or town, some other board or commission is empowered to establish traffic regulations, such other board or commission, may adopt, amend, alter or repeal rules and regulations, with such limitations, if any, as may be deemed proper, authorizing the chief officer of the police department or such sergeants or other officers

of higher rank in the police department as he 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 or by an independent contractor selected in accordance with law, by-law or ordinance, on the basis of competitive bids, any vehicle parked or standing on any part of any way under the control of the municipality in such a manner as to impede in any way the removal or plowing of snow or ice or in violation of any rule or regulation which prohibits the parking or standing of all vehicles on such ways or portions thereof at such time and recites that whoever violates it shall be liable to charges for the removal and storage of the vehicle as well as subject to punishment by fine. Vehicles owned by the commonwealth or a political subdivision thereof or by the United States or any 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, shall not, however, be subject to such removal. Regulations and such signs as may be necessary shall be subject to the provisions of section two of chapter eighty-five. Liability may be imposed for the reasonable cost of such removal, and for the storage charges, if any, resulting therefrom, upon the owner of such vehicle; provided, however, that the liability so imposed for removal shall not exceed eight dollars, and that the liability so imposed for storage shall not exceed one dollar and fifty cents for any twenty-four hour period and one dollar for any lesser period. Neither the removal nor storage of a vehicle under the provisions of this section shall be deemed to be services rendered or work performed by the municipality or the police department of such municipality. The contractor 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.

This section shall take effect 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, 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 vote of a town meeting. Acceptance may be revoked in like manner at any time after the expiration of one year from the date of acceptance.

The provisions of this section shall not apply to the city of Boston.

Approved April 3, 1961.

Chap. 323. AN ACT TO RELEASE CERTAIN RESTRICTIONS IMPOSED BY DEEDS OF THE COMMONWEALTH ON LAND IN THE BACK BAY DISTRICT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The lands in the Back Bay district of the city of Boston conveyed by the commonwealth by deeds imposing thereon a restriction that no cellar or lower floor of any building shall be placed more than four feet below the level of the mill dam as fixed by the top surface of the hammered stone at the southeasterly corner of the emptying sluices, are hereby, subject to the rights, if any there be, of parties other than the commonwealth, released from the operation and effect of said restriction.

SECTION 2. The land between Commonwealth avenue and Newbury street within one hundred and thirty-four feet of Arlington street in the city of Boston is hereby, subject to the rights, if any there be, of parties other than the commonwealth, released to the extent necessary to permit a structure not over fifteen feet high or wide, bridging Public Alley No. 437 at a height not less than thirteen feet above the surface of said alley, from the provisions imposed on said land by deeds of the commonwealth that the passageway, which is now Public Alley No. 437, be kept open. *Approved April 3, 1961.*

Chap. 324. AN ACT FURTHER REGULATING CLOSING OUT SALES, SO CALLED, AND SIMILAR TYPES OF SALES.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by striking out section 28A, as most recently amended by chapter 217 of the acts of 1955, and inserting in place thereof the following section: — *Section 28A.* No person shall offer for sale a stock of goods, wares or merchandise under the designation of "closing out sale", "going out of business sale", "discontinuance of business sale", "selling out", "liquidation", "lost our lease", "must vacate", "forced out", or other designation of like meaning, in any city or town at any place, without having first filed with the clerk of such city or town at least three days prior to the opening of such sale and paid the fee provided by clause (69) of section thirty-four of chapter two hundred and sixty-two: —

(1) A complete and detailed inventory, signed by the owner under the penalties of perjury, which inventory shall include;

(*a*) A list of all items to be included in such sale which shall consist of only the goods, wares and merchandise actually in the place of business wherein or whereat such sale is to be conducted, at the opening of the sale, describing same by name or kind and the quantity of each thereof, and including

(*b*) A listing separately in the same manner of any of said goods, wares and merchandise which had been purchased during a sixty day period immediately prior to the filing of the inventory.

(2) A good and sufficient bond, payable to the city or town, in the penal sum of one thousand dollars, with sureties approved by the mayor or selectmen or by a justice of the district court in whose judicial district is situated the city, town or ward in which such sale is to be conducted, conditioned upon compliance with this section and, attached to such bond, a statement signed under the penalties of perjury by such owner verifying that (*a*) such sale is for the purpose designated in the advertising of such sale; (*b*) the inventory contains no goods, wares or merchandise on consignment or not purchased in the usual course of business for resale, on bona fide orders without cancellation privileges; (*c*) the owner, or partnership or corporation with which he is associated in such business, has not conducted a going out of business sale or sale of similar designation, at the same location within two years prior to the date of filing of the inventory; (*d*) no means have been established by the owner for continuation of the business at the same location, in the case of a sale under the designation of "lost our lease", "must vacate", "forced out" or other designation of like meaning, upon termination

of such sale; and (*e*) the business described as "closing out", "going out of business", "discontinuing business", "selling out", "liquidating", or other designation of like meaning is to be discontinued upon termination of the sale and is not to be continued by the same owner, directly or indirectly, by partnership, corporation or otherwise, under the same name or under a different name, at the same location, or elsewhere in the same city or town where the inventory for such sale was filed.

(3) The final date of such sale, which shall be no more than three months from the opening of such sale.

No goods except those listed in such inventory shall be included in such sale, and the inventory shall not include goods, wares or merchandise on consignment or purchased by the owner or added to his stock in contemplation of such sale and for the purpose of selling same at such sale. Any unusual addition to the stock made within sixty days prior to the filing of the inventory shall be prima facie evidence that such addition was made in contemplation of such sale and for the purpose of selling same at such sale.

Every bond given in connection with any such sale shall be kept by the clerk of the city or town until the expiration of three years from the final date of such sale as filed as aforesaid, and shall then be surrendered to the principal if he has so requested, otherwise to one of the sureties; provided, however, that if at the expiration of said three years such clerk has reason to believe a pending action relates to such bond, he shall retain such bond until final disposition of such action.

All advertising relating to such sale shall prominently state the final date of said sale and that the sale includes no goods other than those listed in the inventory as required by this section; and all such advertising shall be confined to or refer only to the address and place of business specified in the inventory as to be discontinued.

No person other than the owner who filed such inventory and bond shall conduct such sale, and no sales shall be made after the closing date of the sale except in bulk to a new owner.

Every inventory and all other records required by this section to be filed with the city or town clerk shall be open to public inspection.

Approved April 3, 1961.

Chap. 325. AN ACT PROVIDING TENURE OF OFFICE FOR THE COLLECTOR-TREASURER OF THE CITY OF NORTH ADAMS.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of collector-treasurer of the city of North Adams 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 be submitted for acceptance to the voters of the city of North Adams at the regular city 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-one, entitled

'An Act providing tenure of office for the collector-treasurer of the city of North Adams', 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 April 3, 1961.*

Chap. 326. AN ACT RELATIVE TO THE RIGHT OF APPEAL OF PERSONS AGGRIEVED BY AN ADJUDICATION OF NUISANCE BY A BOARD OF HEALTH OR COMMISSIONERS APPOINTED BY THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by striking out section 137, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 137.* A person entitled to notice under section one hundred and thirty-four, who is aggrieved by the decision of said board or of the commissioners appointed under section one hundred and forty that the land described in the petition is a nuisance, may appeal therefrom to the superior court within twenty days after notice of such decision by filing a petition in said court stating his grievance and the action of said board thereon, and enters into such recognizance as said court shall order. Said court may hear and determine such appeal, pending which all proceedings by the board of health relative to such nuisance shall be stayed. *Approved April 4, 1961.*

Chap. 327. AN ACT RELATIVE TO THE MAKING OF RESIDENTIAL DEVELOPMENT LOANS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 35 of chapter 168 of the General Laws is hereby amended by striking out paragraph 7, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following paragraph:—

7. *Residential Development Loans.* — A mortgage loan upon two or more parcels of real estate contained within a single project being developed by one owner, for the purpose of financing the construction of a single family dwelling and appurtenances upon each such parcel. Such mortgage loan shall not exceed seventy-five per cent of the aggregate estimated completed value of the parcels of land and structures thereon securing the mortgage, or twenty thousand dollars with respect to each such parcel and structures thereon, whichever amount is the lesser. Each mortgage loan of this class shall be payable not more than two years from the date of the note.

Not later than thirty days after such mortgage loan becomes payable, at least two members of the board of investment shall certify, in writing, according to their best judgment or as determined by them upon the opinion of an appraiser approved by said board, the aggregate value of the parcels of land and structures thereon then remaining subject to the mortgage. If at that time the unpaid balance of principal on said mortgage exceeds sixty per cent of the value so certified, a sufficient reduction shall be required, as promptly as may be practicable, to reduce said balance to sixty per cent of such value; and until so reduced, an amount equal to the unpaid amount of the required reduction shall be established and maintained by such corporation as a reserve for loss

against such amount. No mortgage loan of this class shall be made or acquired for an amount in excess of one per cent of the deposits of such corporation or fifty thousand dollars, whichever is the greater. The aggregate balance of principal, outstanding at any one time, on mortgage loans of this class shall not exceed four per cent of the deposits of such corporation. *Approved April 4, 1961.*

Chap. 328. AN ACT LIMITING THE AMOUNT ALLOWABLE FOR MEALS OF MEMBERS OF SPECIAL COMMISSIONS AND LEGISLATIVE COMMITTEES AND OF CERTAIN OTHER PERSONS WHILE TRAVELING, AND MAKING CERTAIN OTHER CHANGES IN THE LAW RELATIVE TO SUCH TRAVEL.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by striking out section 32A, inserted by section 1 of chapter 808 of the acts of 1950, and inserting in place thereof the following section: — *Section 32A.* No special commission, no special or standing committee of the general court or of either branch thereof, and no sub-committee of any such commission or committee shall travel either within or without the commonwealth except by a vote of a majority of the total membership of such commission or committee, nor until the written approval of the presiding officers of both branches of the general court or of the presiding officer of the appropriate branch has been received. Such written approval shall specify the purpose of the trip, the places to be visited, the time within which such travel is to be completed, the maximum amount of money which may be expended and the names of all members or other persons authorized to travel. The comptroller shall not advance any money or reimburse any person for such travel unless such approval has been filed with him before such travel commences.

Whenever any such commission, committee or sub-committee travels, the sergeant-at-arms shall make all necessary provisions for its transportation and hotel accommodations, and shall advance to each individual member thereof and to each general court officer, secretary, consultant or technical assistant thereof so traveling, a sum sufficient to cover such estimated expense as they may incur other than for such transportation and hotel accommodations.

Each member of such a commission, committee or sub-committee and every other person duly authorized to travel with said committee shall forthwith, upon his return, file with the sergeant-at-arms a certificate containing an itemized account of all expenditures so incurred by him approved by the signatures of the chairman of such commission or committee and of the presiding officers or officer as the case may be. Such accounts shall thereupon be transmitted forthwith to the comptroller.

If within ten days after the completion date given in the written request for travel, the comptroller receives no account of the expenditures incurred while so traveling, he shall forthwith notify in writing the presiding officer or officers whose signature or signatures are affixed to the written approval. It shall be the responsibility of the presiding officers or officer to see to it that the required accounting is filed with the comptroller forthwith.

At the close of each fiscal year, the comptroller shall include in his annual report a separate schedule listing each cash advance made to a

recess commission or legislative committee during the year, together with a summary showing for each trip the places visited, the time spent in traveling and at each place visited, the names of those who traveled, and the amount spent for transportation, hotels, meals and sundry expenses.

Expenses of members of special commissions, special or standing committees of the general court or of either branch thereof whether or not sitting in recess, sub-committees thereof, and of every other person duly authorized to travel with such commissions, committees, or sub-committees, while traveling shall not exceed, for meals, not to exceed three meals a day, the following amounts per person, including tips: Breakfast, two dollars, lunch (midday meal), three dollars, supper (evening meal), five dollars. The maximums for lunch and supper may be reversed when both of said meals are taken on the same day. Where the charge for hotel accommodations includes meals, or where the price of air or steamship passage includes meals, such meals shall not be reimbursable. *Approved April 6, 1961.*

Chap. 329. AN ACT LIMITING THE JURISDICTION OF THE HARBOR MASTER FOR THE PORT OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 147 of the acts of 1889 is hereby amended by adding at the end the following paragraph: —

Said harbor master shall have jurisdiction, which shall be exclusive, over (1) so much of the waters of Boston harbor, including the public navigable arms, tributaries and inlets thereof, as lie within the territorial limits of the city of Boston, except the Charles river basin as defined in section two of chapter five hundred and twenty-four of the acts of nineteen hundred and nine, as amended; (2) so much of all other waters lying within a line drawn from Point Allerton, north-northeast, to Green island and thence to Winthrop highlands as constitute improved ship channels maintained to a depth of thirteen feet or more as shown on United States Coast and Geodetic Survey chart 246 as now or hereafter revised or on United States Coast and Geodetic Survey chart 248 as now or hereafter revised; and (3) the waters within Anchorage Area 5 shown on said chart 246.

SECTION 2. Chapter five hundred and seventy-nine of the acts of nineteen hundred and eight and chapter two hundred and sixty-eight of the acts of nineteen hundred and sixty, are hereby repealed.

SECTION 3. This act shall take effect on May first in the current year. *Approved April 6, 1961.*

Chap. 330. AN ACT PROVIDING THAT REGIONAL DISTRICT SCHOOL COMMITTEES SHALL IN APPOINTING PERSONS AS CUSTODIANS AND JANITORS AND IN THE LABOR SERVICE IN SUCH SCHOOLS GIVE PREFERENCE TO VETERANS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 112, as amended by section 18 of chapter 627 of the acts of 1954,

and inserting in place thereof the following section: — *Section 112.* In towns and regional school districts in which the provisions of chapter thirty-one and the rules governing the civil service have not been applied to the labor service, the city councils, the selectmen and the regional district school committees shall take any necessary action to secure the employment of veterans, as defined in clause Forty-third of section seven of chapter four, in the labor service of their respective cities, towns and districts in preference to all other persons.

In regional school districts in which the provisions of said chapter thirty-one and the rules governing the civil service have not been applied to custodian and janitorial services, the regional district school committees shall take any necessary action to secure the employment of veterans, as so defined, in preference to all other persons.

The second paragraph of this section shall take effect in a regional school district upon its acceptance by vote of the regional district school committee. *Approved April 6, 1961.*

Chap. 331. AN ACT REDEFINING THE WORD "APPLICANT" UNDER THE PROVISIONS OF THE SUBDIVISION CONTROL LAW.

Be it enacted, etc., as follows:

Section 81L of chapter 41 of the General Laws is hereby amended by striking out the paragraph defining "Applicant", as appearing in chapter 163 of the acts of 1957, and inserting in place thereof the following paragraph: —

"Applicant" shall include an owner or his agent or representative, or his assigns. *Approved April 6, 1961.*

Chap. 332. AN ACT CLARIFYING THE PROVISION FOR THE ENDORSEMENT OF A PLAN THAT APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED.

Be it enacted, etc., as follows:

Section 81P of chapter 41 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 293 of the acts of 1957, and inserting in place thereof the following two sentences: — Any person wishing to cause to be recorded a plan of land situated in a city or town in which the subdivision control law is in effect, who believes that his plan does not require approval under the subdivision control law, may submit his plan to the planning board of such city or town, in the manner prescribed in section eighty-one T, and, if the board finds that the plan does not require such approval, it shall, without a public hearing and without unnecessary delay endorse thereon or cause to be endorsed thereon by a person authorized by it the words "approval under the subdivision control law not required" or words of similar import with appropriate name or names signed thereto, and such endorsement shall be conclusive on all persons. Such endorsement shall not be withheld unless such plan shows a subdivision. *Approved April 6, 1961.*

Chap. 333. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO ISSUE SHARES WITH A MATURITY VALUE OF ONE HUNDRED DOLLARS.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 170 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 371 of the acts of 1950, and inserting in place thereof the following sentence: — Fully paid-up shares shall be in the denomination of either one hundred dollars or two hundred dollars and shall consist of the classes hereinafter described:.

SECTION 2. Paragraph (*a*) of subsection 1 of said section 13 of said chapter 170, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Issue: Serial shares in either denomination may be issued in quarterly, half-yearly or yearly series, in such amounts and at such times as the directors from time to time may determine.

SECTION 3. Paragraph (*c*) of said subsection 1 of said section 13 of said chapter 170, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Maturity: Serial shares shall mature when they reach the value of either one hundred dollars or two hundred dollars, depending on which denomination such series is in, by the accumulation of dues, distributed earnings and other credits.

SECTION 4. Subsection 2 of said section 13 of said chapter 170, as most recently amended by chapter 204 of the acts of 1957, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Paid-up shares may be sold in denominations of either one hundred dollars or two hundred dollars each payable when issued either with or without interest adjusted from the last distribution of profits at a rate fixed by the directors.

SECTION 5. Paragraph (*b*) of subsection 3 of said section 13 of said chapter 170, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — The balance from time to time in any such account shall represent one savings share when it reaches either one hundred dollars or two hundred dollars.

SECTION 6. Section 16 of said chapter 170, as most recently amended by chapter 181 of the acts of 1959, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually shall hold in any one such corporation, at the same time, more than one hundred serial shares and more than a combined total of one hundred paid-up and savings shares in the denomination of one hundred dollars or more than fifty serial shares and more than the combined total of fifty paid-up and savings shares in the denomination of two hundred dollars; and no two or more persons, as provided in section fifteen, shall hold more than two hundred serial shares and more than the combined total of two hundred paid-up and savings shares in the denomination of one hundred dollars or more than one hundred serial shares and more than the combined total of one hundred paid-up and savings shares in the denomination

of two hundred dollars, and each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons, shall not exceed in the denomination of one hundred dollars two hundred serial shares and the combined total of two hundred paid-up and savings shares or in the denomination of two hundred dollars one hundred serial shares and the combined total of one hundred paid-up and savings shares.

SECTION 7. The third paragraph of said section 16 of said chapter 170, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out clause (*e*) and inserting in place thereof the following clause: — (*e*) amounts accumulated in accounts held pursuant to section sixteen of chapter one hundred and sixty-seven, dividend savings accounts and interest thereon, school savings accounts and interest thereon, and interest on or added to savings share accounts together with any portion of the principal balance in such an account not representing a multiple of either one hundred dollars or two hundred dollars.

SECTION 8. The first paragraph of subsection 8 of section 24 of said chapter 170, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — So much of the value of such shares remaining after such deductions as will leave the amount of the loan a multiple of fifty dollars, may be credited upon the principal balance of the loan and any and all such shares thereupon cancelled, and such crediting and cancellation may be made even if such principal balance will not be reduced thereby; provided, that so long as any mortgage continues in co-operative bank mortgage form, one share in the applicable denomination shall be pledged for each one hundred dollars or two hundred dollars of principal balance.

SECTION 9. Subsection 10 of said section 24 of said chapter 170, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — For each one hundred dollars or two hundred dollars repaid upon a co-operative bank mortgage one share in the applicable denomination, if desired by the borrower, may be released from pledge or the value thereof applied to any remaining balance of principal. *Approved April 6, 1961.*

Chap. 334. AN ACT TO PROVIDE FOR INCREASED AMOUNTS OF GROUP LIFE INSURANCE FOR PERSONS IN THE SERVICE OF COUNTIES, CITIES, TOWNS AND DISTRICTS ON AN OPTIONAL BASIS WITHOUT PREMIUM CONTRIBUTION BY THE POLITICAL SUBDIVISIONS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 3 of chapter 32B of the General Laws, as most recently amended by chapter 236 of the acts of 1961, is hereby further amended by striking out the first four sentences and inserting in place thereof the following four sentences: — Upon acceptance of this chapter as hereinafter provided, the appropriate public authority of the governmental unit shall negotiate with and pur-

chase, 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 section eleven A if applicable 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. Prior to the purchase of said insurance, and execution of all such agreements or contracts within the limits established by said sections, the appropriate public authority shall consult with an advisory committee consisting of five persons duly elected or appointed to membership on such committee by organizations of the employees affected, for the purpose of securing the written recommendations of a majority of the membership of said committee. If the appropriate public authority finds that the committee's recommendations in whole or in part cannot be included within the aforementioned agreements or contracts, at the written request of any member of said committee within thirty days from the effective date of the agreements or contracts, the appropriate public authority shall submit to said member, in writing, the reasons for the rejection of any or all of the recommendations and a copy shall be filed with the commission. The appropriate public authority may execute said agreements or contracts for a period not exceeding five 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.

SECTION 2. Section 4 of said chapter 32B is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 730 of the acts of 1956, and inserting in place thereof the following sentence: — 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 appropriate public authority, give written notice at least thirty days prior to the effective date of the coverage or coverages to the treasurer of the governmental unit indicating that he is not to be insured for such coverages, including dependent benefits, provided under such policy or policies.

SECTION 3. Said chapter 32B is hereby further amended by striking out section 5, as amended by section 3 of chapter 337 of the acts of 1960, 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 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 eleven A which shall also be subject to the rules and regulations of the commission 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. Said chapter 32B is hereby further amended by striking out section 9, as amended by chapter 100 of the acts of 1961, and inserting in place thereof the following section: — *Section 9.* The policy or policies of insurance shall provide that upon 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 five, 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 further that the employee shall pay the entire average group premium per one thousand dollars for group life coverage, and the entire average group premium for the hospital, surgical and medical benefits for such employee or for such employee and his dependents. The policy or policies may provide for group life insurance not to exceed one thousand dollars on the lives of retired employees who, up to the effective date of such policy or policies, were issued under a group life policy purchased pursuant to the provisions of clause (44) of section five of chapter forty. Prior to retirement an insured employee who terminates his service with the governmental unit and who has a right to retire but whose retirement is deferred under any applicable law shall for the purpose of this chapter only be deemed to have been granted a leave of absence without pay and may continue his full coverages under this chapter; provided, he files an application therefor with the treasurer of the governmental unit and makes payment for the entire cost of his insurance with no contribution by the governmental unit notwithstanding the provisions of section nine A. The policy or policies shall also provide that upon termination of employment an employee shall be entitled to convert his insurance to an individual type of policy, subject to the provisions of section one hundred and thirty-four of chapter one hundred and seventy-five with respect to life insurance, and subject to the requirements of the appropriate public authority, which shall not be less than the minimum hospital, medical and surgical benefits provided in an individual policy regularly issued by the insurance carrier at the time of conversion. No employee will be permitted to convert his insurance on separation from service more than one time if such converted insurance would result in a greater amount of insurance than is provided in section five.

SECTION 5. Said chapter 32B is hereby further amended by inserting after section 11 the following section: — *Section 11A.* Each employee insured for the minimum amounts of group life and group accidental death and dismemberment insurance provided in section five may, subject to such conditions as the appropriate public authority 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 five, 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 be —	Additional Amount of Group Accidental Death and Dismemberment shall be —
$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 appropriate public authority, provided that not less than seventy-five per cent of the eligible employees shall elect to become insured for such additional insurance.

Each employee entitled to additional insurance under this section shall file an application therefor with the treasurer of the governmental unit on an appropriate form prescribed by said treasurer, 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 treasurer of the governmental unit 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 governmental unit 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 treasurer of the governmental unit and there shall be no contribution by the governmental unit for such payment.

An employee insured under this section may by written notice on a form prescribed by the treasurer 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 four, 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 that portion of his additional insurance under this section which is not paid-up shall terminate and he shall be afforded the privilege of converting such term insurance in accordance with the rules and regulations issued under section fourteen.

The appropriate public authority is hereby authorized to negotiate for and purchase the addditional insurance outlined in the above schedule on the basis of group renewable term insurance, provided that the commission shall review the provisions for such insurance before the effective date thereof.

This section shall take effect in a county, city, town or district upon its acceptance in the following manner: — In a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district by vote of the district at a district meeting; and in a town if a majority of the votes cast in answer to the following question, which shall be printed on the official ballot to be used at an election in said town, is in the affirmative: — "Shall the town purchase additional group life and group accidental death and dismemberment insurance for employees in accordance with the provisions of chapter thirty-two B of the General Laws with no premium contribution by the town?" *Approved April 6, 1961.*

Chap. 335. AN ACT PROHIBITING THE MODERATOR OR A MEMBER OF THE BOARD OF SELECTMEN OF A TOWN FROM ACTING AS AN ELECTION OFFICER IN CERTAIN PRIMARIES AND IN ELECTIONS.

Be it enacted, etc., as follows:

Section 15 of chapter 54 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the

following sentence: — Neither a town moderator nor any member of a board of selectmen shall be eligible or act as an election officer in a state or presidential primary, or state election.

Approved April 6, 1961.

Chap. 336. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO PROVIDE ADEQUATE ACCOMMODATIONS AND FACILITIES FOR THE SUPERIOR AND DISTRICT COURTS AT PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations and facilities for the superior court for the county of Plymouth and for the third district court of Plymouth, the county commissioners of said county may construct and originally furnish and equip additions to the existing court house building in the town of Plymouth.

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, two hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Plymouth County Court House Loan, Act of 1961. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than five 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, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, 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. This act shall take full effect upon its acceptance within two years after the passage of this act by the county commissioners of Plymouth county, but not otherwise. *Approved April 6, 1961.*

Chap. 337. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster, hereinafter called the city, 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 city as may be necessary.

SECTION 2. The city 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 mayor, as soon as may be after the effective date of this act, shall appoint, subject to confirmation by the city council, at least three but not more than five citizens of said city who shall constitute a board of sewer commissioners, hereinafter called the board. Each member of said board shall be appointed for a term of not in excess of three years, and the appointments shall be so made that the terms of not more than two members shall expire in any single year. In any year in which any appointments are required to be made hereunder, such appointments shall be made on or before the first Monday of February. All members shall hold office until their respective successors are appointed. The commission shall annually in the month of February choose by ballot, from its own membership, a chairman and a secretary.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said city, may request the mayor and the city council to 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 city, 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. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said city under said chapter seventy-nine.

SECTION 6. The city council shall determine whether the city shall pay the whole or any portion of the cost of said system or systems of sewerage and sewage disposal and if a portion, the amount thereof. If said city council votes that the city is 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 city council may avail itself of any or all of the methods permitted by the 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.

SECTION 7. For the purpose of paying the necessary expenses and liabilities incurred under this act, the city 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 three million dollars, and

may issue bonds or notes therefor, which shall bear on their face the words, Leominster Sewerage Loan, Act of 1961. 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 8. 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 9. 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 city council.

SECTION 10. All contracts made by the board of sewer commissioners shall be made in the name of the city 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 city therefor.

SECTION 11. 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 a newspaper published in the city of Leominster, and shall not take effect until such publications have been made.

SECTION 12. 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 13. The duties and responsibilities of said board may be broadened at any time upon a majority vote of the city council so as to include, in addition to the matters herein enumerated, jurisdiction over all or any part of the matters under the control or supervision of the street and sewer department of said city.

SECTION 14. This act shall take full effect upon its acceptance by the city council of the city of Leominster. No expenditure shall be made and no liability shall be incurred hereunder until such acceptance.

Approved April 6, 1961.

Chap. 338. AN ACT PROVIDING THAT CERTAIN LAWS RELATIVE TO THE OBSERVANCE OF THE LORD'S DAY SHALL APPLY FROM MIDNIGHT TO MIDNIGHT ON OCTOBER TWELFTH.

Be it enacted, etc., as follows:

SECTION 1. Section 33 of chapter 136 of the General Laws, inserted by section 3 of chapter 812 of the acts of 1960, is hereby amended by inserting after the word "September", in line 5, the words: — , October

twelfth, — so as to read as follows: — *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, October twelfth, November eleventh, Thanksgiving Day, and Christmas Day.

SECTION 2. Section thirty-four of chapter one hundred and thirty-six, as so inserted, is hereby repealed. *Approved April 7, 1961.*

Chap. 339. AN ACT AUTHORIZING THE TOWN OF WEBSTER TO APPROPRIATE AND PAY A SUM OF MONEY TO LAPLANTE BROS.

Be it enacted, etc., as follows:

SECTION 1. The town of Webster is hereby authorized to appropriate and pay to LaPlante Bros. the sum of two hundred and fifty-one dollars and fifteen cents for materials furnished by it to said town, claim for which materials is legally unenforceable against said town by reason of the failure to conform with a town by-law.

SECTION 2. No bill shall be approved by the town accountant of said town for payment 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 goods and materials were delivered and actually received by said town.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for goods or materials which were not received by 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 April 10, 1961.

Chap. 340. AN ACT PROVIDING THAT, IN PROSECUTIONS FOR OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, EVIDENCE OF THE PERCENTAGE OF ALCOHOL IN THE BLOOD OF THE DEFENDANT SHALL BE ADMISSIBLE AND CREATE CERTAIN PRESUMPTIONS.

Be it enacted, etc., as follows:

Section 24 of chapter 90 of the General Laws is hereby amended by adding after paragraph (1) (*d*) the following paragraph: — (*e*) In any prosecution for a violation of paragraph (1) (*a*) of this section, evidence of the percentage, by weight, of alcohol in the defendant's blood at the time of the alleged offense, as shown by chemical test or analysis of his blood or as indicated by chemical test or analysis of his breath, shall be admissible and deemed relevant to the determination of the question of whether such defendant was at such time under the influence of intoxicating liquor; provided, however, that if such test or analysis was made by or at the direction of a police officer, it was made with the consent of the defendant, the results thereof were made available to him upon his request, and the defendant was afforded a reasonable opportunity, at his request and at his expense, to have another such

test or analysis made by a person or physician selected by him. Evidence that the defendant failed or refused to consent to such test or analysis shall not be admissible against him in any civil or criminal proceeding. Blood shall not be withdrawn from any such defendant for the purposes of any such test or analysis except by a physician. If such evidence is that such percentage was five one hundredths or less, there shall be a presumption that such defendant was not under the influence of intoxicating liquor; if such evidence is that such percentage was more than five one hundredths but less than fifteen one hundredths, there shall be no presumption; and if such evidence is that such percentage was fifteen one hundredths or more, there shall be a presumption that such defendant was under the influence of intoxicating liquor.

Approved April 10, 1961.

Chap. 341. AN ACT RELATIVE TO THE DISTRIBUTION OF DIVIDENDS ON INSURANCE POLICIES AND ANNUITY CONTRACTS AND THE DISCONTINUANCE OF THE ISSUANCE OF SUCH POLICIES AND CONTRACTS BY SAVINGS AND INSURANCE BANKS.

Be it enacted, etc., as follows:

SECTION 1. The last sentence of section 21 of chapter 178 of the General Laws, as appearing in section 2 of chapter 285 of the acts of 1936, is hereby amended by adding after the word "seventy-five", in line 7, the following: —, provided, however, that a savings and insurance bank having an insurance department which has been licensed for over five years, whose surplus is less than five per cent of its net insurance reserve, may distribute to its holders of insurance policies and annuity contracts only such amount as dividends as the trustees of the General Insurance Guaranty Fund approve.

SECTION 2. Section 25 of said chapter 178, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — When a bank which has voted to discontinue said business has so reinsured its outstanding policies and annuity contracts, or fully performed the same, it shall transfer all the assets of the insurance department remaining after paying all its liabilities, including special guaranty fund certificates issued under section four or five, to such reinsuring savings and insurance banks or such purely mutual legal reserve life insurance company.

Approved April 10, 1961.

Chap. 342. AN ACT PROVIDING A PENALTY FOR COMPELLING OR COERCING ANY PERSON TO REFUSE AN APPOINTMENT OR PROMOTION IN THE CLASSIFIED CIVIL SERVICE.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by inserting after section 8A the following section: — *Section 8B.* Any appointing authority or appointing officer, both as defined in chapter thirty-one, who, by himself or by some other person acting on his behalf, compels, or induces by the use of threats or other form of coercion, any person on an eligible list, as defined in chapter thirty-one, to refuse an appoint-

ment or promotion by such authority or officer to any position in the classified civil service shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment in a jail or house of correction for not more than two months, or by both such fine and imprisonment. *Approved April 10, 1961.*

Chap. 343. AN ACT PROVIDING THAT FEES SHALL BE PAYABLE TO JUSTICES OF THE PEACE AND SPECIAL JUSTICES UPON ENTERTAINMENT OF APPLICATIONS FOR A WARRANT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 262 of the General Laws is hereby amended by striking out the sixth paragraph, as most recently amended by chapter 40 of the acts of 1951, and inserting in place thereof the following paragraph: —

For receiving a complaint under section thirty-six of chapter two hundred and eighteen, three dollars; and for issuing a summons, process, or entertaining an application for a warrant under said section, two dollars, except that when more than one summons shall be simultaneously issued against a single defendant, no fee shall be paid for such summonses other than the first one.

SECTION 2. Said chapter 262 is hereby further amended by striking out section 3, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 3.* A special justice, when not holding court shall be paid by the county two dollars for each summons or process issued by him, and for each application for a warrant entertained by him. *Approved April 10, 1961.*

Chap. 344. AN ACT TO CLARIFY THE PROCEDURE RELATIVE TO THE FILING OF INITIATIVE AND REFERENDUM PETITIONS.

Be it enacted, etc., as follows:

Section 22B of chapter 53 of the General Laws, inserted by chapter 191 of the acts of 1938, is hereby amended by inserting after the word "secretary", in line 2, the words: — , other than the petition signed by the ten original signers, — so as to read as follows: — *Section 22B.* Each initiative or referendum petition filed with the state secretary, other than the petition signed by the ten original signers, shall contain a statement, signed under the penalties of perjury by the person who circulated the petition, that each person whose name appears on said petition signed the same in person. *Approved April 10, 1961.*

Chap. 345. AN ACT FURTHER REGULATING THE SALE OF HYPODERMIC SYRINGES AND NEEDLES AND NARCOTIC DRUGS.

Be it enacted, etc., as follows:

SECTION 1. Section 197 of chapter 94 of the General Laws is hereby amended by striking out the definition "Pharmacist", or "druggist", as appearing in section 1 of chapter 660 of the acts of 1957, and inserting in place thereof the following definition: —

"Pharmacist", or "druggist", a person duly registered under chapter one hundred and twelve and actively engaged as a practitioner and employed in an established and fixed place of business that is licensed for the sale, compounding and dispensing of drugs.

SECTION 2. Section 199E of said chapter 94, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Except as otherwise specifically provided therein, the narcotic drugs law shall not apply to the following cases: — Administering, dispensing or selling at retail any narcotic preparation which the commissioner of public health acting jointly with the board of registration in pharmacy shall by regulation declare to be an exempt narcotic. Such regulation shall state the weight of the narcotic per fluid ounce, or if a solid or semi-solid preparation, the weight in the avoirdupois amounts, and if the metric system is used, the weight in grams per hundred cubic centimeters in the case of a fluid, or the weight per gram in the case of a solid or semi-solid preparation. The commissioner and the board may not exempt any narcotic preparation unless said action has been previously taken by the United States commissioner of narcotics. The commissioner may by regulation revoke or rescind an exemption.

SECTION 3. Said section 199E of said chapter 94, as so appearing, is hereby further amended by striking out the last paragraph.

SECTION 4. Paragraph (*a*) of section 211 of said chapter 94, as appearing in chapter 276 of the acts of 1958, is hereby amended by inserting after the word "needles", in line 15, the words: — or a person licensed under paragraph (*e*).

SECTION 5. Paragraph (*b*) of said section 211 of said chapter 94, as so appearing, is hereby amended by inserting after the word "charge", in line 11, the words: — or a person licensed under paragraph (*e*).

SECTION 6. Said section 211 of said chapter 94 is hereby further amended by inserting after paragraph (*d*), as appearing in section 1 of chapter 660 of the acts of 1957, the following paragraph: —

(*e*) No person, except a person registered under chapter one hundred and twelve and listed under paragraph (*a*), shall sell, offer for sale, deliver or have in possession with intent to sell hypodermic syringes, hypodermic needles or any instrument adapted for the administration of narcotic drugs by subcutaneous injection, unless licensed so to do by the department. Such license shall be valid for a period of one year. The fee for such license shall be ten dollars. A license issued to a company or corporation which has more than one branch or department shall include any and all branches and departments or sections of said company or corporation.

No person, except a person listed in paragraphs (*b*) or (*c*), shall obtain, receive or purchase a hypodermic syringe, hypodermic needle or any instrument adapted for the administration of narcotic drugs by subcutaneous injection, unless licensed so to do by the department, or by a local board of health. A license to obtain, receive or purchase any such instrument, which shall be valid in every city and town of the commonwealth, may be obtained from the department upon payment of a fee of five dollars, and a license to obtain, receive or purchase any such instrument, which shall be valid only in a particular city or town of the commonwealth, may be obtained from the local board of health upon payment of a fee of fifty cents. *Approved April 10, 1961.*

Chap. 346. AN ACT AUTHORIZING THE SALE OF FLOWERS AND CERTAIN POTTED PLANTS ON THE LORD'S DAY BY CERTAIN PERSONS.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by striking out the last paragraph, added by chapter 322 of the acts of 1950, and inserting in place thereof the following paragraph: —

Nor shall it prohibit the sale of flowers, including potted non-woody plants, or of fruit and vegetables by the person who raised the same, or by his agent thereunto duly authorized, on premises owned or leased by him.

Approved April 10, 1961.

Chap. 347. AN ACT EXTENDING THE APPLICATION OF THE MOTOR VEHICLE LAWS RELATIVE TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR TO ANY WAY OR PLACE TO WHICH MEMBERS OF THE PUBLIC HAVE ACCESS AS INVITEES OR LICENSEES.

Be it enacted, etc., as follows:

Paragraph (*a*) of subdivision (1) of section 24 of chapter 90 of the General Laws, as amended by chapter 145 of the acts of 1938, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Whoever, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor shall be punished by a fine of not less than thirty-five nor more than one thousand dollars, or by imprisonment for not less than two weeks nor more than two years, or both.

Approved April 10, 1961.

Chap. 348. AN ACT REDEFINING THE WORDS "RENOVATOR", "REUPHOLSTERER", "REMAKER" OR "REPAIRER", AS USED IN THE FURNITURE AND BEDDING INSPECTION LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 270 of chapter 94 of the General Laws, as appearing in section 2 of chapter 611 of the acts of 1959, is hereby amended by striking out the paragraph defining "Renovator", "reupholsterer", "remaker" or "repairer" and inserting in place thereof the following paragraph: —

"Renovator", "reupholsterer", "remaker" or "repairer", a person who, either by himself or through employees or agents, is engaged primarily in the remaking or renovating of upholstered furniture, and shall also mean a person who, incidental to the business of remaking or renovating upholstered furniture, renovates or manufactures articles of bedding or furniture to be sold by him at retail. Such person shall not be bound by any provision of this law excepting section two hundred and seventy-three; provided, however, that if he manufactures upholstered furniture or bedding to be sold by him at retail, or renovates articles of bedding he shall also comply with the labeling provision of section two hundred and seventy-two, for such furniture or bedding.

SECTION 2. Section 273 of said chapter 94, as so appearing, is hereby amended by inserting after the first paragraph the following two paragraphs: —

No sterilizer located outside the commonwealth shall ship his product into the commonwealth without first obtaining a license from the department.

No manufacturer, dealer or distributor shall receive or purchase any second-hand filling material, feathers, down or hair for use in the manufacture, renovation or repair of an article of bedding or upholstered furniture from a sterilizer who is not licensed as provided in this section.

Approved April 10, 1961.

Chap. 349. AN ACT RELATIVE TO PARKING ON ALTERNATE SIDES OF PUBLIC WAYS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The second paragraph of section 2 of chapter 263 of the acts of 1929 is hereby amended by striking out the first sentence, as amended by chapter 267 of the acts of 1960, and inserting in place thereof the following sentence: — Any rule or regulation, adopted under this section, prohibiting for any period of time between a specified hour of one day and a specified hour of the next day the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways may provide that it shall apply to the alternate sides thereof on specified days.

Approved April 10, 1961.

Chap. 350. AN ACT PROVIDING THAT GROUP INSURANCE ON THE LIVES OF CERTAIN DEBTORS SHALL NOT BE APPLICABLE TO CONDITIONAL GUARANTORS OF OBLIGATIONS OF INDEBTEDNESS.

Be it enacted, etc., as follows:

Clause (*c*) of section 133 of chapter 175 of the General Laws, as most recently amended by section 1 of chapter 209 of the acts of 1959, is hereby further amended by striking out, in lines 4 and 5, the words: — or conditional guarantor, — so as to read as follows: — ; or (*c*) a group of persons who at any time are debtors of a bank, association, financial or other institution, including its subsidiary or affiliated institutions, if any, for a loan, or of the vendor of any property for its purchase price, or of a guarantor of the obligation, under an agreement to pay any such indebtedness, or any balance thereof, in instalments over a period of not more than ten years, or who at any time have been granted a policy loan pursuant to a policy provision therefor, written under a policy issued, with or without medical examination, and made payable to such creditor or the assignee of the indebtedness, or the insurance company granting the policy loan, including the insurance company which issues such policy, and insuring the life of each debtor, or the person granted such policy loan, for an amount not exceeding his individual indebtedness or policy loan with interest, and not exceeding ten thousand dollars; provided, that not less than one hundred persons shall become insured under such a group policy each year after its date

of issue; and provided, further, that no such debtor shall be insured in such a group for a period of more than ten years on account of a debt arising out of said loan or an obligation for the said purchase price.

Approved April 10, 1961.

Chap. 351. AN ACT AUTHORIZING THE REMOVAL OF MOTOR VEHICLES ILLEGALLY PARKED OR STANDING ON PRIVATE PROPERTY IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Any officer in charge of a police station in the city of Boston, when notified by the owner or person in charge of private property that a person has committed the offense of trespass by parking a motor vehicle upon a private way or upon improved or enclosed land in said city of Boston after having been forbidden so to do by the person who has lawful control of said premises, either directly or by notice posted thereon, may authorize such motor vehicle to be removed and stored in any convenient place by an independent contractor at no expense to and without any liability on said city. In addition to any other penalty for such offense the registered owner of such motor vehicle shall be liable for charges for the removal and storage of said motor vehicle; provided, however, that the liability so imposed for removal and storage shall not exceed the amounts authorized under section two of chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, as amended.

SECTION 2. This act shall take effect when accepted by vote of the city council of the city of Boston, and approved by the mayor.

Approved April 10, 1961.

Chap. 352. AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE CITY OF NEWBURYPORT UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of the fire department of the city of Newburyport 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.

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 April 10, 1961.*

Chap. 353. AN ACT EXEMPTING PERSONS HOLDING LICENSES FOR BEVERAGES TO BE DRUNK ON THE PREMISES FROM CERTAIN PROVISIONS OF LAW REQUIRING LICENSES FOR THE USE OF RADIO AND TELEVISION ON THE LORD'S DAY.

Be it enacted., etc., as follows:

Section 4 of chapter 136 of the General Laws, as most recently amended by chapter 300 of the acts of 1957, is hereby further amended by adding at the end the following paragraph: —

The provisions of this section, in so far as they require a license for the use of radio and television, shall not apply to any person licensed under the provisions of section twelve of chapter one hundred and thirty-eight. *Approved April 10, 1961.*

Chap. 354. AN ACT RELATIVE TO THE TERMS OF CONSTABLES IN TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 41 of the General Laws is hereby amended by striking out the fifteenth paragraph, as amended by chapter 33 of the acts of 1955, and inserting in place thereof the following paragraph: —

One or more constables for a term of three years, unless the town by vote provides that they shall be appointed.

SECTION 2. Said chapter 41 is hereby further amended by striking out section 91A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 91A.* The selectmen in any town may from time to time appoint, for terms not exceeding three years, as many constables as they deem necessary.

Approved April 10, 1961.

Chap. 355. AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT CLERK OF COURTS FOR THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 4, as most recently amended by chapter 634 of the acts of 1957, and inserting in place thereof the following section: — *Section 4.* The justices of the supreme judicial court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

For the county of —

Barnstable, an assistant;

Bristol, an assistant and a second assistant;

Essex, an assistant, a second assistant, a third assistant, a fourth assistant, a fifth assistant, a sixth assistant and a seventh assistant;

Hampden, an assistant, a second assistant, a third assistant, and a fourth assistant;

Middlesex, an assistant, a second assistant, a third assistant, a fourth assistant, a fifth assistant, a sixth assistant, and a seventh assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant, a third assistant, a fourth assistant, a fifth assistant, a sixth assistant and a seventh assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-one. *Approved April 10, 1961.*

Chap. 356. AN ACT AUTHORIZING THE CITY OF LYNN TO REIMBURSE ABRAHAM ROTHMAN FOR CERTAIN EXPENSES INCURRED BY HIM ON ACCOUNT OF INJURIES SUSTAINED BY HIS MINOR DAUGHTER AT THE CLASSICAL HIGH 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 Abraham Rothman, a sum not to exceed two hundred and fifty dollars for expenses incurred by him for hospital and medical services on account of injuries sustained on or about March third, nineteen hundred and sixty, by his minor daughter, Diane Rothman, at the Classical High School gymnasium.

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 April 10, 1961.*

Chap. 357. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE CONTROL OF BEAVERS.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (9) the following clause: —

(9A) For the extermination and control of beavers when such animals are declared to be a nuisance by the city council or board of selectmen.

Approved April 10, 1961.

Chap. 358. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF HAMPDEN TO PROVIDE ADEQUATE ACCOMMODATIONS AND FACILITIES FOR THE DISTRICT AND SUPERIOR COURTS AT SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations and facilities for the district court of Springfield, and for the superior court for the county of Hampden, the county commissioners of said county are hereby authorized to purchase land with a building thereon located on the south side of State street in the city of Springfield, and to renovate, originally furnish and equip said building, said land being bounded and described as follows: —

Beginning at an iron pin on the southerly side of State street; thence running north 50° 26′ 15″ east 127 feet; thence south at a right angle to last named line 220.80 feet; thence south 50° 45′ 30″ west 65 feet; thence south 40° 1′ 40″ east 113.55 feet; thence north 50° 10′ 15″ east 60.65 feet; thence south 39° 50′ 45″ east 107.24 feet to the point of beginning.

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, three hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words,

Hampden County Court House Loan, Act of 1961. 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. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their date, 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 3. This act shall take effect upon its passage.

Approved April 12, 1961.

Chap. 359. AN ACT AUTHORIZING THE CITY OF WORCESTER TO CONVEY A CERTAIN PARCEL OF PARK LAND TO THE EAST SIDE IMPROVEMENT CLUB, INC.

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester, through its board of park commissioners is hereby authorized and directed to sell and convey to the East Side Improvement Club, Inc. a certain parcel of land situated in said city, being bounded and described as follows: — Beginning at a point in the westerly line of Risso court at land now or formerly of Margaret F. DeFalco; thence northerly by said westerly line of Risso court 146 feet, more or less; thence westerly 113 feet, more or less; thence southerly 162 feet, more or less by land now or formerly of Houlihan, Manzi and others; thence easterly by said land of DeFalco 138 feet more or less to the point of beginning.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Worcester, in accordance with the provisions of its charter, but not otherwise. *Approved April 12, 1961.*

Chap. 360. AN ACT TO AUTHORIZE THE TOWNS OF MAYNARD AND STOW TO ENTER INTO AGREEMENTS CONCERNING WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of supplying the inhabitants of the towns of Maynard and Stow with water, the town of Maynard, acting through its board of public works, and the town of Stow, acting through its board of selectmen, are hereby authorized to enter into an agreement or agreements concerning the investigation and study of ground water resources within the town of Stow, including the manner in which such study is to be conducted, the apportionment of the cost of such investigation and study between said towns, and the acquisition and the use of such resources, if it is determined by agreement of the two

boards that there is an adequate supply for the present and future needs of both towns. If it is agreed that there is an adequate supply of water for the present and future needs of both towns, the towns, acting through the two boards, are empowered to acquire and use such water sources, provided that such acquisition and use shall be in such manner as both boards may agree. The towns of Maynard and Stow are authorized, for the purpose of conducting said study and investigation, to appropriate money, and to accept reimbursement from the commonwealth or the federal government.

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

Approved April 13, 1961.

Chap. 361. AN ACT PROVIDING THAT THE WEST AND SOUTH WATER SUPPLY DISTRICT OF ACTON SHALL NOT USE THE TOWN OF BOXBOROUGH AS A SOURCE OF WATER SUPPLY FOR A PERIOD OF ONE YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter three hundred and twenty-six of the acts of nineteen hundred and twelve or any act in amendment thereof to the contrary, the West and South Water Supply District of Acton shall not use the town of Boxborough as a source of water supply for a period of one year from the effective date of this act.

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

Approved April 13, 1961.

Chap. 362. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF MARLBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out, in line 15, as appearing in section 1 of chapter 609 of the acts of 1959, the words "district court of Marlborough," and by inserting after the word "Franklin,", in line 26, the following line: — district court of Marlborough,.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-one. *Approved April 13, 1961.*

Chap. 363. AN ACT RELATIVE TO THE QUORUM FOR THE BOARD OF REGISTRATION OF REAL ESTATE BROKERS AND SALESMEN, AND FURTHER REGULATING THE PAYMENT OF LICENSE FEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by striking out section 55, inserted by section 1 of chapter 726 of the acts of 1957, and inserting in place thereof the following section: — *Section 55.* The board shall hold at least four regular meetings each year and may hold special meetings as required. Time, place and notice of all meetings shall be as required by rules or by-laws made by the board. A quorum

shall consist of three members. In case of vacancy in the office or absence of the chairman the senior member shall perform the duties of the chairman. A written record which shall be open to public inspection shall be kept of all meetings and of the business transacted thereat.

SECTION 2. Section 87TT of chapter 112 of the General Laws, as appearing in section 2 of said chapter 726, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — Applications for licenses, signed and sworn to by the applicant, shall be made on forms furnished by the board and shall be accompanied by the prescribed fee for examination. The fee for the issuance of the license shall be payable upon receipt of notice of passing the examination. Each applicant shall furnish evidence of good moral character. If an application for a broker's license is made by a corporation, society, association or partnership, evidence of the good moral character of all the officers and directors, or holders of similar positions, or of all the partners, as the case may be, shall also be furnished. No license shall be issued unless evidence of good moral character, as required by this section, is found. *Approved April 13, 1961.*

Chap. 364. AN ACT PROVIDING TENURE OF OFFICE FOR THE INCUMBENT OF THE OFFICE OF COMMISSIONER OF PUBLIC WORKS IN THE CITY OF NORTH ADAMS.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of commissioner of public works in the city of North Adams, 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 be submitted for acceptance by the voters of the city of North Adams at the next regular municipal election, if it is approved prior thereto by the mayor and city council of said city, 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-one, entitled 'An Act providing tenure of office for the incumbent of the office of commissioner of public works in the city of North Adams', 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 April 13, 1961.

Chap. 365. AN ACT AUTHORIZING THE CITY OF QUINCY TO PAY CAPTAIN JOHN WUERTH OF THE POLICE DEPARTMENT A CERTAIN SUM OF MONEY FOR OVERTIME SERVICE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Quincy is hereby authorized to appropriate or transfer from available funds the sum of twenty-five hundred dollars and to pay the same to Captain John Wuerth of the police department for overtime services rendered in the year nineteen hundred and sixty in the course of a labor dispute at the Fore River shipyard in said city.

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 April 13, 1961.*

Chap. 366. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO PARTICIPATE IN CO-OPERATIVE SHORE PROTECTION AND REPAIR OF DAMAGE IN CERTAIN TOWNS IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized to participate in the work of shore protection and repair of damage done by storms in certain towns in said county, and for such purposes may pay such sums as may be necessary, not to exceed twenty-five per cent of the cost of such work, in co-operation with the commonwealth and with the towns in which such work is done, or in co-operation with the commonwealth and said towns and the federal government.

SECTION 2. For the purposes 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, one hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County Shore Protection Loan, Act of 1961. Each authorized issue shall constitute a separate loan, and such loans shall be payable not more than five 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 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. In the event that any work authorized by section one is to be performed by the commonwealth or by a town, the money to be contributed by the county of Plymouth shall be paid into the state treasury or the town treasury from time to time as requested by the state department of public works or by the department, board or officer of the town having similar powers and duties, as the case may be, but no such work shall be commenced until the contribution or contributions so requested have been so paid, and no money so contributed shall be used for any other purpose.

SECTION 5. This act shall take full effect upon its acceptance during the current year, by the county commissioners of the county of Plymouth, but not otherwise. *Approved April 13, 1961.*

Chap. 367. AN ACT EXEMPTING CERTAIN ELECTION OFFICERS FROM THE LAW PROHIBITING THE PAYMENT OF COMPENSATION TO FORMER PUBLIC EMPLOYEES RECEIVING A PENSION OR RETIREMENT ALLOWANCE FROM THE COMMONWEALTH OR ANY OF ITS POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

Section 91 of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 417 of the acts of 1951, and inserting in place thereof the following sentence: — No person while receiving a pension or retirement allowance from the commonwealth or from any county, city or town, shall, after the date of his retirement be paid for any service rendered to the commonwealth or any county, city, town or district, except upon his return and restoration to active service as ordered by the appropriate retirement board after re-examination in case of retirement for disability, for jury service, or for service rendered in an emergency under section sixty-eight, sixty-nine or eighty-three, for work as election officers at polling places at primaries and elections, or for service in a public office to which he has thereafter been elected by direct vote of the people, or for service rendered by an appointee under section sixteen of chapter two hundred and eight or section fifty-six A of chapter two hundred and fifteen, or for service as a member of the executive council after having been chosen or appointed under the provisions of Article XXV of the Amendments to the Constitution of the commonwealth, or for service in a confidential capacity under section seven of chapter thirty in the executive department, or in the department of the state secretary, the state treasurer, the state auditor or the attorney general, or for service as a physician or as a member of a medical panel or similar board under this chapter aggregating not more than thirty days in any year; provided, that there shall be deducted from the compensation for the services of any person employed in a confidential capacity as aforesaid an amount equal to the retirement allowance or pension received by him. *Approved April 13, 1961.*

Chap. 368. AN ACT RELATIVE TO THE RESERVES OF LIFE INSURANCE COMPANIES, AND NONFORFEITURE BENEFITS FOR LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph Third of subdivision 1 of section 9 of chapter 175 of the General Laws, as appearing in section 1 of chapter 227 of the acts of 1943, is hereby amended by striking out the last sentence.

SECTION 2. Said subdivision 1 of said section 9 of said chapter 175, as so appearing, is hereby further amended by inserting after paragraph Fifth the following paragraph: —

Sixth, Such tables or other bases as the commissioner approves shall be used for any kind of annuity, pure endowment, or insurance benefit or option, including without limitation any accident or sickness benefit, which the company is authorized to write and for the valuation of which specific provision is not made in this subdivision.

SECTION 3. Subdivision 2 of said section 9 of said chapter 175, as so appearing, is hereby amended by striking out paragraphs Third,

Fourth, Fifth and Sixth and inserting in place thereof the following five paragraphs: —

Third, For individual annuity and pure endowment contracts, excluding any total and permanent disability and accidental death benefits in such policies, the "1937 Standard Annuity Mortality Table" or, at the option of the company, the "Annuity Mortality Table for 1949, Ultimate" or any modification of either of these tables approved by the commissioner.

Fourth, For group annuity and pure endowment contracts, excluding any total and permanent disability and accidental death benefits in such policies, the "Group Annuity Mortality Table for 1951", any modification of such table approved by the commissioner, or, at the option of the company, any of the tables or modifications of tables specified for individual annuity and pure endowment contracts.

Fifth, For total and permanent disability benefits incorporated in, or supplementary to, ordinary policies or contracts, for policies or contracts issued on or after January first, nineteen hundred and sixty-six, the tables of "Period 2 Disablement Rates and the 1930 to 1950 Termination Rates of the 1952 Disability Study of the Society of Actuaries," with due regard to the type of benefit; for policies or contracts issued on or after January first, nineteen hundred and sixty-one, and prior to January first, nineteen hundred and sixty-six, either such tables or, at the option of the company, the "Class (3) Disability Table (1926)"; and for policies or contracts issued prior to January first, nineteen hundred and sixty-one, the "Class (3) Disability Table (1926)". Any such table shall, for active lives, be combined with a mortality table permitted for computing the reserves for life insurance policies.

Sixth, For accidental death benefits incorporated in, or supplementary to, all policies, for policies issued on or after January first, nineteen hundred and sixty-six, the "1959 Accidental Death Benefits Table"; for policies issued on or after January first, nineteen hundred and sixty-one, and prior to January first, nineteen hundred and sixty-six, either such table or, at the option of the company, the "Inter-Company Double Indemnity Mortality Table"; and for policies issued prior to January first, nineteen hundred and sixty-one, the "Inter-Company Double Indemnity Mortality Table." Either table shall be combined with a mortality table permitted for computing the reserves for life insurance policies.

Seventh, Such tables or other bases as the commissioner approves shall be used for all outstanding group life policies, policies of life insurance issued on the substandard basis and any kind of annuity, pure endowment or insurance benefit or option, including without limitation any accident or sickness benefit, which the company is authorized to write and for the valuation of which specific provision is not made in this subdivision.

SECTION 4. Subdivision 3 of said section 9 of said chapter 175, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The net value of (*a*) policies of life insurance providing for a varying amount of insurance or requiring the payment of varying premiums, (*b*) annuity and pure endowment contracts, (*c*) provisions for total and permanent disability or for accidental death benefits in, or supplementary to, all policies and contracts, and (*d*) provisions for any other insurance benefits shall be computed by a method consistent with the

principles of the first paragraph of this subdivision 3, except that any extra premiums charged because of impairments of special hazards shall be disregarded in the determination of modified net premiums.

SECTION 5. Subdivision 4 of said section 9 of said chapter 175, as so appearing, is hereby amended by striking out the last paragraph.

SECTION 6. Said section 9 of said chapter 175 is hereby further amended by striking out subdivisions 5 to 11, inclusive, as so appearing, and inserting in place thereof the following nine subdivisions: —

5. Any company which at any time has adopted any basis of valuation for any class or classes of policies or contracts or for any benefit or option, whether or not specific provision is made therefor in subdivision 1 or 2, shall not thereafter adopt, without the approval of the commissioner, any basis of valuation producing lower reserves for such class or classes or for such benefit or option.

6. The commissioner, in every case in which the gross premium charged on any life policy or annuity or pure endowment contract, described in this section, is less than the net premium therefor according to the mortality table, the rate of interest, and the method used in computing the net value thereof, shall compute a deficiency reserve on such policy or contract in addition to any other reserve computed in accordance with this section. Such deficiency reserve shall be the present value, computed according to said basis, of an annuity of the difference between such net premium and the said gross premium, running for the remainder of the premium-paying period of such policy or contract.

7. When the commissioner is satisfied that the risks which a company has assumed under policies or contracts referred to in subdivision 1 cannot be properly measured by the mortality tables specified in said subdivision, he may compute such additional reserve as in his judgment is warranted by the extra hazard assumed, and he may further in his discretion prescribe such table or tables of mortality as he may deem necessary properly to measure such additional risks with interest at not greater than three and one half per cent per annum, for the computation of the net value of any special class or classes of risks.

8. The commissioner in computing the reserve liability of a company under this section may use group methods and approximate averages for fractions of a year, or other reasonable approximations, and may accept computations made by the company if he is satisfied that such computations are accurate. Such computation in the case of a company of a foreign country shall be limited to its United States business.

9. The reserve liability of a company shall include all liabilities of the company for the fulfillment of future unaccrued claims of policyholders, contract holders and beneficiaries arising from any kind of policy or contract which the company is authorized to write. To provide for such reserve liability, which shall be computed in accordance with the requirements of this section, the company shall hold funds in an amount equal thereto above all its other liabilities.

10. The commissioner shall issue, upon payment of the fee prescribed by section fourteen, a certificate in such form as he may prescribe, setting forth the amount of the entire reserve liability of a company, and specifying the bases and the methods, whether the net level premium or other method, used in the computation of said amount.

11. The commissioner may, in place of the computation of the reserve liability of a foreign life company required by this section, accept the

certificate of valuation of the official having supervision over insurance companies in the state or other jurisdiction where the company is incorporated; provided, that such valuation is made in accordance with the requirements of this section or produces an aggregate net value at least as great as if made in accordance therewith; and provided, further, that such official is authorized to accept a similar certificate of the reserve liability of a domestic life company issued by the commissioner.

12. All policies of life insurance issued before July first, eighteen hundred and ninety-nine, by corporations formerly transacting a life insurance business on the assessment plan under chapter four hundred and twenty-one of the acts of eighteen hundred and ninety and acts in amendment thereof, and now having authority to do business in the commonwealth under this chapter, which policies are in force on December thirty-first of any year, and which contain a provision for a payment other than the premium stipulated therein, and under which the duration of the premium payment is the same as the duration of the contract, except in endowment policies, shall be valued and shall have a reserve maintained thereon on the basis of renewable term insurance as fixed by attained age in accordance with this chapter. To the reserve liability determined as above the commissioner shall add the determinate contract reserve under any other policies issued by said corporations before said July first and remaining in force on December thirty-first of any year, and in the absence of such contract reserve shall value them as contracts providing similar benefits are to be valued under this chapter. But under no policy shall a greater aggregate reserve liability be charged than is otherwise required by this section. All policies of life insurance issued by any such corporation subsequent to July first, eighteen hundred and ninety-nine, including those which contain a provision for a payment other than the premiums specified therein, shall be valued and a reserve maintained thereon according to this section; but all such policies issued by said corporations prior to January first, nineteen hundred and six, shall be valued taking the first year as one year term insurance.

13. This section shall apply to all life companies authorized to do business in the commonwealth and to any domestic company taxed as a life insurance company under the federal Internal Revenue Code as now or hereafter in force.

SECTION 7. Section 144 of said chapter 175 is hereby amended by striking out subdivision 5, as appearing in section 3 of said chapter 227, and inserting in place thereof the following subdivision: —

5. Except as provided in the third paragraph of this subdivision, the term "adjusted premiums," as used in this section, shall mean such uniform percentage of the respective premiums specified in the policy for each policy year, excluding any extra premiums charged because of impairments or special hazards, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (1) the then present value of the future guaranteed benefits provided for by the policy; (2) two per cent of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (3) forty per cent of the adjusted premium for the first policy year; (4) twenty-five per cent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy

of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less; provided, that in applying the percentages specified in (3) and (4) above, no adjusted premium shall be deemed to exceed four per cent of the amount of insurance or uniform amount equivalent thereto. The adjusted premiums shall be computed on an annual basis. The date of issue of a policy for the purpose of this section shall be the date as of which the rated age of the insured is determined.

The term "equivalent uniform amount," as used in this section, shall be deemed to be the uniform amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with the duration and the benefits under which have the same present value at the date of issue as the benefits under the policy; provided, however, that in the case of a policy providing a varying amount of insurance issued on the life of a child under age ten, the equivalent uniform amount may be computed as though the amount of insurance provided by the policy prior to the attainment of age ten were the amount provided by such policy at age ten.

The adjusted premiums for any policy providing term insurance benefits by rider or supplemental policy provision shall be equal to (*a*) the adjusted premiums for an otherwise similar policy issued at the same age without such term insurance benefits, increased, during the period for which premiums for such term insurance benefits are payable, by (*b*) the adjusted premiums for such term insurance, the foregoing items (*a*) and (*b*) being computed separately and as specified in the first two paragraphs of this subdivision except that, for the purposes of (2), (3) and (4) of the first such paragraph, the amount of insurance or equivalent uniform amount of insurance used in the computation of the adjusted premiums referred to in (*b*) shall be equal to the excess of the corresponding amount determined for the entire policy over the amount used in the computation of the adjusted premiums in (*a*).

SECTION 8. Said section 144 of said chapter 175 is hereby further amended by striking out subdivision 7, as so appearing, and inserting in place thereof the following subdivision: —

7. Any additional benefits payable (*a*) under accidental death or total and permanent disability benefit provisions incorporated in, or supplementary to, a policy of life insurance or (*b*) as reversionary annuity or deferred reversionary annuity benefits under any policy of life insurance, or (*c*) as term insurance benefits provided by a rider or a supplemental policy provision, to which provision this section would not apply if it were evidenced by a separate policy, or (*d*) as term insurance on the life of a child or on the lives of children provided in a policy on the life of a parent of the child, if such term insurance expires before the child's age is twenty-six, is uniform in amount after the child's age is one, and has not become paid up by reason of the death of a parent of the child, and (*e*) any other benefits additional to life insurance or endowment benefits, and premiums for any such additional benefits, hereinbefore described, shall be disregarded in computing adjusted premiums and cash surrender values and other nonforfeiture benefits under this section, and no such additional benefits shall be required to be granted in connection with any nonforfeiture benefits. *Approved April 13, 1961.*

Chap. 369. AN ACT INCREASING THE AMOUNT OF BONDS OR NOTES WHICH MAY BE ISSUED BY THE METROPOLITAN TRANSIT AUTHORITY FOR THE PURPOSE OF ACQUIRING RAPID TRANSIT CARS.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 22 of chapter 544 of the acts of 1947, inserted by chapter 365 of the acts of 1957, is hereby amended by striking out, in line 7, the word "four" and inserting in place thereof the word: — nine, — so as to read as follows: — For the purpose of obtaining funds to acquire rapid transit cars or of restoring to its treasury funds expended for such acquisition, the authority, from time to time, subject to the approval of the department of public utilities, may issue bonds or notes to the district under and in accordance with the provisions of the first two paragraphs of this section and to a total principal amount of not exceeding nine million dollars. The trustees of the district, at the request of the trustees of the authority, shall purchase such bonds or notes of the authority and procure the funds necessary for such purchases all under and in accordance with the provisions of the first two paragraphs of this section. The bonds or notes authorized by this paragraph are not to be included in the limitation on the amount of bonds or notes which may be issued under the first paragraph of this section.

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

Approved April 14, 1961.

Chap. 370. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND LOCATED IN THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to sell at public auction all the right, title and interest of the commonwealth in and to a certain parcel of land located in the city of Taunton and bounded and described as follows: — Beginning at the southeast corner of North avenue and Hopewell street; thence running in a southerly direction by the easterly line of Hopewell street for a distance of ninety-five feet, more or less, to land of John Stanek; thence in an easterly direction by land of said Stanek for a distance of thirty-two feet, more or less, to other land of Stanek; thence in a northerly direction by said other land of Stanek for a distance of ninety-five feet, more or less, to North avenue; thence in a westerly direction by said southerly line of North avenue for a distance of thirty-eight feet, more or less, to the point of beginning.

The deed conveying said parcel of land shall be approved as to form by the attorney general. *Approved April 14, 1961.*

Chap. 371. AN ACT AUTHORIZING CITIES AND TOWNS TO GRANT ANNUITIES TO CERTAIN WIDOWS OF EMPLOYEES KILLED, OR WHO DIED AS A RESULT OF INJURIES RECEIVED, IN LINE OF DUTY.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 89B the following section: — *Section 89C.* The widow of any employee of a city or town who was killed, or who died from injuries received, or died as the natural and proximate result of undergoing a hazard peculiar to his employment, while in the performance of his duty, and whose death occurred prior to the effective date of any law providing benefits to his widow, shall be paid an annuity in the amount of fifteen hundred dollars so long as she remains unmarried.

This section shall become effective in a city having a Plan E or Plan D charter when accepted by a majority of the members of the city council, and in the case of other cities 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 April 14, 1961.*

Chap. 372. AN ACT PROVIDING FOR AN EASEMENT THROUGH LAND OF THE METROPOLITAN STATE HOSPITAL FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A SEWER IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

The department of mental health, acting in behalf of the commonwealth, is hereby authorized and directed to grant to the city of Waltham an easement fifteen feet in width through land owned by the commonwealth, beginning at a point on the southeasterly end of Dawes street in said city and extending through land of the Metropolitan state hospital to a point of connection with the existing sewer. The location of said easement and the conditions under which it is granted shall be determined by the commissioner of mental health and the responsible officials of the city of Waltham acting jointly.

Approved April 14, 1961.

Chap. 373. AN ACT FURTHER AUTHORIZING THE DIRECTOR OF CIVIL DEFENSE TO RELEASE CERTAIN LAND IN THE TOWN OF FRAMINGHAM TO THE NORUMBEGA COUNCIL, INC., BOY SCOUTS OF AMERICA.

Be it enacted, etc., as follows:

Chapter 641 of the acts of 1960 is hereby amended by inserting after the word "fifty-six", in line 17, the words: — , and under the authority of chapter seven hundred and six of the acts of nineteen hundred and fifty-seven. *Approved April 14, 1961.*

Chap. 374. AN ACT FURTHER REGULATING THE PASSING BY MOTOR VEHICLES OF SCHOOL BUSES WHICH HAVE STOPPED ON THE HIGHWAY FOR THE PURPOSE OF PICKING UP OR DISCHARGING PASSENGERS.

Be it enacted, etc., as follows:

Section 14 of chapter 90 of the General Laws is hereby amended by striking out the third sentence, as most recently amended by section 2 of chapter 196 of the acts of 1951, and inserting in place thereof the following sentence: — When approaching a vehicle which displays a sign bearing the words "SCHOOL BUS" and is equipped with front and rear blinker lights which are flashing as provided in section seven B, and which has been stopped to allow passengers to alight from or board the same, a person operating a motor vehicle shall, except when approaching from the opposite direction on a divided highway, bring his vehicle to a full stop before reaching said school bus and shall not thereafter proceed until such school bus resumes motion or until such person is signaled by the driver of the school bus to proceed or the blinker lights are no longer flashing. *Approved April 14, 1961.*

Chap. 375. AN ACT ESTABLISHING MONDAY AS THE RETURN DAY FOR WRITS, PROCESSES, NOTICES TO APPEAR AND CITATIONS IN ALL CIVIL ACTIONS AND PROCEEDINGS IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 223 of the General Laws is hereby amended by striking out section 25, as amended by section 2 of chapter 312 of the acts of 1957, and inserting in place thereof the following section: — *Section 25.* Monday of each week shall be the return day for writs, processes, notices to appear and citations in all civil actions and proceedings in district courts, and if said Monday is a legal holiday, such writs, processes, notices to appear and citations shall be returned, and such actions entered, on the next business day following; but said courts may make them returnable at other times. The clerk shall accept such writs, processes, notices and citations at any time within three days prior to the date on which they are returnable, and shall enter the same on the return day. When the court is required to be held at two or more places, writs shall be made returnable at the place where the clerk's office is kept, except that when the regular session of the court for the trial of civil cases is held upon the return day at some other place, such writs may be made returnable at the place where such session is held, and notices and citations may be made returnable at any place appointed by law for holding the court.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-two. *Approved April 14, 1961.*

Chap. 376. AN ACT AUTHORIZING THE ARMORY COMMISSION TO SELL TO THE TOWN OF BARNSTABLE CERTAIN LAND OF THE COMMONWEALTH LOCATED THEREIN.

Be it enacted, etc., as follows:

The armory commission, in the name and on behalf of the commonwealth, is hereby authorized and directed to sell and convey to the town of Barnstable by deed, approved as to form by the attorney general, a certain parcel of land belonging to the commonwealth and located in Hyannis and shown on a plan entitled "Town of Barnstable Plan showing Land to be Transferred to the Commonwealth of Massachusetts for State Armory Purposes dated Dec. 1955," which plan is recorded in the Barnstable County Registry of Deeds. Said parcel consists of an area of unimproved land and is bounded and described as follows: — Beginning at a cement bound two hundred and sixty feet south from South street; thence running southerly by land of town of Barnstable one hundred thirteen and eleven hundredths feet; thence turning and running easterly thirty-two and ninety-one hundredths feet to a bound; thence turning and running southwesterly by land of the town of Barnstable four hundred eighty-eight and fifty-eight hundredths feet to a bound; thence turning and running westerly sixty-seven and sixty hundredths feet to a bound; thence turning and running northerly five hundred thirty and sixty-four hundredths feet to a point; thence turning and running easterly by land of the commonwealth to the first mentioned bound.

Together with a right of way ten feet in width along the westerly sideline of the commonwealth's remaining land to and from South street, containing approximately three and ten hundredths acres of land.

Being part of the premises conveyed to the commonwealth by the town of Barnstable by deed dated January 24, 1956, and recorded in Barnstable County Registry of Deeds, Book 936, page 26.

Approved April 14, 1961.

Chap. 377. AN ACT FURTHER CHANGING THE TIME AND MANNER OF PAYMENT OF STATE SCHOOL CONSTRUCTION GRANTS IN CERTAIN INSTANCES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 645 of the acts of 1948 is hereby amended by striking out the last paragraph, as amended by chapter 591 of the acts of 1959, and inserting in place thereof the following three paragraphs: —

In the case of any approved school project to be financed in whole or in part from the proceeds of any sale of bonds or notes, the total construction grant shall be paid annually in equal parts to be determined by dividing the total grant by the number of years during which any indebtedness incurred for such project shall remain outstanding; provided, that if such number of years is less than five, the total grant shall be paid annually in five equal parts; and the payments hereinabove provided for shall begin in the calendar year in which the first payment of principal on account of such indebtedness shall become due and payable. In the case of any approved school project which is not to be financed from the proceeds of any sale of bonds or notes, the total

grant shall be paid annually in five equal parts beginning in the calendar year in which the construction of such project has been commenced.

Notwithstanding any provisions to the contrary contained in the preceding paragraph, in the case of any approved school project of a city or town for which seventy-five thousand dollars or more has been appropriated from its stabilization fund under the provisions of section five B of chapter forty of the General Laws or, in the case of an approved school project of a regional school district for which seventy-five thousand dollars or more has been appropriated in the aggregate by the member towns from their stabilization funds, the total construction grant shall be paid in the following manner: — a sum equal to the amount so appropriated shall be paid in the year in which construction of such project has been commenced, such payment to be called the matching stabilization fund payment, but in no event shall such payment exceed one hundred thousand dollars or three fourths of the estimated amount of the construction grant, whichever is less, and the remainder of such construction grant shall be paid annually in equal parts to be determined by dividing such remainder by the number of years during which any indebtedness incurred for such project shall remain outstanding; provided that if such number of years is less than five, or if the project is not to be financed from the proceeds of any sale of bonds or notes, such remainder shall be paid annually in five equal parts; and in the case of a project for which indebtedness is incurred, the annual payments hereinabove provided for shall begin in the calendar year in which the first payment of principal on account of such indebtedness shall become due and payable, and in the case of a project which is not to be financed from the proceeds of any sale of bonds or notes, in the calendar year in which the construction of such project has been commenced. The provisions of this paragraph shall not apply unless the amount appropriated from the stabilization fund for the school project or the aggregate amount appropriated therefor from the stabilization funds of all the member towns of a regional school district was contained in such fund or funds on December thirty-first of the year next prior to the date of the appropriation therefrom. The entire matching stabilization fund payment shall be applied to the cost of the school project provided, however, that whenever a school project has been approved by the commission, the treasurer of the city, town or regional school district with the approval of the mayor, selectmen or regional district school committee may incur debt outside the debt limit in anticipation of the proceeds of such payment and may issue notes therefor payable in not more than one year from their dates. Any such loan issued under this paragraph for a shorter period may be refunded by the issue of other notes maturing within one year from the date of the original loan being refunded.

Notwithstanding the provision of said section five B of said chapter forty that a town may appropriate from its stabilization fund only at an annual town meeting, a town may, for the purposes of the preceding paragraph, appropriate from said fund at either an annual or special town meeting by a two thirds vote.

SECTION 2. The provisions of section nine of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended by section one of this act, shall apply to school projects which have been approved by the school building assistance commission on or after the

effective date of this act, and the provisions of section nine of said chapter six hundred and forty-five as in effect immediately prior to said effective date shall continue to apply to school projects approved by the said commission prior to said effective date. *Approved April 14, 1961.*

Chap. 378. AN ACT RELATIVE TO THE REMOVAL OF CERTAIN PERSONS REFUSING APPOINTMENT AS PERMANENT FULL TIME JUNIOR BUILDING CUSTODIANS IN ANY SCHOOL SYSTEM IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by inserting after section 46L, inserted by section 1 of chapter 150 of the acts of 1961, the following section: — *Section 46M.* Any permanent intermittent junior building custodian in the school department of any city or town who refuses to accept appointment as a permanent full time junior building custodian in said school department on the occasion of three separate certifications shall be ineligible for further certification, and shall thereupon cease to be a permanent intermittent junior building custodian. The appointing officer shall forward to the director and to the permanent intermittent junior building custodian affected a notification of the termination of the service of such permanent intermittent junior building custodian, setting forth the occasion of each refusal and the date upon which the services of such permanent intermittent junior building custodian ceased.

This section shall take effect in a city upon its acceptance by vote of its city council subject to the provisions of its charter, in a town upon its acceptance by vote of the inhabitants of the town at an annual town meeting, or, if such custodians are appointed in a city or town by the school committee thereof, upon its acceptance by such committee.

SECTION 2. Chapter one hundred and seventeen of the acts of nineteen hundred and fifty-nine is hereby repealed.

Approved April 17, 1961.

Chap. 379. AN ACT INCREASING SALARIES OF JUSTICES OF CERTAIN DISTRICT COURTS.

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 striking out, in line 40, as appearing in section 1 of chapter 675 of the acts of 1958, the word "fourteen" and inserting in place thereof the word: — sixteen.

SECTION 2. Notwithstanding any provision of this act to the contrary, the provisions of section seventy-seven A of chapter two hundred and eighteen of the General Laws in effect immediately prior to the effective date of this act shall remain in effect and apply to appointments to the offices referred to therein which are made on or after July first, nineteen hundred and sixty-one.

SECTION 3. This act shall take effect on July first, nineteen hundred and sixty-one. *Approved April 17, 1961.*

Chap. 380. AN ACT RELATIVE TO NEW PROPOSALS TO INCUR DEBT BY REGIONAL SCHOOL DISTRICTS AFTER A PRIOR AUTHORIZATION THEREFOR HAS BEEN DISAPPROVED.

Be it enacted, etc., as follows:

Section 16 of chapter 71 of the General Laws is hereby amended by striking out clause (*d*), as most recently amended by chapter 243 of the acts of 1956, and inserting in place thereof the following clause: —

(*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 board of selectmen in each of the 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 on which said debt was so authorized; and prior to the expiration of said period any member town of the regional school district may call a town meeting for the purpose of expressing disapproval of the amount of debt authorized by the district committee, and if at such meeting a majority of the voters present and voting thereon express disapproval of the amount authorized by the district committee, the said debt shall not be incurred and the district school committee shall prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

Approved April 17, 1961.

Chap. 381. AN ACT AUTHORIZING CERTAIN CITIES AND TOWNS TO CONSTRUCT, RECONSTRUCT, RESURFACE AND REPAIR CERTAIN PRIVATE WAYS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by adding after section 6H, added by chapter 319 of the acts of 1961, the following section: — *Section 6I.* A city which accepts this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the same at an annual town meeting, may construct, reconstruct, resurface and repair any private way which has been used by the public for fifty years or more; provided, that all the owners of land abutting on any such way petition such city or town to do such work.

Approved April 17, 1961.

Chap. 382. AN ACT RELATIVE TO CERTAIN FARES CHARGED BY THE METROPOLITAN TRANSIT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 11 of chapter 544 of the acts of 1947 is hereby amended by striking out the last sentence, added by section 1 of chapter 612 of the acts of 1952, and inserting in place

thereof the following two sentences: — The trustees, however, shall not fix a fare for children between the ages of five years and eleven years, inclusive, in excess of one half the regular fare for transportation of a passenger with transfer privileges. No increase in rates of fare for children or for school pupils shall be deemed to be a general increase in rates of fare under the provisions of this section or under the provisions of section one of chapter four hundred and four of the acts of nineteen hundred and fifty-two.

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

Approved April 17, 1961.

Chap. 383. AN ACT AUTHORIZING CITIES AND TOWNS TO FURTHER REGULATE THE PARKING OF UNATTENDED VEHICLES WITHIN THE LIMITS OF CERTAIN PRIVATE WAYS.

Be it enacted, etc., as follows:

Section 21 of chapter 40 of the General Laws is hereby amended by striking out clause (14), as appearing in the Tercentenary Edition, and inserting in place thereof the following clause: —

(14) For prohibiting or regulating the leaving of vehicles unattended within the limits of private ways furnishing means of access for fire apparatus to any building.

Approved April 17, 1961.

Chap. 384. AN ACT PROVIDING THAT THE STATE AUDITOR SHALL ANNUALLY AUDIT THE BOOKS AND ACCOUNTS OF THE MASSACHUSETTS PORT AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 465 of the acts of 1956 is hereby amended by inserting after the third sentence the following sentence: — The state auditor shall likewise audit said books and accounts at least once in each fiscal year.

SECTION 2. Such audit shall be made by the state auditor without any additional appropriation.

Approved April 17, 1961.

Chap. 385. AN ACT REQUIRING THE REAL ESTATE REVIEW BOARD IN THE DEPARTMENT OF PUBLIC WORKS TO STATE IN WRITING THE REASONS FOR ITS RECOMMENDATIONS RELATIVE TO THE SETTLEMENT OF LAND DAMAGE CASES.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 6 of chapter 556 of the acts of 1952 is hereby amended by adding at the end the following sentence: — Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendation.

SECTION 2. The third paragraph of section 6 of chapter 403 of the acts of 1954 is hereby amended by adding at the end the following sentence: — Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendation.

SECTION 3. The third paragraph of section 6 of chapter 718 of the acts of 1956 is hereby amended by adding at the end the following sentence: — Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendation. *Approved April 20, 1961.*

Chap. 386. AN ACT MAKING AN APPROPRIATION FOR THE ANNUAL MEMBERSHIP FEE OF THE COMMONWEALTH IN THE NATIONAL CONFERENCE OF STATE LEGISLATIVE LEADERS.

Be it enacted, etc., as follows:

SECTION 1. To provide for the commonwealth's annual membership fee in the National Conference of State Legislative Leaders, the sum set forth in section two of this act is hereby appropriated from the General Fund or ordinary revenue of the commonwealth, subject to the provisions of law regulating the disbursements of public funds and the approval thereof, for the fiscal year nineteen hundred and sixty-one.

SECTION 2.

LEGISLATURE

Other Expenses

Item		
0110-31	For the annual membership fee of the commonwealth in the National Conference of State Legislative Leaders for the fiscal year nineteen hundred and sixty-one	**$1,000 00**

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

Approved April 20, 1961.

Chap. 387. AN ACT AUTHORIZING THE CONSTRUCTION OF A GENERAL PURPOSE BUILDING AND THE INCREASING OF THE PRESENT HEATING FACILITIES AT THE ESSEX COUNTY AGRICULTURAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Essex County Agricultural School and five persons who are residents of Essex county to be appointed by the governor are hereby authorized to construct and equip a general purpose building, including facilities for physical education instruction, and to remodel, extend or replace the present heating plant to provide heat for the increased facilities, for the use of said school. Said trustees and appointees shall interview no less than three architects before awarding the architectural contract for the drafting of the plans and specifications for the construction of said 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, three hundred and fifty thousand dollars, and may issue bonds or notes of the county thereof, which shall bear on their face the words, Essex County Agricultural School Building Loan, Act of 1961. 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. This act shall take full effect upon its acceptance, during the current year, by the county commissioners of the county of Essex, but not otherwise. *Approved April 20, 1961.*

Chap. 388. AN ACT FURTHER REGULATING THE ACQUISITION OF A SETTLEMENT BY VETERANS AND THEIR DEPENDENTS WHILE IN RECEIPT OF PUBLIC RELIEF.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 2 of chapter 116 of the General Laws, as amended by section 3 of chapter 740 of the acts of 1955, is hereby further amended by inserting after the word "relief", in line 8, the words: — under chapter one hundred and seventeen, — so as to read as follows: — No person shall acquire a settlement, or be in the process of acquiring a settlement, while receiving public relief, unless within two years after receiving such relief, he tenders reimbursement of the cost thereof to the commonwealth or to the town furnishing it; provided, that benefits received under chapter one hundred and fifteen shall not be considered public relief for the purposes of this section; and provided, further, that receipt of public relief under chapter one hundred and seventeen by a veteran whose service qualifies him to receive benefits under said chapter one hundred and fifteen, or by a dependent of a veteran qualified by his service to receive such benefits, shall not prevent such veteran or dependent, in accordance with the provisions of this section, from acquiring, or being in the process of acquiring, a settlement, unless the veterans' agent of the town of settlement, if any, of such veteran or dependent, or the commissioner of veterans' services, if such veteran or dependent has no settlement, shall notify, in writing, the public welfare authorities of the town furnishing such public relief that such veteran or dependent is not eligible for benefits under said chapter one hundred and fifteen, in answer to a notice, in writing, which, in addition to any notice required by law to be given to the public welfare authorities of the town of settlement, if any, and to the commissioner of public welfare, shall, in the case of such veteran or dependent, be given forthwith to the veterans' agent of the town of settlement, if any, and to the commissioner of veterans' services by the town granting such public relief.

SECTION 2. This act shall take effect as of September eighth, nineteen hundred and fifty-five. *Approved April 20, 1961.*

Chap. 389. AN ACT ESTABLISHING A BOARD OF PUBLIC WORKS AND A DEPARTMENT OF PUBLIC WORKS IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

SECTION 1. There shall be established in the city of Northampton a board of public works, hereinafter called the board, to consist of seven members, who shall be legal voters of the city, to be appointed by the mayor subject to confirmation by the city council; and a department of public works which shall be under the direction and control of the city engineer as hereinafter provided.

SECTION 2. On the first Monday of January following the acceptance of this act as herein provided, the board shall, except as herein otherwise provided, have all of the duties, responsibilities, powers and functions now or from time to time vested by general law, special act or ordinance in the following presently existing boards, departments and offices, to wit: —

Board of engineers, department of engineering, board of public works, cemetery committee, board of water commissioners, board of sewer commissioners, board of park commissioners, and those duties and functions of the recreation commission involving the maintenance of recreation equipment, facilities and areas, but not including the operation of any recreation program, and such boards, departments and offices, except the recreation commission, shall thereupon be abolished. No contracts or liabilities 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.

Members of the board of public works shall serve, with or without compensation as determined by the city council, for a term of three years, or until their successors shall be appointed and qualified. Two members shall be appointed annually in the month of February except that on each third year, three members shall be appointed, and further excepted that at its inception, two members shall be appointed for one year, two members for two years, and three members for three years, said members at inception to be appointed forthwith after acceptance of this act and to take office on the first Monday of January next following. The mayor and the city council, by majority vote, may at any time remove any member of said board for cause by written charges preferred by the mayor or any member of the city council. In the event of any vacancy in said board, a person shall be appointed by the mayor and confirmed by the city council for the remainder of the unexpired term. The members of the board upon its formation shall elect one of their members to act as chairman for the ensuing year or until his successor is elected and qualified, and thereafter such election shall be held annually in March.

The board shall keep a written record of all of its proceedings. It shall annually make a written report with recommendations to the city council. It shall prepare jointly with the city engineer annual budget estimates for the department of public works and each division thereof, and submit them to the mayor in accordance with law. All funds collected for the sewer and water tax and use are to be used for sewage disposal and water supply purposes, respectively. The board shall establish for each fiscal year a master plan for all major public works for the city giving priority to the projects in accordance with their necessity

and importance, and shall also establish a five-year public works plan and any further long-range planning it may deem to be in the best interests of the city.

SECTION 3. The city engineer, who shall be a registered professional engineer in the commonwealth, shall be in charge of, and shall have direction and control of, the department of public works established under this act, and shall cause to be performed all the work of construction, reconstruction, alteration, repair, maintenance and upkeep, and all other work incidental thereto, of the present department of engineering, board of public works, board of water commissioners, board of sewer commissioners, cemetery committee, board of park commissioners, and recreation commission in accordance with policies, long-range plans, priority of major projects, and capital outlay requirements as may be authorized and established by the board of public works. He shall establish within the department of public works the following divisions: —

Streets	Engineering
Water	Equipment maintenance
Sewer	Administration and purchasing
Parks and Cemeteries (including recreation grounds)	

Each division shall assume such management and control as shall be determined by the city engineer. He may, from time to time, combine and consolidate supervision of any of the divisions and may with the approval of the board of public works, establish other divisions. He shall have the power to make rules and regulations for the government of the department of public works and divisions thereof and shall attend to the proper enforcement of the same. He shall have jurisdiction over the divisions and over each member of each division, and shall fix all salaries of the personnel within his jurisdiction within the wage scales established by the city council. He shall appoint all employees of the department of public works in accordance with civil service regulations. He shall perform all other duties and exercise all other powers as may be lawfully assigned to the department of public works by ordinance of the city council. He shall have all of the powers and duties now or from time to time vested by general law, special act or ordinance, in the city engineer.

The board shall have the authority to expend any sum appropriated for the use of the department of public works, and shall have power to enter into contracts for the performance of work and the purchase of supplies and materials subject to the applicable provisions of general law and city ordinance.

SECTION 4. The city engineer shall be appointed by the board to hold office at the pleasure of said board. He shall receive a salary to be determined by the mayor on recommendation of the board with the approval of the city council, except that the incumbent of the office of city engineer shall, upon the effective date of this act, be transferred to the department of public works without loss of civil service status, rating, seniority, retirement and pension rights or any other privileges under any provisions of law or ordinance.

SECTION 5. All persons employed by or under the supervision of the department of engineering, board of public works, board of water commissioners, board of sewer commissioners, cemetery committee, board

of park commissioners, and those employed by or under the supervision of the recreation commission as affected by this act, shall upon the effective date of this act, be transferred to the department of public works. All such transfers of employees shall be made without loss of pay and without change of rating, seniority, retirement or pension rights, or any other privileges under any provision of law or ordinance. The incumbent superintendents of the aforesaid boards, departments and offices affected by this act, when transferred to the department of public works as hereinbefore provided, shall become the superintendents of the corresponding divisions of the said department of public works.

SECTION 6. Any provision of the charter of the city of Northampton or any ordinance of said city which is inconsistent with the provisions of this act is hereby repealed.

SECTION 7. This act shall be submitted to the registered voters of the city of Northampton at the next regular municipal election 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-one, entitled 'An Act establishing a board of public works and a department of public works in the city of Northampton', 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 April 20, 1961.*

Chap. 390. AN ACT REQUIRING THE STATE SECRETARY TO ISSUE A CERTIFICATE ACKNOWLEDGING RECEIPT OF NOMINATION PAPERS.

Be it enacted, etc., as follows:

Chapter 53 of the General Laws is hereby amended by striking out section 9, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 9.* Certificates of nomination and nomination papers for state offices shall be filed with the state secretary and he shall forthwith issue to the candidate or other person filing the same a certificate acknowledging the time and date of the receipt thereof. Certificates of nomination or nomination papers for city and town offices shall be filed with the city or town clerk. Every nomination paper shall be filed by a responsible person, who shall sign such paper and add to his signature his place of residence, giving street and number, if any; and the state secretary or the city or town clerk shall require a satisfactory identification of such person. No nomination paper shall be received or be valid unless the written acceptance of the candidate thereby nominated shall be filed therewith.

Approved April 20, 1961.

Chap. 391. AN ACT VALIDATING AND CONFIRMING THE ACTION TAKEN BY THE VOTERS OF THE TOWN OF RUTLAND UPON A CERTAIN QUESTION NOT APPEARING IN THE TOWN WARRANT.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the town of Rutland at its annual town meeting in the current year in providing group life insurance, group accidental death and dismemberment insurance, and group general or

blanket hospital, surgical and medical insurance for certain persons in the service of said town and their dependents by accepting the provisions of chapter thirty-two B of the General Laws in answer to a question appearing on the official ballot used at said meeting is hereby validated and confirmed, notwithstanding the fact that warning that such vote was to be taken by ballot was not given in the warrant for said meeting.

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

Approved April 21, 1961.

Chap. 392. AN ACT AUTHORIZING THE TOWN OF FAIRHAVEN TO SELL CERTAIN PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Fairhaven, acting by its board of selectmen, is hereby authorized to sell and convey, for not less than seventy-five hundred dollars, pursuant to the provisions of Article 49 in the warrant for the annual town meeting of March eleventh, nineteen hundred and sixty-one, as adopted, all or any part of that portion of park land known as Cushman Park, owned by the town of Fairhaven and conveyed to the town of Fairhaven by deed of Warren Delano, Jr. and Frederick A. Delano in the year nineteen hundred and four, bounded and described as follows: — West by Middle street; East by Main street; and North by land of Park Motors, Inc., known as lot 14 of Plot 9 on Fairhaven Assessors plans.

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

Approved April 21, 1961.

Chap. 393. AN ACT FURTHER DEFINING THE TERM "EMPLOYMENT" AS USED IN THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 151A of the General Laws is hereby amended by striking out section 6 and inserting in place thereof the following section: — *Section 6.* The term "employment" shall not include:

(*a*) Service in agricultural labor;

(*b*) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

(*c*) Services performed on or in connection with a vessel or aircraft not an American vessel or American aircraft by an individual if the individual is performing services on or in connection with such vessel or aircraft when outside the United States, or services performed by an individual in the catching, taking or harvesting of fish on a vessel of less than ten net tons provided that the term "employment" shall include any service of whatever nature performed by an individual for an employing unit on or in connection with an American vessel or American aircraft under a contract of service which is entered into within the United States or during the performance of which the vessel or aircraft touches at a port in the United States if such individual is employed on or in connection with such vessel or aircraft outside the United States, and provided such service is performed on or in connection with the operation of an American vessel operating on the navigable waters within

or within and without the United States or an American aircraft operating within or within and without the United States and such operations are ordinarily and regularly supervised, managed, directed and controlled from an operating office managed by an employing unit in this commonwealth;

(*d*) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(*e*) Service performed in the employ of the United States government or of an instrumentality of the United States which is wholly or partially owned by the United States, or exempt from the tax imposed by section 3301 of the Federal Internal Revenue Code of 1954 or any acts in addition thereto and amendments thereof, by virtue of any provision of law which specifically refers to such section (or the corresponding section of a prior law) in granting such exemption; provided, that if this commonwealth should not be certified by the Secretary of Labor under section 3304 of said Internal Revenue Code or any acts in addition thereto and amendments thereof for any year, then the contributions required of any instrumentalities of the United States government under this chapter with respect to such year shall be deemed to have been erroneously collected within the meaning of section eighteen and shall be refunded from the clearing account in accordance with the provisions of said section eighteen;

(*f*) Service performed in the employ of a state, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned by one or more states or political subdivisions; and any service performed in the employ of any instrumentality of one or more states or political subdivisions to the extent that the instrumentality is, with respect to such service, immune under the constitution of the United States from the tax imposed by section 3301 of said Internal Revenue Code, or any acts in addition thereto and amendments thereof; provided, however, that the term "employment" shall include services performed by an individual for an instrumentality of the commonwealth whenever such instrumentality has been authorized to become liable for payments instead of contributions, and has otherwise complied with the provisions of subsection (*o*) of section fourteen;

(*g*) Service performed in the employ of a corporation, or of a community chest, fund, or foundation, so called, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office;

(*h*) Service not in the course of the employer's trade or business performed in any calendar quarter by an employee, unless the cash remuneration paid for such service is fifty dollars or more and such service is performed by an individual who is regularly employed by such employer to perform such service. For the purpose of this subsection, an individual shall be deemed to be regularly employed by an employer during a calendar quarter only if (A) on each of some twenty-four days during

such quarter such individual performs for such employer for some portion of the day service not in the course of the employer's trade or business; or (B) such individual was regularly employed, as determined under clause (A), by such employer in the performance of such service during the preceding calendar quarter;

(*i*) Service performed by an individual as an employee or employee representative as defined in section one of the Federal Railroad Unemployment Insurance Act; and service with respect to which unemployment benefits are payable under an unemployment compensation system for maritime employees established by an act of Congress;

(*j*) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 501(*a*) of the Federal Internal Revenue Code, if the remuneration for such service is less than fifty dollars;

(*k*) Service performed in the employ of a school, college, or university, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university;

(*l*) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to law; and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to state law;

(*m*) Service performed in the employ of a foreign government, including service as a consular or other officer or employee or a non-diplomatic representative; or, service performed in the employ of an instrumentality wholly owned by a foreign government and exempt under the provisions of chapters 21–25 inclusive of the Federal Internal Revenue Code or any acts in addition thereto and amendments thereof;

(*n*) Service performed by an individual as an insurance agent or as an insurance solicitor, if all such service is performed for remuneration solely by way of commission and such service is excluded from the term "employment" under the provisions of section 3306 of the Federal Internal Revenue Code or any acts in addition thereto and amendments thereof; provided, that service performed by any agent selling or servicing policies of industrial life insurance, as defined by section one of chapter one hundred and seventy-five, and employed by any life insurance company authorized to do business in this commonwealth, whether his remuneration for such service is by way of commission or otherwise, shall be deemed employment within the provisions of this chapter;

(*o*) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution.

SECTION 2. This act shall take effect on January first, nineteen hundred and sixty-two and shall apply to services performed on and after said date.

Approved April 21, 1961.

Chap. 394. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO PARTICIPATE IN THE MENTAL HEALTH PROGRAM ESTABLISHED IN SAID COUNTY BY THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

The county commissioners of Franklin county are hereby authorized to participate in establishing and maintaining mental health services provided by the department of mental health in said county, and to expend for such purpose such sums as may be included in appropriation acts for said county. *Approved April 21, 1961.*

Chap. 395. AN ACT PROVIDING FOR THE APPOINTMENT OF A FOURTH ASSISTANT REGISTER OF PROBATE IN NORFOLK COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 25A, as most recently amended by section 1 of chapter 440 of the acts of 1956, and inserting in place thereof the following section: — *Section 25A.* The judges of probate for the counties of Essex and Hampden may appoint a third assistant register for their respective counties, and the judges of probate for the counties of Norfolk and Worcester may appoint a third and a fourth assistant register of probate for their respective counties, who shall hold office for three years unless sooner removed by the judges. They shall be subject to the laws relative to assistant registers. *Approved April 24, 1961.*

Chap. 396. AN ACT MAKING CERTAIN CHANGES IN THE LAWS RELATIVE TO THE BIRTH RECORDS AND CARE OF CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 46 of the General Laws is hereby amended by striking out section 20, as most recently amended by section 2C of chapter 613 of the acts of 1958, and inserting in place thereof the following section: — *Section 20.* The superintendent of the Tewksbury hospital shall obtain, record and make return of the facts relative to deaths therein in the same manner as town clerks. The clerk of the town where said institution is located shall, relative to the deaths therein, be exempt from the duties otherwise required of him by this chapter.

SECTION 2. Section 11 of chapter 47 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 1 and 2, the words "who can be provided for under section thirty-six of chapter one hundred and seventeen without unreasonable expense", — so as to read as follows: — *Section 11.* No child shall be detained in an infirmary for more than sixty days unless his physical condition is such as to make such action necessary or desirable or unless he is under three years of age and his mother is a suitable person to aid in taking care of him and is an inmate of the same infirmary.

SECTION 3. Chapter 77 of the General Laws is hereby amended by striking out section 2, as so appearing, and inserting in place thereof the following section: — *Section 2.* County training schools shall be sub-

ject to visitation by the department of education, and said department shall report thereon annually to the general court.

SECTION 4. Sections thirty-six and thirty-seven of chapter one hundred and seventeen of the General Laws, as appearing in the Tercentenary Edition, are hereby repealed.

SECTION 5. Sections thirty and thirty-one of chapter one hundred and nineteen of the General Laws, as appearing in section one of chapter six hundred and forty-six of the acts of nineteen hundred and fifty-four, are hereby repealed. *Approved April 24, 1961.*

Chap. 397. AN ACT RELATIVE TO OPEN-AIR PARKING SPACE LICENSES AND THE APPLICATIONS THEREFOR.

Be it enacted, etc., as follows:

Section 56 of chapter 148 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 sentence: — Each license granted under this section and the application therefor shall specify all the premises to be occupied by the licensee for the purpose of conducting the licensed business, the total area of the space therein to be actually used for parking or storing vehicles, and the maximum number of vehicles to be parked or stored in such area.

Approved April 24, 1961.

Chap. 398. AN ACT AUTHORIZING THE COMMISSIONER OF AGRICULTURE TO PREPARE AND DISTRIBUTE POSTERS CONTAINING CERTAIN EXTRACTS OF THE GENERAL LAWS.

Be it enacted, etc., as follows:

Chapter 128 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.* The commissioner shall cause to be printed on durable material, suitable to be affixed to trees or otherwise to be posted in the open air, copies of such extracts from section one hundred of chapter one hundred and thirty-one and sections one hundred and five, one hundred and thirteen, one hundred and fifteen, one hundred and seventeen, one hundred and twenty-two and one hundred and thirty-one of chapter two hundred and sixty-six as in his opinion will tend to prevent depredations on farm and forest lands, and shall furnish a reasonable number of such copies to any owner or tenant of land, upon application, at a price not less than the cost thereof. *Approved April 25, 1961.*

Chap. 399. AN ACT RELATIVE TO THE MOLESTING, ATTACKING OR KILLING OF DEER BY DOGS IN HAMPDEN COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 88 of chapter 131 of the General Laws is hereby amended by striking out the last sentence, as amended by section 1 of chapter 321 of the acts of 1961, and inserting in place thereof the following sentence: — The provisions of this section shall not apply in Berkshire, Franklin or Hampden counties.

SECTION 2. Said chapter 131 is hereby further amended by striking out section 88A, as amended by section 2 of said chapter 321, and inserting in place thereof the following section: — *Section 88A.* Any person who owns, keeps or possesses a dog which during the period from the close of the rabbit season to the first day of May in each year is found molesting, attacking or killing deer in Berkshire, Franklin or Hampden counties shall be punished by a fine of twenty-five dollars. An enforcement officer in the division of law enforcement of the department of natural resources may, without any liability on his part, destroy any dog found molesting, attacking or killing deer in said counties during said period. The provisions of section sixteen shall not be applicable to this section. *Approved April 25, 1961.*

Chap. 400. AN ACT REQUIRING EMPLOYERS TO FURNISH CERTAIN INFORMATION TO EMPLOYEES RELATIVE TO WAGE DEDUCTIONS AND CONTRIBUTIONS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 150A, as amended by chapter 246 of the acts of 1960, and inserting in place thereof the following section: — *Section 150A.* Every person making deductions from the wages of any employee for social security, unemployment compensation benefits, pension, vacation or health and welfare funds, and every person engaged in contracting or sub-contracting, highway or building construction projects or public works construction who is party to an agreement to make contributions for unemployment compensation benefits, pension, vacation or health and welfare funds or apprentice training programs for the benefit of any employee, or who is required to make such contributions to such funds or programs or payments directly to the employee under the provisions of section twenty-seven, and which contributions or payments are computed on an hourly, daily, weekly or monthly basis, when requested by the employee or his representative, shall notify in writing such employee of the amounts and nature of such deductions or contributions at the time of the payment of the wages from which such deductions are made and in the case of contributions at the time when such contributions are made. *Approved April 25, 1961.*

Chap. 401. AN ACT AUTHORIZING THE TRUSTEES OF THE TEWKSBURY HOSPITAL TO SELL CERTAIN PROPERTY OF THE COMMONWEALTH TO THE TOWN OF TEWKSBURY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

The trustees of the Tewksbury hospital, on behalf of the commonwealth, are hereby authorized, subject to the approval of the governor and council, to sell and convey to the town of Tewksbury for school purposes land owned by the commonwealth and situated in said town described as follows: Beginning at a point on the west side of Livingston street approximately 2,375 feet north of the centerline of Pinewood road; thence westerly by other land of the grantor 1,535 feet more or

less to a point at land owned by Carter; thence northerly by land of said Carter 380 feet more or less to a point; thence easterly still by land of said Carter 425 feet more or less to a point; thence northerly still by land of said Carter 607 feet more or less to a point at other land of said grantor; thence easterly by land of said grantor 465 feet more or less to a point; thence southerly by land of said grantor 607 feet more or less to a point; thence easterly still by other land of said grantor 600 feet more or less to Livingston street; thence southerly along said Livingston street, 100 feet to the point of beginning. Being shown on a plan of the proposed site for junior high school, Tewksbury, Massachusetts, prepared January 27, 1961 by Dana F. Perkins & Sons, Inc. Civil Engineers & Surveyors, Reading, Massachusetts and containing according to said plan 15.5 acres more or less. The deed for said conveyance shall be approved as to form by the attorney general.

Approved April 25, 1961.

Chap. 402. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO LEASE CERTAIN LAND IN THE CITY OF NORTHAMPTON TO SMITH COLLEGE.

Be it enacted, etc., as follows:

The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized to execute a lease to Smith College of a certain tract of land on the grounds of the Northampton State hospital in the city of Northampton containing 6.6 acres more or less on the northerly side of West street adjoining the westerly boundary of the premises numbered 145 on said street. Said lease shall be approved by the attorney general as to form, shall contain such provisions relative to rent, length of term and option for renewal as said commissioner shall determine, and shall provide that the land demised shall be used only as a riding area, that no structures shall be erected thereon except in connection with such use, that said lease may be terminated at the option of the commonwealth, and that the commonwealth will be indemnified and saved harmless from any and all claims arising on or out of the use of said demised land. *Approved April 27, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 27, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 1961, entitled "An Act Authorizing the Commissioner of Mental Health to Lease Certain Land in the City of Northampton to Smith College" and the enactment of which received my approval on April 27, 1961 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 effective date of this act beyond the present session of the College.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 27, 1961.

I, Kevin H. White, 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 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 four hundred and two of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 403. AN ACT EXTENDING THE EXEMPTION FROM TAXATION OF CERTAIN REAL ESTATE TO A SURVIVING SPOUSE IN A JOINT TENANCY.

Be it enacted, etc., as follows:

Section 1 of chapter 65 of the General Laws is hereby amended by striking out the paragraph, inserted by section 2 of chapter 792 of the acts of 1949, and inserting in place thereof the following paragraph: —

Provided, however, that in the case of any beneficial interest arising or accruing by survivorship of a husband or wife in a tenancy by the entirety or joint tenancy in single family residential property occupied by such husband and wife as a domicile, there shall be allowed an exemption of such property to the extent of its value, and in multiple family residential property so occupied there shall be allowed an exemption of such property to the extent of twenty-five thousand dollars of its value.

Approved April 27, 1961.

Chap. 404. AN ACT ESTABLISHING THE DATE UPON WHICH BUILDINGS AND STRUCTURES, EXCEPT THE STATE HOUSE, OWNED OR OCCUPIED BY THE COMMONWEALTH OR ANY OF ITS POLITICAL SUBDIVISIONS, SHALL COMPLY WITH CERTAIN PROVISIONS OF THE LAW RELATING TO THE SAFETY OF PERSONS IN BUILDINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to defer immediately the date upon which buildings and structures, except the state house, owned or occupied by the commonwealth or any of its political subdivisions, shall comply with certain provisions of the law relating to the safety of persons in buildings, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 582 of the acts of 1948 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter

539 of the acts of 1959, and inserting in place thereof the following section: — *Section 3.* This act shall take effect on July first, nineteen hundred and sixty-three, provided, however, that upon completion of a complete program of fire protection improvements for any building or structure, other than the state house, owned, operated or controlled by the commonwealth, in accordance with plans and specifications approved by the division of building construction of the commission on administration and finance, and upon certification by the division of inspection of the department of public safety as to compliance with the provisions of chapter one hundred and forty-three of the General Laws, then the provisions of this act shall thereupon become effective as to such building or structure.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-one. *Approved May 1, 1961.*

Chap. 405. AN ACT RELATIVE TO THE INDEMNIFICATION OF PUBLIC SCHOOL TEACHERS AGAINST CERTAIN CLAIMS AND ACTIONS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 100C, inserted by chapter 451 of the acts of 1959, and inserting in place thereof the following section: — *Section 100C.* In addition to the indemnification provided in section one hundred A, a city, town or regional school district, acting by its school committee, may, out of any funds appropriated for the purpose of this section, which appropriation shall be made in the same manner as appropriations for general school purposes indemnify a teacher in its employ for expenses or damages sustained by him by reason of an action or claim against him for acts done by him while acting as such teacher; provided, that after investigation it shall appear to the school committee that such teacher was at the time the cause of action or claim arose acting within the scope of his employment; and provided further, that the defence or settlement of such action or claim shall have been made by the city solicitor, town counsel or legal counsel for the district upon request of the school committee, or, if the town has no town counsel or the district has no legal counsel, by an attorney employed for the purpose by the school committee, or, if such solicitor or counsel upon such request or such attorney upon such employment fails or refuses to defend such action or claim, by an attorney employed by such teacher. *Approved May 1, 1961.*

Chap. 406. AN ACT AUTHORIZING THE CITY OF FITCHBURG TO CONVEY CERTAIN PARK LAND TO THE COMMONWEALTH AS THE SITE FOR A NEW TEACHER TRAINING SCHOOL AT THE STATE COLLEGE AT FITCHBURG.

Be it enacted, etc., as follows:

SECTION 1. The city of Fitchburg, by its board of park commissioners, is hereby authorized to convey to the commonwealth a tract of park land located in said city and known as McKay Park, and bounded and described as follows: — Beginning at the most easterly corner thereof on the westerly line of said North street and at land of Roger Fisher; thence by said North street S. 36° 24′ W. four hundred eighty

(480) feet to land recently conveyed by Edith F. McKay to Charles W. Irving et ux; thence by last named land N. 42° 46′ W. seventy-nine and 5/10 (79.5) feet to land now or formerly of Edwin M. Knapp; thence by said Knapp land N. 28° 43′ W. three hundred sixty-three (363) feet to said Rindge road; thence by said road N. 26° 09′ 30″ W. fifty-six (56) feet to an angle; thence still by said road curving to the right on a radius of ten hundred twenty-five and 42/100 (1025.42) feet two hundred two (202) feet to an angle; thence still by said road N. 14° 49′ 30″ W. five hundred five and 40/100 (505.40) feet to land of Gifford K. Simonds; thence by said Simonds' land N. 26° 45′ 10″ E. two hundred forty-seven and 83/100 (247.83) feet to the middle of Falulah Brook; thence down said brook S. 83° 40′ 50″ E. one hundred fifty-nine and 20/100 (159.20) feet to an angle; thence by land of owners unknown S. 20° 24′ 30″ E. one hundred ninety-seven (197) feet to a drill hole, S. 26° 37′ E. one hundred thirty-three and 57/100 (133.57) feet to a stone bound, S. 24° 26′ 30″ E. two hundred and thirty-one and 87/100 (231.87) feet to a stone bound, S. 23° 09′ E. two hundred thirty-three and 70/100 (233.70) feet to a drill hole, S. 2° 25′ 30″ W. forty and 29/100 (40.29) feet to an angle, and S. 21° 47′ E. sixty (60) feet to land of said Fisher; thence by said Fisher land S. 53° 35′ 30″ E. one hundred sixty-four (164) feet to the place of beginning.

Upon the acquisition of said parcel of land by the commonwealth the department of education may construct thereon a teachers' training school, which shall be part of the state college at Fitchburg.

SECTION 2. Said teacher training school shall upon its completion be known and designated as the McKay Training School.

SECTION 3. Whatever right or authority is granted or conferred by section one is 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.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Fitchburg, subject to the provisions of its charter.

Approved May 1, 1961.

Chap. 407. AN ACT PROVIDING FOR THE FORFEITURE OF OBSCENE PUBLICATIONS, PRINTS, FIGURES AND RECORDS, AND OF OTHER ARTICLES.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by inserting after section 30A the following section: — *Section 30B.* Upon final disposition of a prosecution for a violation of section twenty-eight, twenty-eight A, twenty-eight B, twenty-nine or thirty, property introduced in evidence at the trial may, after a notice and trial, in the manner provided in sections four to six, inclusive, of chapter two hundred and seventy-six, be adjudged forfeited, and shall, unless the court orders otherwise, be turned over to the commissioner of public safety for destruction or sale, as the court may order. The commissioner shall turn over the proceeds of any such sale to the state treasurer.

Approved May 1, 1961.

Chap. 408. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PERMIT THE INSTALLATION OF PUBLIC TELEPHONE BOOTHS ALONG THE GEORGE T. WALSH HIGHWAY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the department of public works is hereby authorized to grant permission for the installation of public telephone booths along the George T. Walsh Highway. *Approved May 1, 1961.*

Chap. 409. AN ACT PROVIDING FOR MAKE-UP PAYMENTS BY CERTAIN MEMBERS OF ANY CONTRIBUTORY RETIREMENT SYSTEM TO OBTAIN CREDIT FOR PAST SERVICES RENDERED IN THE SAME GOVERNMENTAL UNIT.

Be it enacted, etc., as follows:

Subdivision (5) of section 3 of chapter 32 of the General Laws, as most recently amended by section 2 of chapter 695 of the acts of 1955, is hereby further amended by inserting after the word "membership", in line 12, the following words: —, or any member of any retirement system who had rendered service as an employee in the governmental unit by which he is presently employed and who separated from such service and who had a right to become a member of the existing retirement system pertaining thereto, but who did not exercise such right before separation from such service. *Approved May 1, 1961.*

Chap. 410. AN ACT PROVIDING THAT CERTAIN RETIRED PUBLIC EMPLOYEES WHO ARE ELECTED TO PUBLIC OFFICE MAY BECOME MEMBERS IN SERVICE OF THE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (1) of section 5 of chapter 32 of the General Laws is hereby amended by inserting after paragraph (*f*), added by chapter 348 of the acts of 1954, the following paragraph: —

(*g*) Notwithstanding any provision of this chapter to the contrary, any member inactive of a retirement system who is elected to office by popular vote, may elect to become a member in service of the system pertaining to the position to which he is elected; provided, that any such member inactive who is receiving a retirement allowance shall repay into the system from which he is receiving such allowance the total amount of any such allowance received from the date of his retirement to the date of his again becoming a member in service.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-one. *Approved May 1, 1961.*

Chap. 411. AN ACT PROVIDING FOR THE ISSUANCE OF DISTINCTIVE NUMBER PLATES BY THE REGISTRAR OF MOTOR VEHICLES TO EDWARD W. SHORE OF AGAWAM.

Be it enacted, etc., as follows:

The registrar of motor vehicles is hereby authorized and directed, upon payment of the registration fee required by section thirty-three of

chapter ninety of the General Laws, to furnish distinctive number plates bearing the following: — Mr. Hockey, to Edward W. Shore of 76 Edgewater road, Agawam, for attachment to his motor vehicle.

Approved May 1, 1961.

Chap. 412. AN ACT TO PERMIT THE TRANSPORTATION ON THE LORD'S DAY OF BAKERY PRODUCTS SUBJECT TO RAPID DETERIORATION.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by striking out the fourth paragraph, as most recently amended by section 17 of chapter 356 of the acts of 1957, and inserting in place thereof the following paragraph: —

Nor shall it prohibit the preparation, printing and publication of newspapers, or the sale and delivery thereof; the wholesale or retail sale and delivery of milk, or the transportation thereof, or the delivery of frozen desserts or frozen dessert mix, or both, or the wholesale or retail sale of ice or of fuel; the transportation of general commodities by motor truck or trailers, then engaged in interstate commerce before eight o'clock in the forenoon and after eight o'clock in the evening or in the event of an emergency between the aforesaid hours; the transportation of petroleum products by motor truck or trailers then engaged in intrastate commerce before six o'clock in the forenoon and after ten o'clock in the evening; the transportation of livestock, farm commodities and farm equipment for participation in fairs, exhibitions and sporting events and veterinary purposes; the handling, transportation and delivery of fish and perishable foodstuffs at wholesale; the sale at wholesale of dressed poultry, and the transportation of such poultry so sold, on the Lord's day next preceding Thanksgiving day, and on the Lord's day next preceding Christmas day except when Christmas day occurs on Saturday, the Lord's day or Monday; the making of butter and cheese; the keeping open of public bathhouses; the making or selling by bakers or their employees, before ten o'clock in the forenoon and between the hours of four o'clock and half past six o'clock in the afternoon, of bread or other food usually dealt in by them; the transportation of bakery products subject to rapid deterioration, including bread, cakes, sweet goods or doughnuts; whenever Rosh Hashonah, or the Day of Atonement, begins on the Lord's day, the retail sale and delivery of fish, fruit and vegetables before twelve o'clock noon of that day; the selling or delivering of kosher meat by any person who, according to his religious belief, observes Saturday as the Lord's day by closing his place of business during the day until six o'clock in the afternoon, or the keeping open of his shop on the Lord's day for the sale of kosher meat between the hours of six o'clock and ten o'clock in the forenoon. *Approved May 1, 1961.*

Chap. 413. AN ACT FURTHER REGULATING THE PROCURING OF INSURANCE BY SPECIAL INSURANCE BROKERS FROM UNLICENSED INSURANCE COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 168 of chapter 175 of the General Laws is hereby amended by striking out the fourth sentence, as most recently amended

by chapter 597 of the acts of 1960, and inserting in place thereof the following three sentences: — Whenever 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 stating that the full amount of insurance required to protect said property or interests is not procurable, after a diligent effort has been made to do so, from among companies admitted to transact insurance in the commonwealth against the hazard or hazards involved, and that the amount of insurance procured in foreign companies not authorized to transact such business in the commonwealth is only the excess over the amount so procurable from such admitted companies. Said affidavit shall have force and effect for one year only from the date thereof. 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 maintains the financial requirements specified in subdivision (*d*) of the second paragraph of section twenty.

SECTION 2. Section 177 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first sentence the following sentence: — Nothing in this section shall be deemed to prohibit the payment of a commission or brokerage fee by a special insurance broker to a regularly licensed insurance broker in connection with insurance negotiated under the authority of section one hundred and sixty-eight in an insurance company not licensed to transact business in the commonwealth. *Approved May 1, 1961.*

Chap. 414. AN ACT EXTENDING GROUP GENERAL OR BLANKET INSURANCE TO THE SURVIVING SPOUSE AND DEPENDENTS OF EMPLOYEES INSURED UNDER THE STATE INSURANCE PLAN WITHOUT PREMIUM CONTRIBUTION BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32A of the General Laws is hereby amended by striking out section 11, added by section 1 of chapter 386 of the acts of 1960, and inserting in place thereof the following section: — *Section 11.* Upon the death of an employee or 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. This act shall take effect as of January first, nineteen hundred and sixty-one. *Approved May 1, 1961.*

Chap. 415. AN ACT AUTHORIZING THE COMMONWEALTH TO SELL AND CONVEY A CERTAIN PARCEL OF LAND TO THE AMERICAN UNITARIAN ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. The state superintendent of buildings, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to sell and convey to American Unitarian Association or to any corporate successor thereto, by deed approved as to form by the attorney general, a certain parcel of land or any interest therein, situated in the city of Boston, within the limits of Joy Place, a private way, and bounded and described as follows:

Northerly by the center line of said Joy Place, thirty-one and 63/100 feet; Easterly by other land of the Commonwealth of Massachusetts, ten and 01/100 feet; Southerly by other land of the Commonwealth of Massachusetts, thirty-one and 63/100 feet, and Westerly by a line in said Joy Place and by land of said American Unitarian Association, nine and 94/100 feet. Be any of said measurements more or less.

Said parcel of land is in part shown on a plan entitled, "Plan of Land in Boston" by Walter R. Luby, Surveyor, dated January 7, 1959, filed in Suffolk Registry District with Certificate of Title No. 65407, in Registration Book 323, page 7, as Land Court Plan No. 29154A.

SECTION 2. The state superintendent of buildings is hereby further authorized to convey by such deed the land upon which stands the

easterly portion of the twelve-inch brick partition wall between the State House grounds and premises of American Unitarian Association at Six Mount Vernon Place in Boston, the center line of which wall is eighty-eight and 06/100 feet in length according to said plan, or perpetual rights with respect to the use of said wall or any replacement thereof.

Approved May 1, 1961.

Chap. 416. AN ACT ESTABLISHING A FEE FOR THE FILING OF A NOTICE OF A FEDERAL TAX LIEN OR OF A CERTIFICATE OF DISCHARGE OF SUCH A LIEN WITH A REGISTRY OF DEEDS.

Be it enacted, etc., as follows:

Section 24 of chapter 36 of the General Laws is hereby amended by striking out the first sentence, as amended by section 2 of chapter 306 of the acts of 1955, and inserting in place thereof the following sentence: — Notice of a federal tax lien on any property or rights thereto, or a certificate of discharge of such a lien, may, upon the payment of a filing and recording fee of four dollars, be filed with the register of deeds of the county or the assistant recorder for the registry district where the property is situated and shall be recorded.

Approved May 2, 1961.

Chap. 417. AN ACT AUTHORIZING THE COMMONWEALTH TO GRANT EASEMENTS OVER, ACROSS AND UPON CERTAIN LAND, FOR THE TRANSMISSION OF ELECTRIC POWER, TO NEW ENGLAND POWER COMPANY.

Be it enacted, etc., as follows:

Subject to the approval of the governor and council, the director of the division of fisheries and game, in the name and behalf of the commonwealth, in consideration of the sum of six thousand dollars, may grant to New England Power Company, an electric company organized and existing under the laws of the commonwealth, an easement for the construction, maintenance and operation of towers, poles and wires for the transmission of electricity on, over and across certain portions of land of the commonwealth in the towns of Groveland and West Newbury, which land is under the control and custody of said division of fisheries and game. Said easement shall be in such form and at such locations as the said director may approve and deem proper.

Approved May 2, 1961.

Chap. 418. AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF EMPLOYMENT SECURITY TO ISSUE A CHECK TO FRANK'S SERVICE STATION OF WILLIMANSETT.

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 798114, dated June fifteenth, nineteen hundred and fifty-four, payable to and endorsed by June Such of Willimansett,

S. S. Account No. 025-24-0041, a new check in the amount of twenty-five dollars payable to the order of Frank's Service Station of Williamsett, the present holder of the check numbered 798114, upon surrender by him of said check. *Approved May 2, 1961.*

Chap. 419. AN ACT RELATING TO THE APPLICABILITY OF THE FRACTIONS OF THE NET INCOME ALLOCATION FORMULA UNDER THE CORPORATION EXCISE LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 3 of section 38 of chapter 63 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — A rule shall not be applicable if the denominator of the resulting fraction is less than ten per cent of the part of the net income to be apportioned by such fraction.

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

Approved May 2, 1961.

Chap. 420. AN ACT RELATIVE TO THE DISTRIBUTION OF INCOME AND CORPORATION TAX REVENUES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by striking out section 18, as most recently amended by section 1 of chapter 599 of the acts of 1956, and inserting in place thereof the following section: — *Section 18.* Except as provided in section seven A of chapter sixty-two, the state treasurer shall on or before April fifteenth in each year distribute to the several cities and towns from the taxes on incomes under chapter sixty-two theretofore collected by the commonwealth the amounts required under chapter seventy to the extent that sufficient funds are then available. He shall on or before June fifteenth, October fifteenth and December fifteenth in each year, distribute to such cities and towns in proportion to the amounts of the last preceding state tax imposed on them, all such taxes collected before December first of such year and not previously distributed, after deducting (*a*) the amount, if any, by which the amount required to be distributed to the cities and towns under chapter seventy exceeds the distribution made on or before April fifteenth and (*b*) such amount as is to be taken from the proceeds of the income tax under sections seven A, forty-six E and forty-six F of chapter seventy-one, and after further deducting for retention by the commonwealth, (i) a sum sufficient to reimburse the commonwealth for the expenses incurred in the collection and distribution of said income taxes, including in such expenses all amounts refunded under said chapter sixty-two or section twenty-seven of this chapter with respect to taxes other than taxes derived as specified in clause (ii) hereof, together with any interest or costs paid on account of such refunds, but excluding all expenses covered by previous deductions, (ii) a sum determined by the commission to equal the net taxes, after refunds, on income derived by nonresidents from professions, employment, trade or business, and (iii) a sum determined by the commission to equal the tax derived from

dividends of such foreign corporations as are subject to taxation upon their franchises payable to the commonwealth under sections fifty-two A and fifty-eight of chapter sixty-three.

SECTION 2. Said chapter 58 is hereby further amended by striking out section 20, as most recently amended by section 15 of chapter 654 of the acts of 1953, and inserting in place thereof the following section: — *Section 20.* From the total taxes, with any interest thereon, paid in any period of twelve months beginning December first of any year and ending November thirtieth of the next succeeding year by domestic business and domestic manufacturing corporations and foreign manufacturing and other foreign corporations under sections thirty to fifty-one, inclusive, of chapter sixty-three there shall be deducted such taxes paid under said sections as have been refunded under said chapter or section twenty-seven of this chapter during said period, together with any interest or costs paid such corporations on account of refunds.

The balance shall be disposed of in the following manner and in the order named: —

(1) On or before April fifteenth, one million, eight hundred and one thousand, two hundred and fifty-eight dollars and thirty-eight cents shall be distributed to the commonwealth;

(2) On or before April fifteenth, six million, three hundred and fifty-one thousand, four hundred and fifteen dollars and thirty-four cents shall be distributed, credited and paid to the several cities and towns in the proportion that the amount of taxes locally paid in each city or town in the year nineteen hundred and thirty-five by domestic manufacturing corporations as defined in section thirty-eight C of said chapter sixty-three and by foreign manufacturing corporations as defined in section forty-two B of said chapter sixty-three upon machinery owned and used in the conduct of the business bears to the aggregate amount so paid by such corporations in all cities and towns of the commonwealth as determined by the commission;

(3) On or before April fifteenth, two million, six hundred and fifty-four thousand, eight hundred and seventy-six dollars and fifty-four cents shall be distributed, credited and paid to the several cities and towns in the proportion that the value of machinery owned and used in the conduct of the business in the year nineteen hundred and thirty-five by such domestic manufacturing and foreign manufacturing corporations in each city or town bears to the aggregate value of such machinery in all cities and towns of the commonwealth as determined by the commission;

(4) On or before June fifteenth, October fifteenth and December fifteenth, five sixths of any sum then remaining shall be distributed on said dates to the several cities and towns in proportion to the amounts of the last preceding state tax imposed upon them, and one sixth shall be distributed to the commonwealth.

City and town assessors shall make such returns and supply such information as the commission shall reasonably require to make the determinations provided by this section.

SECTION 3. This act shall take effect on January first, nineteen hundred and sixty-two. *Approved May 2, 1961.*

Chap. 421. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BRIDGE IN THE TOWNS OF AGAWAM AND WEST SPRINGFIELD.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct a bridge over the Westfield river between the towns of Agawam and West Springfield at or near the site of the present Mittineague bridge under the provisions of chapter ninety of the General Laws, and to expend such sum as may be appropriated therefor, together with any money which the towns or county may appropriate for this purpose. *Approved May 2, 1961.*

Chap. 422. AN ACT IMPOSING A PENALTY FOR OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF NARCOTIC DRUGS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by striking out section 21, as most recently amended by chapter 669 of the acts of 1954, and inserting in place thereof the following section: — *Section 21.* Any officer authorized to make arrests may arrest without warrant and keep in custody for not more than twenty-four hours, unless Sunday intervenes, any person operating a motor vehicle on any way who does not have in his possession a license to operate motor vehicles granted to him by the registrar, and who violates any statute, by-law, ordinance or regulation relating to the operation or control of motor vehicles and any officer authorized to make arrests, provided such officer is in uniform or displaying his badge of office conspicuously on his outer coat or garment, may arrest without warrant any person, regardless of whether or not such person has in his possession a license to operate motor vehicles issued by the registrar, if such person upon any way or in any place to which the public has the right of access, operates a motor vehicle after his license or right to operate motor vehicles in this state has been suspended or revoked by the registrar, or whoever upon any way or place to which the public has the right of access operates a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, or whoever uses a motor vehicle without authority knowing that such use is unauthorized, or any person who, while operating or in charge of a motor vehicle, shall refuse, when requested by such police officer, to give his name and address or the name and address of the owner of such motor vehicle, or who shall refuse on demand of such police officer, to produce his license to operate such vehicle or the certificate of registration for such vehicle for examination by such officer; and at or before the expiration of said period of time such person shall be brought before a magistrate and proceeded against according to law. An investigator or examiner appointed under section twenty-nine, may arrest without warrant, keep in custody for a like period, bring before a magistrate and proceed against in like manner, any person operating a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, irrespective of his possession of such a license.

SECTION 2. Paragraph (a) of subdivision (1) of section 24 of said chapter 90 is hereby amended by striking out the first sentence, as amended by chapter 347 of the acts of 1961, and inserting in place thereof the following sentence: — Whoever, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, shall be punished by a fine of not less than thirty-five nor more than one thousand dollars, or by imprisonment for not less than two weeks nor more than two years, or both. *Approved May 3, 1961.*

Chap. 423. AN ACT RELATIVE TO THE REGISTRATION OF CERTAIN MOTOR VEHICLES BY RESIDENTS OF THE COMMONWEALTH WHO ARE IN THE MILITARY SERVICE OF THE UNITED STATES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 5A, as most recently amended by chapter 304 of the acts of 1948, the following section: — *Section 5B.* Subject to the provisions of section three B a motor vehicle owned by a resident serving in the military service of the United States which was purchased by said resident in another state and registered therein, may be operated on the ways of this commonwealth without registration under this chapter for a period of thirty days. At the expiration of said thirty day period, said motor vehicle shall be registered in accordance with the provisions of this chapter. *Approved May 3, 1961.*

Chap. 424. 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-one 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-one, 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	$287,690 15
2.	For contractual services	46,300 00
3.	For supplies and materials	95,000 00
4.	For current charges and obligations	30,401 40
5.	For equipment	6,496 00
8.	For debt and interest	11,000 00
10.	For unpaid bills of previous years	1,250 00
11.	For reserve fund	2,500 00
11a.	For reserve for salary adjustments	15,000 00
12.	For group insurance	3,900 00
	For total expenditures	$499,537 55

ESSEX COUNTY.

Item		
1.	For personal services	$854,919 22
2.	For contractual services	49,310 00
3.	For supplies and materials	227,500 00
4.	For current charges and obligations	98,890 17
5.	For equipment	7,177 15
8.	For debt and interest	28,324 00
10.	For unpaid bills of previous years	1,000 00
11.	For reserve fund	10,000 00
11a.	For reserve for salary adjustments	46,000 00
12.	For group insurance	18,000 00
13.	For industrial accident insurance	16,000 00
	For total expenditures	$1,357,120 54

MIDDLESEX COUNTY.

Item		
1.	For personal services	$996,506 01
2.	For contractual services	120,150 00
3.	For supplies and materials	293,200 00
4.	For current charges and obligations	67,461 17
5.	For equipment	43,945 00
6.	For structures and improvements	40,032 89
7.	For land and nonstructural	3,650 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	58,000 00
12.	For group insurance	24,000 00
14.	For care of children	276,210 07
	For total expenditures	$1,967,155 14

NORFOLK COUNTY.

Item		
1.	For personal services	$633,453 74
2.	For contractual services	45,850 00
3.	For supplies and materials	203,800 00
4.	For current charges and obligations	37,942 25
5.	For equipment	20,115 00
8.	For debt and interest	12,000 00
11.	For reserve fund	10,000 00
11a.	For reserve for salary adjustments	32,000 00
12.	For group insurance	10,000 00
	For total expenditures	$1,005,160 99

PLYMOUTH COUNTY.

Item		
1.	For personal services	$453,043 35
2.	For contractual services	49,450 00
3.	For supplies and materials	150,648 00
4.	For current charges and obligations	38,762 08
5.	For equipment	9,887 55
8.	For debt and interest	10,000 00
11.	For reserve fund	10,000 00
11a.	For reserve for salary adjustments	19,000 00
12.	For group insurance	8,210 88
	For total expenditures	$749,001 86

WORCESTER COUNTY.

Item		
1.	For personal services	$642,306 97
2.	For contractual services	49,300 00
3.	For supplies and materials	189,462 00
4.	For current charges and obligations	54,899 50
5.	For equipment	15,245 46
8.	For debt and interest	12,000 00
10.	For unpaid bills of previous years	437 19
11.	For reserve fund	5,000 00
11a.	For reserve for salary adjustments	35,000 00
12.	For group insurance	12,000 00
	For total expenditures	$1,015,651 12

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

Approved May 3, 1961.

Chap. 425. AN ACT RELATIVE TO CHANGES IN THE STORROW MEMORIAL DRIVE AND CONNECTING ROADS NEAR BOSTON UNIVERSITY BRIDGE AND AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO ENTER INTO A CONTRACT WITH, AND TO CONVEY CERTAIN LANDS IN SAID AREA TO, TRUSTEES OF BOSTON UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to make a study as to the feasibility and practicability of the construction of an additional lane or lanes of roadway to the southerly roadway of the James J. Storrow Memorial Drive between Boston University bridge and Granby street in the city of Boston and connections therewith to University road and Granby street in substitution for the access and exit facilities to said southerly roadway now provided, and of the discontinuance as a public way of all or part of the portion of Bay State road between said bridge and Granby street.

SECTION 2. If the commission determines that such construction and discontinuance is feasible and practicable, it may determine the portion of Bay State road to be discontinued and the area required for such additional lane or lanes of roadway and connections therewith to existing roads, and may enter into a contract, as hereinafter provided, with Trustees of Boston University, a corporation duly established under chapter three hundred and twenty-two of the acts of eighteen hundred and sixty-nine, and the amendments thereto, hereinafter called the corporation.

Such contract shall provide (1) that the commission will convey to the corporation, on the terms hereinafter specified, and subject to such conditions and restrictions, if any, as to the manner of use of said land as the commission decides should be imposed, the portion of Bay State road so discontinued, and such other lands adjacent thereto owned by the commonwealth of Massachusetts and under the jurisdiction of the commission as the commission determines are no longer needed for the purposes of the Charles River Reservation, and (2) that the corporation will reimburse the commission for the cost of constructing such extra lane or lanes of roadway and the cost of the construction of connections therewith to existing public ways, and will pay to the commission such other amounts, if any, as may be mutually agreed upon.

The commission is hereby authorized to make in the name and on behalf of the commonwealth any and all conveyances provided for in such contract upon the performance by the corporation of its agreements thereunder, and to execute and deliver all deeds necessary to effect such conveyances. *Approved May 4, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 4, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 425 of the Acts of 1961, entitled "An Act Relative to Changes in the Storrow Memorial Drive and Connecting Roads Near Boston University Bridge and Authorizing the Metropolitan District Commission to Enter Into a Contract With, and to Convey Certain Lands in Said Area to, Trustees of Boston University" and the enactment of which received my approval on May 4, 1961, 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 expedite the availability of certain land under the control of the Metropolitan District Commission to Boston University for the erection of its new law school replacing the present law school building which has been taken by the Commonwealth as part of the site of the State Office Building.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 5, 1961.

I, Kevin H. White, 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 nine o'clock and twenty-five 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 four hundred and twenty-five of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 426. AN ACT PROVIDING FOR RELOCATION OF CERTAIN RESERVOIRS IN CONNECTION WITH THE FLOOD CONTROL PROJECT 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 continuation of construction of flood control and other works of improvement within the watershed areas of the Sudbury, Assabet and Concord rivers in the event that previously unforeseen and unfavorable conditions are encountered, 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:

Chapter 669 of the acts of 1960 is hereby amended by inserting after section 2 the following section: — *Section 2A.* In the event that unforeseen and unfavorable conditions are encountered at any of the reservoir locations authorized in section two or that excessive costs are likely to arise as a result of the taking or acquisition of land, water rights, rights of way, or other easements, under section three at any such location, the water resources commission, in its discretion, may relocate any such reservoir to a site within the watershed areas set forth in section one.

Approved May 5, 1961.

Chap. 427. AN ACT PROVIDING LIFE TENURE FOR ANTHONY J. BELLIO, INCUMBENT OF THE OFFICE OF SECRETARY OF THE BOARD OF REGISTRATION OF BARBERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section forty of chapter thirteen of the General Laws, the tenure of office of Anthony J. Bellio, incumbent of the office of secretary of the board of registration of barbers, 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 passage.

Approved May 5, 1961.

Chap. 428. AN ACT ESTABLISHING THE EAST VILLAGE SEWER CONSTRUCTION COMMITTEE IN THE TOWN OF WEBSTER.

Be it enacted, etc., as follows:

SECTION 1. There shall be in the town of Webster a committee consisting of nine members, to be known as the East Village sewer construction committee. Said committee shall consist of the members of the board of sewer commissioners, ex officiis, and six persons to be appointed by the selectmen. Said committee may make rules governing the time and place of its meetings and governing its organization and the conduct of its proceedings. Five members of said committee shall constitute a quorum, but a lesser number may adjourn from time to time.

SECTION 2. Said committee shall study the need for extending the sewer system in said town, shall obtain, subject to appropriation, engineer's estimates and reports relative to such need and relative to the construction of proposed sewer extension projects, and shall from time to time report to the town its recommendations with respect to such projects. Said committee is further authorized to acquire land for, contract for the construction of, and carry out, in all respects, such sewer extension projects as the town may from time to time direct, and the committee shall have, with respect to each such project, all the powers of the board of sewer commissioners, established under chapter three hundred and forty-five of the acts of eighteen hundred and ninety-eight; provided, however, that said board of sewer commissioners shall retain all its powers and duties with respect to all matters except the original construction of such sewer extension projects as the town may authorize the committee to undertake.

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

Approved May 5, 1961.

Chap. 429. AN ACT AUTHORIZING THE TOWN OF NATICK TO PAY CERTAIN MEDICAL BILLS OF WILLIAM ROGERS, JOSEPH SAVIANO AND ROY WYMAN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Natick may appropriate and pay the sums of seven dollars and three cents, two hundred and seven dollars and ninety-four cents, and

twenty-three dollars to William Rogers, Joseph Saviano and Roy Wyman, respectively, for medical expenses incurred on account of injuries received by them in the performance of their duties as employees of the public works department of said town.

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

Approved May 5, 1961.

Chap. 430. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND SIXTY-ONE, 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 five hundred and seven of the acts of nineteen hundred and sixty.

SECTION 2.

GENERAL FUND.

STATE PURPOSES APPROPRIATIONS.

Legislature.

House of Representatives.

Item		
0102-07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	$6,000
0102-20	For certain payments, as authorized by chapters five and six of the resolves of the current year	13,400
0102-52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued	1,500
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

Sergeant-at-Arms.

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 fifty-four permanent positions	$25,806
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 thirty-six permanent positions	35,466
0103-06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	2,010

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	$6,000
0110-05	For telephone service, prior appropriation continued	15,000

Item

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 $7,500

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 500

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 541

Judiciary.

Superior Court.

0305-02 For traveling allowances and expenses, prior appropriation continued $7,500

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:

0331-01 Item 0331-01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line one, the word "Two" and inserting in place thereof the word: — Three $9,150

Executive.

Governor.

0401-03 For postage, printing, office and other contingent expenses, including travel of the governor $20,000

0401-31 For the purchase of portraits of governors of the commonwealth, as authorized by section nineteen of chapter eight of the General Laws, prior appropriation continued 7,000

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 $15,000

Boards and Commissions serving under Governor and Council.

Commission on Administration and Finance.

0441-03 For telephone service in the state house, prior appropriation continued $22,000

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 80,000

Commissioner of Veterans' Services.

Item

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 . $4,300

Secretary of the Commonwealth.

0501–02 For the office of the secretary, including not more than eighty-six permanent positions $8,000

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 . $46,600

Treasurer and Receiver-General.

0601–02 Item 0601–02 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line four, the words "forty-six thousand three" and inserting in place thereof the words: — fifty-four thousand seven . . $20,000

State Board of Retirement.

0604–03 Item 0604–03 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line five, the word "fifty" and inserting in place thereof the words: — one hundred and fifteen $425,000

Department of the Attorney General.

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 $5,000

Department of Agriculture.

Division of Dairying and Animal Husbandry.

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 $500

Department of Natural Resources.

Division of Water Resources.

1010–31 For the commonwealth's share of the cost of construction of a certain project, as authorized by chapter four hundred and ninety-six of the acts of nineteen hundred and fifty-nine, to be in addition to any federal or other funds which may be made available to the commission for said project $26,000

Department of Corporations and Taxation.

1201–02 Item 1201–02 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by striking out, in lines six and seven, the words "four hundred and eighty-two thousand one hundred and ten" and inserting in place thereof the words: — five hundred and sixty thousand $78,854

Department of Education.

Item

1301–03 Item 1301–03 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "hundred", in line thirteen, the words: — and twenty-five.

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 **$50,000**

School Lunch and Commodity Distribution Program.

1305–05 Item 1305–05 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "act", in line nine, 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-one **$34,858**

Division of University Extension.

1313–01 Item 1313–01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by adding at the end thereof the following: — ; and, provided further, that notwithstanding the limitations in item 1313–01 of section two of chapter four hundred and thirty-three of the acts of nineteen hundred and fifty-nine, certain payments for the expenses of conducting university extension courses in the nineteen hundred and sixty fiscal year shall be allowed and paid from this item **$9,500**

Division of the Blind.

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 **$2,000**

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 **$1,000**

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":

1330–01 Item 1330–01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line two, the word "twenty-nine" and inserting in place thereof the word: — thirty-six.

1331–01 Item 1331–01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line two, the word "five" and inserting in place thereof the word: — ten.

1332–01 Item 1332–01 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by striking out, in lines one and two, the word "ninety-two" and inserting in place thereof the words: — one hundred and one.

8258–26 Item 8258–26 of section two of chapter seven hundred and sixty-three of the acts of nineteen hundred and fifty-seven is hereby amended by adding at the end thereof the following: — and the construction of a parking area.

8260–14 Item 8260–14 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine is hereby amended by inserting after the word "equipment", in line two, the following: — and the construction of a parking area.

Item

1333-01 Item 1333-01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line one, the word "sixty-eight" and inserting in place thereof the word: — seventy-one.

1334-01 Item 1334-01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in lines one and two, the word "forty-seven" and inserting in place thereof the word: — forty-nine.

1335-01 Item 1335-01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line two, the word "seven" and inserting in place thereof the word: — eleven.

1337-01 Item 1337-01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line one, the word "eighty-nine" and inserting in place thereof the word: — ninety-five.

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":

1340-12 For certain repairs to floors; provided, that notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, payment shall be authorized on account of purchase order number 629517 . . . . . $1,500

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 $27,000

Southeastern Massachusetts Technological Institute.

1347-22 For expenses of the board of trustees, as authorized by chapter five hundred and forty-three of the acts of nineteen hundred and sixty, appropriation expires June thirtieth, nineteen hundred and sixty-two $2,000

University of Massachusetts.

1350-01 Item 1350-01 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line three, the words "two hundred and seventy-six" and inserting in place thereof the words: — three hundred and sixteen . . . $91,000

Massachusetts Board of Regional Community Colleges.

1360-10 Item 1360-10 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "Boston", in line one, the following: — , including not more than twenty-six permanent positions.

Item

1360–20 Item 1360–20 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "Massachusetts", in line one, the following: —, including not more than eight permanent positions.

1360–30 Item 1360–30 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "Massachusetts", in line one, the following: —, including not more than eight permanent positions.

1360–40 Item 1360–40 of section two of chapter three hundred and eighteen of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "Pittsfield", in line one, the following: —, including not more than sixteen permanent positions.

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 $2,500

For the maintenance of and for certain improvements at the institutions within the division:

1383–01 Lyman school for boys, including not more than one hundred and forty-nine permanent positions $26,900

1386–01 For the operation of reception and detention facilities for girls in the city of Boston, including not more than thirty-two permanent positions 6,636

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 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 $30,000

1402–21 For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws 2,500

Department of Labor and Industries.

Division of Industrial Accidents.

1651–06 Item 1651–06 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in line six, the words "three hundred and eighty-one thousand five hundred" and inserting in place thereof the words: — four hundred and ten thousand $80,000

Department of Mental Health.

For the maintenance of and for certain improvements at the following institutions under the control of the department of mental health:

1716–00 Medfield state hospital, including not more than six hundred and seventy-three permanent positions $24,700

1718–00 Northampton state hospital, including not more than seven hundred and thirty-two permanent positions 70,700

1720–00 Item 1720–00 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any other provision of law to the contrary, there shall be included a payment of thirty-six dollars and eighty cents for a certain prior-year salary earned but not paid.

Item

1724-42 For the payment of a certain judgment as recorded in the Suffolk superior court by docket number 509075 on account of work on project number M-403 . . . . . $28,530

Department of Correction.

For the maintenance of and for certain improvements at the following institutions under the control of the department of correction:

1814-21 Item 1814-21 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by adding at the end thereof the following: —, appropriation expires June thirtieth, nineteen hundred and sixty-two $12,000

Parole Board.

1830-01 Item 1830—01 of section two of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty, as amended by chapter seven hundred and eighty-six, is hereby further amended by adding at the end thereof the following: — and including a reimbursement to the city of Boston for the payment of salaries to certain parole agents authorized to be transferred to the state service by section nine of chapter seven hundred and sixty-five of the acts of nineteen hundred and sixty $5,016

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 $1,700

1906-04 For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued 170,000

Department of Public Health.

Bureau of Health Services.

2004-01 For the service of the bureau, including not more than sixty-one permanent positions $15,000

Institute of Laboratories.

2007-01 For the service of the institute, including not more than one hundred and thirty-seven permanent positions $17,500

For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:

2023-00 Item 2023-00 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty, as amended by chapter seven hundred and eighty-four, is hereby further amended by adding at the end thereof the following: — and for such payments for hospital care of tubercular children as may be contracted for by the commissioner of public health, appropriation expires June thirtieth, nineteen hundred and sixty-two.

Department of Public Safety.

Board of Elevator Appeals.

2112-01 For expenses of the board, as authorized by section eleven A of chapter twenty-two of the General Laws, appropriation expires June thirtieth, nineteen hundred and sixty-two $1,800

Department of Public Works.

Division of Waterways.

Item

2202–06 For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions . **$500**

2220–49 For the payment of certain judgments as recorded in the Berkshire superior court by docket numbers 16497, 17401 and 17464 **409,389**

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 . . **$140**

Non-Contributory Pensions.

2411–02 Item 2411–02 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out, in lines eleven and twelve, the words "five hundred and ninety-four" and inserting in place thereof the words: — six hundred and forty-four **$225,000**

Miscellaneous.

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 **$3,903**

2420–10 For the payment of a certain claim, as authorized by chapter two of the resolves of the current year **249**

2420–11 For the payment of certain judgments as recorded in the Suffolk superior court by docket numbers 522943 and 524770 . . **4,000**

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:

Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

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 **$67,000**

Department of Education.

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 **$1,125,000**

School Lunch and Commodity Distribution Program.

Item

2613-09 Item 2613-09 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by inserting after the word "act", in line nine, 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-one **$222,314**

Department of Public Welfare.

2619-01 For the payment of suitable aid to certain dependent children **$343,200**

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

2810-00 Item 2810-00 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty is hereby amended by striking out the wording and inserting in place thereof the following: —

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 any deficit existing in this item at the close of the nineteen hundred and sixty and the nineteen hundred and sixty-one fiscal years shall be charged to the surplus account of each respective fiscal year and not carried forward to the succeeding fiscal year.

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:

2900-43 For the payment of certain judgments as recorded in the Suffolk superior court by docket numbers 524915, 524916 and 524917 . **$153,147**

2900-44 For the payment of certain judgments in favor of Iola Davidson and Rose M. Valentine against an employee of the state department of public works as recorded in the first district court of eastern Middlesex by docket numbers 3337 and 3339 . . . . . **86,182**

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 **$258,387**

Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

2931-06 Item 2931-06 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty, as amended by chapter seven hundred and eighty-four, is hereby further amended by adding at the end thereof the following: — ; and, provided further, that notwithstanding any other provision of law to the contrary, there shall be included payments totaling two thousand three hundred and nineteen dollars and ninety-seven cents for certain prior-year salaries earned but not paid **$542,000**

Item
7755–00 Notwithstanding any other provision of law to the contrary, there shall be allowed and paid the sum of four hundred and ninety-seven dollars and sixty-eight cents for a certain prior-year salary earned but not paid.

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 Parks, General.

8601–41 For the payment of a certain claim, as authorized by chapter nine of the resolves of the current year **$500**

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2499–00 General Fund **$15,574**
2999–00 Highway Fund **11,315**

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-two, certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-one, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and sixty-two:

1711–31	2900–07	8157–52
1711–36	2900–09	8157–55
1712–21	2900–10	8157–58
1713–23	2900–11	8157–68
1713–34	2900–19	8157–76
1714–30	2900–32	8157–77
1716–23	2900–37	8157–79
1716–24	2900–81	8256–01
1720–27	2900–83	8256–42
1720–33	2926–07	8256–73
1720–34	4050–51	8256–84
1723–30	8157–08	8256–87
1724–26	8157–22	8256–99
1724–28	8157–29	8335–00
1725–25	8157–31	8356–37
		8356–40

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 chapters five hundred and seven, seven hundred and eighty-four and seven hundred and eighty-six of the acts of nineteen hundred and sixty;

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 4. This act shall take effect upon its passage.

Approved May 5, 1961.

Chap. 431. AN ACT RELATIVE TO THE MINIMUM RATES FOR HOURS WORKED IN EXCESS OF FORTY HOURS IN A WORK WEEK IN CERTAIN BUSINESSES.

Be it enacted, etc., as follows:

Chapter 151 of the General Laws is hereby amended by striking out section 1A, inserted by chapter 813 of the acts of 1960, and inserting in place thereof 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. Sums paid as commissions, drawing accounts, bonuses, or other incentive pay based on sales or production, shall be excluded in computing the regular rate and the overtime rate of compensation under the provisions of this section.

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 or qualified trainee for such position 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 or any specified operation of a business which is carried on during a period or accumulated periods not in excess of four months in any year and determined by the commissioner to be seasonal in nature.

(10) as a seaman.

(11) by an employer licensed and regulated pursuant to chapter one hundred and fifty-nine.
(12) in a hotel, motel, motor court or like establishment.
(13) in a gasoline station.
(14) in a restaurant.
(15) as a garageman.
(16) in a hospital, sanatorium, convalescent or nursing home, infirmary or rest home.
(17) in a non-profit school or college. *Approved May 5, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 10, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 1961, entitled "An Act Relative to the Minimum Rates for Hours Worked in Excess of Forty Hours in a Work Week in Certain Businesses" and the enactment of which received my approval on May 5, 1961, 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 exempt certain businesses from the present provisions of the law. The exemption of a business or any specified operation of a business which is carried on during a period or accumulated periods not in excess of four months in any year and determined by the commissioner to be seasonal in nature would be inoperative as it applies to summer employment until late in the coming summer season.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 10, 1961.

I, Kevin H. White, 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 thirty 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 four hundred and thirty-one of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 432. AN ACT ESTABLISHING THE PENALTY FOR COLLUSIVE BIDDING ON CONTRACTS FOR PUBLIC WORKS OR PURCHASE.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by inserting after section 9 the following section: — *Section 9A.* Any person or corporation who wilfully, knowingly and with intent to defraud makes or enters into a contract, agreement, arrangement or combination to submit a fraudulent or collusive bid or to refrain from submitting a bona fide competitive bid to any department, board or agency of the commonwealth or of any city, town or district on a contract for public works or purchase of equipment, supplies or other personalty, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than two and one half years. *Approved May 5, 1961.*

Chap. 433. AN ACT RELATING TO CREDITABLE SERVICE UNDER THE STATE RETIREMENT LAW.

Be it enacted, etc., as follows:

Subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by adding after paragraph (*k*), added by section 1 of chapter 548 of the acts of 1959, the following paragraph: —

(*l*) Any member of a retirement system who is engaged in a teaching position and who previously served in a position in the state department of education under the control of the commissioner of education, but who was paid directly by the federal government from federal funds, may establish such service as creditable service by depositing in the annuity savings fund of the system of which he is a member an amount equal to five per cent of the compensation received during such period of service, plus regular interest to the date of such deposit.

Approved May 5, 1961.

Chap. 434. AN ACT AUTHORIZING THE BOARD OF EDUCATION TO ESTABLISH ACTIVITY FEES IN STATE COLLEGES.

Be it enacted, etc., as follows:

Chapter 73 of the General Laws is hereby amended by inserting after section 1A the following section: — *Section 1B.* The board of education may fix the amount of student activity fee to be paid by each student at any of the state colleges and the Massachusetts college of art. All receipts from student activities shall be retained by the president of the college in a revolving fund or revolving funds, and shall be expended as the president of the college may direct in furthering the activities from which the fees and receipts were derived; provided that the foregoing shall not authorize any action in contravention of the requirements of section one of Article LXIII of the amendments to the Constitution. The said fund or funds shall be subject to annual audit by the state auditor. *Approved May 5, 1961.*

Chap. 435. AN ACT RELATIVE TO EXEMPTIONS OF CERTAIN LAND FROM THE APPLICATION OF CERTAIN PROVISIONS OF ZONING ORDINANCES OR BY-LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section 5A of chapter 40A of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 492 of the acts of 1958, and inserting in place thereof the following paragraph: — Any lot lawfully laid out by plan or deed duly recorded, as defined in section eighty-one L of chapter forty-one, or any lot shown on a plan 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, which complies at the time of such recording or such endorsement, whichever is earlier, with the minimum area, frontage, width, and depth requirements, if any, of any zoning ordinance or by-law in effect in the city or town where the land is situated, notwithstanding the adoption or amendment of provisions of a zoning ordinance or by-law in such city or town imposing minimum area, frontage, width, depth, or yard requirements, or more than one such requirement, in excess of those in effect at the time of such recording or endorsement (1) may thereafter be built upon for residential use if, at the time of the adoption of such requirements or increased requirements, or while building on such lot was otherwise permitted, whichever occurs later, such lot was held in ownership separate from that of adjoining land located in the same residential district, or (2) may be built upon for residential use for a period of five years from the date of such recording or such endorsement, whichever is earlier, if, at the time of the adoption of such requirements or increased requirements, such lot was held in common ownership with that of adjoining land located in the same residential district; and further provided, in either instance, at the time of building (*a*) such lot has an area of five thousand square feet or more and a frontage of fifty feet or more, is in a district zoned for residential use, and conforms except as to area, frontage, width, and depth with the applicable provisions of the zoning ordinance or by-law in effect in such city or town and (*b*) any proposed structure is to be located on such lot so as to conform with the minimum requirements of front, side, and rear yard setbacks, if any, in effect at the time of such recording or such endorsement, whichever is earlier, and to all other requirements for such structure in effect at the time of building.

SECTION 2. Said chapter 40A is hereby further amended by striking out section 7A, as most recently amended by chapter 291 of the acts of 1960, and inserting in place thereof the following section: — *Section 7A.* When a preliminary plan referred to in section eighty-one S of chapter forty-one has been submitted to a planning board, and written notice of the submission of such plan has been given to the city or town clerk, the land shown on such preliminary plan and on the definitive plan evolved therefrom, or in the absence of a preliminary plan, the land shown on a definitive plan submitted under the provisions of the subdivision control law, shall be governed by applicable provisions of the zoning ordinance or by-law in effect at the time of the submission of the plan first submitted while such plan or plans are being processed under said subdivision control law; and, if said definitive plan becomes approved, or is

disapproved and thereafter amended and duly approved, said provisions of the ordinance or by-law in effect at the time of the submission of the first submitted plan shall govern the land shown on such approved definitive plan for a period of five years from the date of such approval notwithstanding any other provision of law; provided that, if a preliminary plan is submitted, the definitive plan is duly submitted within seven months from the date on which the preliminary plan was submitted; and provided further that the land shown thereon is to be developed for residential use.

SECTION 3. Nothing in this act contained shall extinguish, limit or abridge the rights of any person with respect to land shown on any plan submitted to, or approved or endorsed by, any planning board prior to the effective date of this act, to use such land as permitted under section seven A of chapter forty A of the General Laws as in effect immediately prior to said effective date. *Approved May 5, 1961.*

Chap. 436. AN ACT PROVIDING FOR THE APPOINTMENT OF A SUPERVISOR OF CONSERVATION EDUCATION IN THE DEPARTMENT OF EDUCATION.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by inserting after section 4 the following section: — *Section 4A.* The board shall appoint a supervisor of conservation education who shall serve in the division of elementary and secondary education and whose duties shall be to set up and maintain a conservation education center, to promote improved educational methods, to organize workshops and encourage the training of teachers, to integrate existing education programs of private groups and other government agencies affecting resources, and to provide useful educational materials for schools at all levels, for youth groups and for adult organizations for the advancement of resource management.

Approved May 5, 1961.

Chap. 437. AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF WEBSTER.

Be it enacted, etc., as follows:

Section 11 of chapter 155 of the acts of 1893 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — If any vacancy occurs in said board, the remaining members shall give written notice thereof to the selectmen, who, with the remaining member or members of said board shall, not less than one week after such notice, fill such vacancy by ballot. A majority of the ballots of the officers entitled to vote shall be necessary for such election. The person so elected to fill such vacancy shall perform the duties of the office until the next annual town meeting and until a member elected thereat is qualified. *Approved May 5, 1961.*

Chap. 438. AN ACT EXTENDING THE POWERS OF INSPECTORS OF THE DEPARTMENT OF LABOR AND INDUSTRIES RELATIVE TO REQUIRING THE INSTALLATION OF A DUST REMOVING DEVICE.

Be it enacted, etc., as follows:

Section 118 of chapter 149 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "such a workshop or factory" and inserting in place thereof the words: — any place of employment. *Approved May 5, 1961.*

Chap. 439. AN ACT ESTABLISHING THE NEWTON TRAFFIC COMMISSION AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Newton, hereinafter referred to as the city, a traffic commission to consist of the chief of police, the director of public works and the chief of the fire department. The chief of police shall act as chairman of the commission.

SECTION 2. The members of the traffic commission shall receive no compensation for their services as commissioners. Any and all expenses incurred for the purposes of this act shall be paid by the city, from an appropriation provided for that purpose by the board of aldermen, with the approval of the mayor. The commission may, subject to the approval of the mayor, employ engineers, experts, assistants and other employees, subject to the provisions of chapter thirty-one of the General Laws. All statutes and ordinances applicable generally to departments of the city shall apply to the traffic commission.

SECTION 3. (*a*) The traffic 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 traffic in the city, 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 city, 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.

(*b*) The commission may prescribe penalties not exceeding fifty dollars for the violation of any rule or regulation adopted hereunder.

(*c*) No such rule or regulation, except such special rule or regulation as is declared by vote of the commission to be urgently required by considerations of public safety or convenience or such as is of a temporary nature and is to be effective for a period of not more than thirty days, shall take effect until published for two successive weeks in one or more newspapers published in the city.

(*d*) Upon petition of twenty-five registered voters of the city relative to any rule or regulation adopted or proposed to be adopted under this section, the traffic commission shall hold a public hearing thereon within thirty days after the filing with the commission of such petition. Petitioners may designate a person to represent them at such hearing.

(*e*) Nothing contained in paragraph (*d*) of this section nor in section

two of chapter eighty-five of the General Laws shall apply to any rule or regulation adopted by the commission which, by its terms, is to be operative for not more than thirty days, except that an extension of a thirty day regulation for an additional temporary period shall be subject to the provisions of said section two of chapter eighty-five.

(*f*) The commission shall have the power to erect, make and maintain or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of traffic in the city 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 chapter eighty-nine, of the General Laws.

(*g*) Nothing in this act shall authorize the commission to adopt any rule or regulation excluding the cars, trackless trolley vehicles or buses of the Metropolitan Transit Authority or any 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, of the state department of public works or the state department of public utilities, or any power now vested in the mayor, board of aldermen 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 ordinances 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 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 effect upon its acceptance, during the current year, by vote of the board of aldermen of said city, subject to the provisions of its charter, but not otherwise.

Approved May 5, 1961.

Chap. 440. AN ACT AUTHORIZING AN EXTENSION OF THE STATUTORY TIME LIMIT FOR THE ASSESSMENT OF THE CORPORATION EXCISE.

Be it enacted, etc., as follows:

Chapter 63 of the General Laws is hereby amended by inserting after section 45 the following section: — *Section 45A.* If, before the expiration of the time prescribed under section forty-four or forty-five for the assessment of any tax, the commissioner and the corporation consent in writing to extend the time for the assessment of the tax, the commissioner may examine personally or by deputy or agent the books and papers of the corporation, may give any notice required by section forty-four or forty-five, as the case may be, and may assess the tax at any time prior to the expiration of the extended time. The period so extended by the commissioner and the corporation may be further extended by subsequent agreements in writing made before the expiration of the time last extended. *Approved May 5, 1961.*

Chap. 441. AN ACT MAKING UNIFORM THE INVESTMENT OF FUNDS OF RETIREMENT SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of subdivision (1) of section 23 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 533 of the acts of 1957.

SECTION 2. Said subdivision (1) of said section 23 of said chapter 32 is hereby further amended by adding after paragraph (*c*) the following paragraph: —

(*d*) Subject in each instance to the approval of the investment committee established under the provisions of paragraph (*a*) of this subdivision, the state treasurer shall invest and reinvest such funds, to the extent not required for current disbursements, as follows: —

(i) In securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the commonwealth; provided that: —

(A) Not more than twenty per cent of the assets of any such system shall be invested in railroad obligations, nor shall more than two per cent of the said assets be invested in the obligations of any one operating railroad corporation, including its direct and assumed obligations and including also the obligations of lessor railroad corporations which derive seventy-five per cent or more of their income from leases of their railroads to said operating railroad corporation.

(B) Not more than twenty-five per cent of the assets of any such system shall be invested in the bonds of telephone companies, nor shall more than two and one half per cent of such assets be invested in the bonds of any one telephone company.

(C) Not more than forty per cent of the assets of any such system shall be invested in the bonds of public service companies, nor shall more than three per cent of such assets be invested in the bonds of any one such corporation.

(D) Not more than ten per cent of the assets of any such system shall be invested in obligations made eligible for investment by savings banks under the provisions of section fifty of chapter one hundred and sixty-eight, nor shall more than one per cent of such assets be invested in the obligations of any one obligor so made eligible for investment.

(E) Not more than fifteen per cent of the assets of any such system shall be invested in bank stocks and insurance companies stocks, nor shall more than one and one half per cent of such assets be invested in the stock of any one bank or insurance company.

(ii) In deposits in the savings funds of savings banks organized under the laws of the commonwealth;

(iii) In paid-up shares and accounts of and in co-operative banks; and

(iv) In share accounts of federal savings and loan associations located in the commonwealth.

Approved May 5, 1961.

Chap. 442. AN ACT AUTHORIZING THE ISSUANCE OF DISTINCTIVE NUMBER PLATES FOR PLEASURE PASSENGER VEHICLES OWNED AND USED BY A PERSON WHO HAS LOST A HAND OR THE USE THEREOF.

Be it enacted, etc., as follows:

The seventh paragraph of section 2 of chapter 90 of the General Laws is hereby amended by striking out the third sentence, as amended by chapter 495 of the acts of 1959, and inserting in place thereof the following sentence: — The registrar may also furnish plates of a distinctive type or types for a pleasure passenger vehicle owned and used by a blind person or a person who has suffered the loss or permanent loss of use of one or both feet, or of one or both hands, and he may determine such standards of disability and of qualification for the issuance of said plates as he deems proper. *Approved May 5, 1961.*

Chap. 443. AN ACT AUTHORIZING ANY INSTITUTION WHICH HAS RENDERED SERVICES TO A DISABLED PERSON, TO FILE AN APPLICATION FOR ASSISTANCE ON HIS BEHALF WITH THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

Section 2 of chapter 118D of the General Laws, as appearing in section 2 of chapter 741 of the acts of 1951, is hereby amended by inserting after the first sentence the following two sentences: — If a person 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. *Approved May 5, 1961.*

Chap. 444. AN ACT RELATIVE TO THE MAXIMUM ALLOWANCE FOR SUPERANNUATION UNDER THE CONTRIBUTORY RETIREMENT SYSTEM FOR CERTAIN RETIRED MEMBERS OF SAID SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The provisions of paragraph (*c*) of subdivision (2) of section five of chapter thirty-two of the General Laws, as amended by section one of chapter one hundred and ninety of the acts of nineteen hundred and sixty-one, shall apply to any member of Group 1 or Group 2, as defined in section three of said chapter thirty-two, who retired between June fourteenth, nineteen hundred and sixty and March tenth, nineteen hundred and sixty-one.

SECTION 2. This act shall take effect as of June fourteenth, nineteen hundred and sixty. *Approved May 5, 1961.*

Chap. 445. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO EXPEND A SUM OF MONEY FOR THE OBSERVANCE OF THE TWO HUNDREDTH ANNIVERSARY OF SAID COUNTY.

Be it enacted, etc., as follows:

The county commissioners of Berkshire county are hereby authorized to expend from any available funds, without further appropriation, a sum, not exceeding twelve thousand dollars, for the purpose of observing the two hundredth anniversary of the incorporation of Berkshire county.

Approved May 5, 1961.

Chap. 446. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SWIMMING POOL AND ICE SKATING RINK TO BE CONSTRUCTED AT CLEVELAND CIRCLE IN THE BRIGHTON DISTRICT OF THE CITY OF BOSTON AS THE LIEUTENANT JAMES F. REILLY MEMORIAL RECREATION CENTER.

Be it enacted, etc., as follows:

The swimming pool and ice skating rink to be constructed at Cleveland Circle in the Brighton district of the city of Boston by the metropolitan district commission shall, upon completion, be known and designated as the Lieutenant James F. Reilly Memorial Recreation Center. A suitable tablet or marker bearing said designation shall be erected and maintained at said recreation center by the commission.

Approved May 5, 1961.

Chap. 447. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO GRANT PERMISSION TO POLISH AMERICAN VETERANS OF SOUTHBRIDGE, MASS., INC., TO ERECT AND MAINTAIN A MEMORIAL IN THE TOWN OF SOUTHBRIDGE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to permit Polish American Veterans of Southbridge, Mass., Inc. to erect a suitable memorial, in honor of Americans of Polish descent who died in the service of the United States, on land located on the southerly side of state highway route 131, also known as West Main street in the town of Southbridge and situated between the points designated as station 8+24 and 8+44 on the state highway layout plan for said town.

The erection and maintenance of said memorial shall be subject to the approval of the chief engineer of said department.

Approved May 5, 1961.

Chap. 448. AN ACT TO PROTECT LAND TITLES FROM UNCERTAIN AND OBSOLETE RESTRICTIONS AND TO PROVIDE PROCEEDINGS IN EQUITY WITH RESPECT THERETO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 184 of the General Laws is hereby amended by adding at the end thereof the following five sections: —

Section 26. All restrictions on the use of land or construction thereon which run with the land subject thereto and are imposed by covenant, agreement or otherwise, whether or not stated in the form of a condition, in any deed, will or other instrument, except a lease, mortgage or order of taking by the commonwealth or a political subdivision or public instrumentality thereof, shall be subject to this section and sections twenty-seven to thirty.

For the purposes of said sections: —

1. "Subject parcel" or "subject land" means land upon which such a restriction is imposed.

2. "Benefited land" means land for the benefit of which such a restriction is imposed.

3. "Public records" shall be limited to records filed in the registries of deeds, probate courts and the land court and its registry districts.

4. A description of land shall be sufficient if it specifies the city or town in which the land lies and the place of record in the public records where there is a recorded or registered plan or instrument giving the boundaries of the land and identifies the land with reference to said plan or instrument and, if the land is registered, specifies the certificate or certificates of title thereof.

5. Restrictions may be deemed imposed as part of a common scheme if imposed of record on various parcels in such manner that each owner is entitled to enforce the restrictions against the other parcels, although there may be variations in the restrictions among the various parcels.

Unless the instrument imposing the restriction provides otherwise, it is to be presumed that a restriction imposed as part of a common scheme is enforceable for the benefit of any land only when such land either (*a*) is bounded by a street by which the subject parcel is bounded or (*b*) lies in a block surrounded by the same streets as the subject parcel, or (*c*) is contiguous to said block except for streets or ways.

Section 27. No restriction imposed after December thirty-first, nineteen hundred and sixty-one shall be enforceable: —

(*a*) unless the person seeking enforcement (1) is a party to the instrument imposing the restriction and it is stated to be for his benefit, or (2) is an owner of an interest in benefited land which either adjoins the subject parcel at the time enforcement is sought or is described in the instrument imposing the restriction and is stated therein to be benefited, and

(*b*) after thirty years from the imposition of the restriction, unless (1) the restriction is imposed as part of a common scheme applicable to four or more parcels contiguous except for any intervening streets or ways, and provision is made in the instrument or instruments imposing it for extension for further periods of not more than twenty years at a time by owners of record, at the time of recording of the extension, of fifty per cent or more of the restricted area in which the subject parcel is located, and an extension in accordance with such provision is recorded before the expiration of the thirty years or earlier date of termination specified in the instrument and names or is signed by one or more of the persons appearing of record to own the subject parcel at the time of such recording, and in case of such recording, twenty years, or the specified extension term if less than twenty years, has not expired after the recording of any such extension without the recording of a further like extension; or (2) in the case of any other restriction, a no-

tice of restriction is recorded before the expiration of the thirty years, and in case of such recording, twenty years have not expired after the recording of any notice of restriction without the recording of a further notice of restriction.

A notice of restriction under this section shall not extend the period of enforceability unless it (*a*) is signed by a person then entitled of record to the benefit of the restriction and describes his benefited land, if any, (*b*) describes the subject parcel, (*c*) names one or more of the persons appearing of record to own the subject parcel at the time, and (*d*) specifies the instrument imposing the restriction and its place of record in the public records.

Section 28. No restriction imposed before January first, nineteen hundred and sixty-two shall be enforceable after the expiration of fifty years from its imposition unless a notice of restriction is recorded before the expiration of such fifty years or before January first, nineteen hundred and sixty-four, whichever is later, and in case of such recording, twenty years have not expired after the recording of any notice of restriction without the recording of a further notice of restriction.

A notice of restriction under this section shall not extend the period of enforceability unless (*a*) it meets the requirements specified by the last paragraph of section twenty-seven, or (*b*) the restriction was imposed as part of a common scheme applicable to four or more parcels contiguous except for any intervening streets or ways and the notice (1) is signed by a person then entitled of record to the benefit of the restriction and describes his benefited land, if any, (2) describes the subject parcels to be affected, and (3) specifies the way or ways, public or open to public use, upon which each such parcel abuts, or nearest to which it is located and its street number, if any, and (4) specifies the instrument imposing the restriction and its place of record in the public records. The holder of record of a recorded mortgage upon any land may sign a notice under this section in place of the owner thereof if the notice specifies the mortgage and its place of record in the public records and names one or more of the persons appearing of record to own the land at that time.

Section 29. No notice or extension of restriction under sections twenty-seven or twenty-eight shall be effective against a subject parcel (*a*) if its title is registered, unless the notice or extension is noted on the certificate or certificates of title thereof or (*b*) if its title is not registered, unless (1) the notice or extension is indexed in the grantor index under the names of the persons named therein as owners of the subject parcel (2) if the instrument imposing the restriction is recorded at a registry of deeds, the notice or extension is noted on the margin of the record of the instrument, and (3) if the instrument imposing the restriction is a will, a duplicate or certified copy of the notice or extension is filed with the records of the probate of the will. No notice under clause (*b*) of section twenty-eight shall be effective unless indexed in a special index which each register shall maintain arranged alphabetically by city or town and within each city or town, by the ways named, in which are listed the books and pages of record of the notices of restriction and of the instruments therein specified as creating them. Where an instrument imposes more than one restriction a notice or extension may, if it so specifies, apply only to a particular restriction or restrictions. A notice under section twenty-seven or twenty-eight may be

given with respect to any number of parcels subject to the restriction and may be joined in by the owners of any number of parcels having the benefit thereof and may be signed in behalf of any person by an attorney or agent and on behalf of any person under disability by a guardian, conservator or parent. No notice given under section twenty-seven or twenty-eight shall entitle any person to enforce a restriction other than the person giving the notice and his successors in title, nor entitle anyone to enforce a restriction if at the time of recording of the notice the restriction is for any reason no longer enforceable.

Section 30. No restriction shall in any proceeding be enforced or declared to be enforceable, whether or not the time for recording a notice or extension under section twenty-seven or twenty-eight has occurred, or such a notice or extension has been recorded, unless it is determined that the restriction is at the time of the proceeding of actual and substantial benefit to a person claiming rights of enforcement. No restriction determined to be of such benefit shall be enforced or declared to be enforceable, except in appropriate cases by award of money damages, if (1) changes in the character of the properties affected or their neighborhood, in available construction materials or techniques, in access, services or facilities, in applicable public controls of land use or construction, or in any other conditions or circumstances, reduce materially the need for the restriction or the likelihood of the restriction accomplishing its original purposes or render it obsolete or inequitable to enforce except by award of money damages, or (2) conduct of persons from time to time entitled to enforce the restriction has rendered it inequitable to enforce except by award of money damages, or (3) in case of a common scheme the land of the person claiming rights of enforcement is for any reason no longer subject to the restriction or the parcel against which rights of enforcement are claimed is not in a group of parcels still subject to the restriction and appropriate for accomplishment of its purposes, or (4) continuation of the restriction on the parcel against which enforcement is claimed or on parcels remaining in a common scheme with it or subject to like restrictions would impede reasonable use of land for purposes for which it is most suitable, and would tend to impair the growth of the neighborhood or municipality in a manner inconsistent with the public interest or to contribute to deterioration of properties or to result in decadent or substandard areas or blighted open areas, or (5) enforcement, except by award of money damages, is for any other reason inequitable or not in the public interest.

Nothing herein shall prevent a court from issuing a temporary injunction or restraining order pending determination of enforceability of a restriction.

SECTION 2. Section 3 of chapter 184A of the General Laws, as appearing in section 1 of chapter 641 of the acts of 1954, is hereby amended by striking out the third and fourth sentences.

SECTION 3. Chapter 240 of the General Laws is hereby amended by inserting after section 10 the following three sections: —

Section 10A. The superior court and the land court shall have concurrent jurisdiction in equity upon petition by any person or persons claiming an estate of freehold, or an unexpired term of not less than ten years, in land subject to a restriction described in section twenty-six of chapter one hundred and eighty-four, to determine and declare whether and in what manner and to what extent and for the benefit of what land

the restriction is then enforceable, whether or not a violation has occurred or is threatened. The petition shall state the names and addresses, so far as known to the petitioner or petitioners, of the owners of the subject parcels as to which the determination is sought, of the owners of any benefited land and of any persons benefited other than persons interested in benefited land. There shall be filed therewith (1) a certified copy of the instrument or instruments imposing the restriction, or of a representative instrument if there are many and the petition includes a summary of the remainder, and (2) a plan or sketch showing the approximate locations of the parcels as to which the determination is sought, and the other parcel or parcels, if any, which may have the benefit of the restriction, and the ways, public or open to public use, upon which the respective parcels abut or nearest thereto, and the street numbers, if any, of such parcels.

Section 10B. The court shall, after consideration of the petition, instrument or instruments and plan or sketch, and such further documents or evidence as it may require, prescribe the form of notice to be given, the persons to be named or described therein, the manner of service of the notice, and the proof to be required of such service. The court may (1) permit service by registered mail on any person, (2) permit names and addresses of owners to be given from the last assessments for local taxation and record search for subsequent changes, (3) require notice to be published in a newspaper or posted on the subject land or both, (4) name as representative of all persons entitled to enforce the restriction, if it benefits more than four parcels, the owners of the benefited land abutting the subject parcel or parcels and of such additional benefited land in or facing the same block or blocks or in the same vicinity as it deems appropriate, describing the remaining persons generally as the owners of certain identified land and permitting service upon them by publication only, (5) order other or additional notice at any time as it deems most effectual, and (6) if it finds that there are persons benefited but not actually served and for whom others served are not sufficiently representative, appoint a disinterested person to represent them and order costs thereof paid by the petitioner or petitioners. Any person entitled to enforce the restriction, whether or not named or described in the notice, may become a party to the proceeding by filing answer within the time specified by the notice or by the court.

Section 10C. Any determination or declaration that the restriction is or is not enforceable, or is enforceable only in a certain manner or to a certain extent or for the benefit of certain land shall be in rem and operate directly upon the subject land, and be binding upon all persons entitled to enforce the restriction thereon. If the court determines that the restriction is enforceable only by award of money damages it shall, whether or not a violation has occurred, make such award, according to general rules of equity, and upon payment thereof determine that the land is free of the restriction.

SECTION 4. Notwithstanding the provisions of section three of chapter one hundred and eighty-four A of the General Laws, as amended by section two of this act, any person having a right of entry or possibility of reverter which would have been valid under the provisions of said section three of said chapter one hundred and eighty-four A, as in effect prior to the effective date of this act, may bring a proceeding based on such right or possibility; provided, that a statement with respect to

such right or possibility sufficient to satisfy the provisions of section thirty-one A of chapter two hundred and sixty of the General Laws is recorded or registered, as therein provided, prior to January first, nineteen hundred and sixty-four.

SECTION 5. Section 31A of chapter 260 of the General Laws, inserted by section 2 of chapter 258 of the acts of 1956, is hereby amended by striking out, in line 7 and in line 8, the word "sixty-six" and inserting in place thereof, in each instance, the word: — sixty-four.

Approved May 10, 1961.

Chap. 449. AN ACT GRANTING CONSENT TO THE ACQUISITION BY THE UNITED STATES OF LAND FOR THE LITTLEVILLE RESERVOIR ON THE MIDDLE BRANCH OF THE WESTFIELD RIVER.

Be it enacted, etc., as follows:

Consent is hereby given pursuant to the seventeenth clause of the eighth section of the first article of the constitution of the United States to the acquisition by the United States by purchase, condemnation, or otherwise of any tract of land within this commonwealth required for use in connection with the construction, maintenance and operation of the projects authorized by Congress under the flood control acts of June twenty-second, nineteen hundred and thirty-six, June twenty-eighth, nineteen hundred and thirty-eight and December twenty-second, nineteen hundred and forty-four, the water supply act of nineteen hundred and fifty-eight, and all other acts amendatory thereto, for the benefit of navigation, conservation, recreation, and the control of destructive flood waters, with respect to the project hereinafter specified; provided, that a suitable plan of the tract of land so acquired has been or shall be filed in the office of the state secretary within one year after the acquisition thereof. But this commonwealth shall retain concurrent jurisdiction with the United States in and over any such land to the extent that all civil and criminal processes lawfully issued under authority of the commonwealth may be executed thereon in the same way and manner as if this consent had not been given; and exclusive jurisdiction over any such tract or any part thereof shall revest in the commonwealth whenever it shall cease to be the property of the United States.

The project hereinbefore referred to is: — The Littleville Reservoir on the Middle Branch of the Westfield River.

Approved May 10, 1961.

Chap. 450. AN ACT RELATIVE TO THE DEDUCTION FOR CERTAIN TAX-EXEMPT SECURITIES IN THE COMPUTATION OF CORPORATE EXCESS.

Be it enacted, etc., as follows:

SECTION 1. Subdivision (*b*) of paragraph 4 of section 30 of chapter 63 of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 3 of chapter 548 of the acts of 1960, and inserting in place thereof the following paragraph: — The cost of securities employed in the commonwealth, the income of which, if any, if re-

ceived 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 employed at all times during the taxable year and that proportion of the cost of such of said securities as were not employed at all times during the taxable year which the number of days in the taxable year during which such securities were employed bears to the number of days in the taxable year.

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

Approved May 10, 1961.

Chap. 451. AN ACT INCREASING THE AMOUNT OF ADDITIONAL PENSION FOR EACH DEPENDENT CHILD OF OFFICERS AND INSPECTORS IN THE DEPARTMENT OF PUBLIC SAFETY RETIRED FOR DISABILITY UNDER THE CONTRIBUTORY RETIREMENT LAWS.

Be it enacted, etc., as follows:

Paragraph (*b*) of subdivision (2) of section 26 of chapter 32 of the General Laws is hereby amended by striking out clause (iii), added by chapter 412 of the acts of 1947, and inserting in place thereof the following clause: —

(iii) A yearly amount of additional pension at the rate of three hundred and twelve dollars for each surviving unmarried child of such member under the age of eighteen or over said age and physically or mentally incapacitated from earning on and after the date such illness was incurred or injury sustained. Such additional pension on account of any such child shall be paid only so long as the remainder of said retirement allowance is being paid and only so long as such child survives, remains unmarried and is under the age of eighteen or, if over said age, remains physically or mentally incapacitated from earning.

Approved May 10, 1961.

Chap. 452. AN ACT ESTABLISHING THE SOUTH SHORE TRANSPORTATION DISTRICT, IMPLEMENTING THE EXERCISE OF THE OPTION TO PURCHASE PART OF THE FORMER OLD COLONY RAILROAD RIGHT-OF-WAY AND PROVIDING FOR RAPID TRANSIT PASSENGER TRANSPORTATION BETWEEN THE TOWN OF BRAINTREE AND THE CITY OF BOSTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to complete forthwith the exercise of the option to purchase the right-of-way between Boston and Braintree and to establish passenger service over said right-of-way, 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 territory within and the inhabitants of the city of Quincy and the following towns, to wit: Braintree, Hingham and Weymouth are hereby created a body politic and corporate under the name of the South Shore Transportation District, hereinafter in this

act called the district, for the purpose of providing a plan for the resumption of adequate and efficient public passenger transportation, and such other service as may be necessary, over the trackage of the New York, New Haven and Hartford Railroad Company between the city and the towns within the district and between said city and said towns and the city of Boston, for the benefit of the residents of said district. Said district is hereby constituted a public instrumentality and the exercise by the district of the powers conferred by this act shall be deemed and held to be the performance of an essential government function. Said district shall not be subject to the supervision and regulation of any department, commission or board, bureau or agency of the commonwealth except to the extent and in the manner provided in this act.

SECTION 2. The affairs of the district shall be managed and its powers exercised by a board of five managers, hereinafter in this act called the board, who shall be appointed by the governor, with the advice and consent of the council. The members shall be residents of the district. The managers originally appointed shall serve for terms of one, two, three, four and five years, respectively, as the governor shall determine. As the term of office of a manager expires, his successor shall be appointed in like manner, for a term of five years. Each manager appointed hereunder shall hold office until his successor shall be duly appointed and qualified. Any vacancy in the office of manager shall be filled for the unexpired term by the governor, with like advice and consent. A vacancy shall exist when any member ceases to reside in the district.

The members of the board shall be compensated for their services by the district at the rate of twenty-five dollars a day for the chairman and twenty dollars a day for each other member; provided, that the total compensation shall not exceed two thousand five hundred dollars per year for the chairman and two thousand dollars per year for each of the other members. Each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his official duties.

No member of the board and no officer of the district shall, directly or indirectly, have any financial interest in any contract entered into, by, or on behalf of the district for work or material, or the purchase thereof, to be furnished to or performed for the district. Whoever violates the preceding sentence shall forfeit to the district in a civil action three times the gain made as a result of such transaction or action.

SECTION 3. The members of the board shall elect annually from their own number a chairman and a vice-chairman. The members shall also elect annually a secretary-treasurer who shall not be a member and whose compensation shall be determined by the board. The secretary-treasurer shall keep a record of the proceedings of the board and shall be custodian of the seal and of all books, documents and papers of said board. The secretary-treasurer shall execute a surety bond in the penal sum of twenty-five thousand dollars, the cost of which shall be paid by the district, 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 a surety and to be approved by the attorney general and filed in the office of the secretary of the commonwealth. Three members of the

board shall constitute a quorum for the transaction of any business, and the affirmative vote of three members shall be required for any action taken by said board.

SECTION 4. The district is authorized and empowered to supervise, operate and maintain a rapid transit type of transportation, and to acquire, pay for and utilize as much as may be required of the right-of-way, tracks, yards, stations and other facilities included under the terms of the option exercised under the authority of chapter four hundred and seventy-five of the acts of nineteen hundred and fifty-nine. Such rapid transit system shall extend from Braintree to the city of Boston, making a physical connection with the lines operated by the Metropolitan Transit Authority at or near the Savin Hill station. The remaining right-of-way, tracks, yards, stations and facilities appurtenant thereto extending toward the downtown area of the city of Boston as far as the Fort Point Channel shall be utilized for parking areas, maintenance and repair facilities and, when in the opinion of the board future traffic warrants, shall be developed for direct service into said area. The district may obtain under the terms and conditions of the aforesaid option such land, rights-of-way, tracks and facilities as it deems necessary for the operation of a passenger transportation system which will be safe and convenient for the public. The district may enter into such arrangements with the New York, New Haven and Hartford Railroad Company for joint use for freight of such facilities as in the judgment of the board are not required for exclusive use of a safe and convenient passenger service, and as may be required under the terms of the aforesaid option.

SECTION 5. The district 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 rules and regulations for the operation of the transportation system and to fix penalties for the violation thereof.

(*c*) To adopt an official seal and alter the same at pleasure.

(*d*) To maintain offices in such place or places within the commonwealth as it may determine.

(*e*) To sue and be sued in its own name, plead and be impleaded.

(*f*) To acquire, hold, lease, mortgage, pledge, sell and otherwise dispose of real and personal property in the exercise of its powers and the performance of its duties under this act.

(*g*) To acquire in its own name by purchase or otherwise under 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 or eighty A of the General Laws such public or private property or part thereof or rights therein as it may deem necessary for carrying out the provisions of this act.

(*h*) To employ consulting engineers, accountants, 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, that all such expenses shall be payable solely from funds provided under the authority of this act. Chapters thirty, thirty-one and thirty-two of the General Laws shall not apply to officers and employees of the district. Section three of chapter twelve of the General Laws shall not apply to the board or the district.

(*i*) To make application for, receive and accept from any federal or state agency grants for or in aid of the planning, construction or financing of any project or facility necessary for carrying out the provisions of this act.

(*j*) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this act, including but not limited to advertising, operating parking facilities, and granting concessions for food and beverages.

(*k*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 6. The district may enter into contracts for the installation, construction, operation and maintenance of the passenger transportation system authorized hereunder on such terms and conditions as the board may deem proper and, notwithstanding the provisions of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, as amended, any body politic and corporate which is a political subdivision of the commonwealth and any public or private corporation or public authority authorized under its charter may enter into such contracts with the district.

SECTION 7. The board shall fix and may revise from time to time such rates of fares and charges for service furnished or operated as it shall determine to be best adapted to produce revenues sufficient to provide income to meet the operating costs as hereinafter defined. A schedule of such rates and charges shall be posted in appropriate places in stations and terminals and shall be furnished to the department of public utilities. Neither said department nor any other department of the commonwealth nor any of its political subdivisions shall have any power to regulate or review rates or charges or the type and amount of service furnished by the district.

At least fourteen days' advance notice shall be given in local newspapers of proposed changes in rates of fare generally. The operating costs shall include (1) payments made under any agreement authorized by section six, including any expenses for maintenance included in any lease, agreement or arrangement for the use of tracks and facilities with the district, its successors and assigns, but not including sums expended for (*a*) capital improvements or additions, (*b*) rehabilitating the tracks and other facilities and changing the signal system, (2) payments for use of rolling stock and other equipment needed, (3) salaries and wages of all officers and employees appointed or employed by or subject to the supervision of the operating company and, to the extent authorized by the agreement, pensions and retirement allowances to employees, and (4) all other expenditures and charges which are properly chargeable against income but excluding any allowance for depreciation or obsolescence and also excluding losses with respect to property sold, destroyed or abandoned.

SECTION 8. On the last day of each calendar year, the board shall certify to the state treasurer the total amount of interest and payments in reduction of principal on the bonds of the district issued under section ten, which shall become due and payable in the following calendar year, and the amounts so certified by the board to the state treasurer shall be thereupon forthwith paid by the commonwealth to the district; and such amount shall not be included in computing any deficiency in meeting the cost of the service.

On the last day of each calendar year the board shall also notify the state treasurer of the difference, if any, between the total revenue from all sources, including available profits or reserves from prior years and the rentals received by the district from the leases authorized hereunder. If the cost of capital charges exceeds the total revenue as herein specified, the commonwealth shall thereupon pay over to the district the amount so ascertained. 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 cities and towns in the district, 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 to pay the district any amount under this section, such amount with interest and other charges incurred in borrowing the money for the purpose shall be assessed by the treasurer in accordance with section eleven.

SECTION 9. If during any calendar year, the district in the opinion of the board does not have sufficient cash to make the payments required in the course of the management and operation of the transportation system and other properties under the control of the district, the board may, from time to time during such year, certify to the state treasurer an amount which together with all amounts previously paid in such year to the district under this section for expenses of operation shall not exceed the amount by which the income of the district has failed to meet the cost of the service as estimated by the board for that portion of such year which has expired up to date of such certification; and the commonwealth shall thereupon pay over to the district the amount so certified. If payments made by the commonwealth under this section during any calendar year exceed the amount of the deficiency as of the last day of such calendar year which the commonwealth shall be called upon to pay under section eight, such excess shall be repaid to the commonwealth by the district at the time the board notified the state treasurer of the amount of such deficiency or, if there is no such deficiency, at the time the board ascertains that there is no such deficiency. Any amounts which the commonwealth shall be called upon to pay the district under this section for expenses of operating during any calendar year, less any repayments to the commonwealth under this section, shall be treated as payments on account of the amount which the commonwealth shall be called upon to pay under section eight with respect to a deficiency as of the last day of such calendar year; and the interest and other charges incurred by the state treasurer in borrowing money under this section, whether or not for the expenses of operation or for capital expenses, shall be treated as interest incurred by the state treasurer in borrowing money under section eight. 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 under section eleven, upon the cities and towns in the district, 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.

SECTION 10. A. The district may from time to time, issue negotiable bonds in aggregate principal amount not exceeding fifteen million dollars for the purpose of capital outlay, the purchase or lease of rolling stock

and carrying out the provisions of this act, including the creation of working capital and a reserve for meeting obligations pending the receipt of any monies payable to the district; provided, however, that the district may also from time to time issue and sell bonds for the purpose of calling and refunding bonds then outstanding and issued under the provisions of this act. Such bonds shall be issued for the purpose of providing a sum not exceeding fifteen million dollars for purchasing the property subject to the option as provided in section four, and making the necessary alterations of the said property in accordance with the plan of operation and to acquire the necessary rolling stock therefor, as well as any land takings which may be incidental thereto.

B. The bonds of each issue shall be dated, shall bear interest at such rate or rates as may be determined by the district, shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the district, and may be redeemable before maturity at the option of the district, at such price or prices and under such terms and conditions as may be fixed by the district prior to the issuance of the bonds. The district 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 district 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 district 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 district.

C. The proceeds of such bonds shall be used solely for the payment for the purposes set forth above and such facilities as may be required to provide adequate service and shall be disbursed in such manner and under such restrictions, if any, as the district may provide. 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 hereinafter mentioned, 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 used for the retirement of such bonds. Prior to the preparation of definitive bonds, the district 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

district 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.

D. The district is hereby authorized to provide by resolution for the issuance of refunding bonds of the district for the purpose of refunding any bonds that are outstanding and issued under the provisions of this act, including payment of any redemption premium thereon, 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, and the duties of the district in respect to the same, shall be governed by the provisions of this act in so far as the same may be applicable.

E. While any bonds issued by the district remain outstanding, the powers, duties or existence of the district shall not be diminished or impaired in any way that will affect adversely the interest and rights of the holders of such bonds.

F. 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 district 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.

G. Notes and bonds issued by the district 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 may be authorized by law.

H. If the board votes to issue bonds under paragraph A, the board may, in anticipation of the money to be derived from the sale of such bonds, temporarily borrow money and issue notes of the district therefor. The state treasurer, at the request of the board, shall purchase such temporary notes of the district and for that purpose may temporarily borrow money and issue notes of the commonwealth therefor. All notes issued under this paragraph shall mature not later than June thirtieth, nineteen hundred and sixty-two.

SECTION 11. The state treasurer shall assess upon the cities and towns in the district the aggregate amount of money paid by the common-

wealth to the district each calendar year under the provisions of sections eight, nine and twelve of this act. Such assessment shall be made in the manner provided by section twenty of chapter fifty-nine of the General Laws, in the proportions set against the respective names of said cities and towns in the following schedule:

Braintree	20.2%
Hingham	8.3
Quincy	48.7
Weymouth	22.8

Notwithstanding the foregoing proportions, the board shall, on and after completion of the second full year of operation and from time to time thereafter, cause passenger origin counts to be made and may change the proportions for such assessment on the basis of population figures by the most recent state or federal census, adjusted by such passenger origin counts as the board obtains to correct such inequities as the board may find to exist. Before any such change may be put into effect, the board shall submit such changes as it may recommend at least sixty days before the effective date thereof to the advisory council, and no such change shall become effective unless it is approved by the said council. The board shall submit to the state treasurer such revised proportions for such assessment.

SECTION 12. To provide for the expense of the district in carrying out the provisions of this act and for initial working capital, the sum of two hundred and fifty thousand dollars is hereby appropriated from the General Fund of the commonwealth which sum shall be paid to the district from time to time as the board shall request by certification to the treasurer of the commonwealth and any sum or sums so paid less the sum of twenty-five thousand dollars or such part thereof as shall have been used for the studies authorized by section sixteen repaid by the district and to the extent that funds are not otherwise available therefor shall be included in the computation of the operating deficit for which provision is made in section seven and repaid from assessments levied upon the cities and towns in the district as provided in section ten.

SECTION 13. If the district contracts for the operation of the passenger transportation system provided for in this act such contract shall be subject to the approval of the advisory council.

SECTION 14. The board shall cause accurate accounts to be kept of all receipts and expenditures of the funds of the district, and on or before the first day of March in each year it shall prepare a complete operating and financial statement covering its operations for the preceding calendar year. The auditor of the commonwealth shall cause an audit of the books and accounts of the district to be made annually. Such statements and audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws and a copy of each shall be transmitted to the governor and each member of the advisory council.

SECTION 15. The exercise of the powers granted in 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 as the operation and maintenance of the transportation system by the district will constitute the performance of essential government functions, the district shall

not be required to pay any taxes or assessments upon any of the real or personal property acquired or used by the district under the provisions of this act or upon the income therefrom, and the bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sales thereof, shall at all times be free from taxation within the commonwealth, nor shall the district 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. The district shall be required to pay fees, duties, excises or license taxes for the registration, operation or use of its vehicles on public highways and for fuels used for propelling such vehicles in the same manner and to the same extent as other political subdivisions of the commonwealth pay such fees, duties, excises or license taxes.

SECTION 16. The board shall exercise the powers conferred upon it under this act to secure an adequate, co-ordinated, integrated and efficient system of passenger transportation and the improvement thereof within the area of the cities and towns constituting the district. The board shall cause such studies and estimates to be made together with drafts of such legislation as may be necessary for the improvement of said system, and report the results of such studies to the General Court. Such studies shall consider among other things the advisability of continuing some or all of the passenger service authorized by this act, the permanent acquisition by the district of some or all of the railroad properties used or needed for such transportation system, the feasibility of substituting any other form of public transportation for the communities in the district including extending the rapid transit service on said tracks between Boston, Braintree and points beyond Braintree, and of supplementing any recommended rail or rapid transit service. For this purpose the district is authorized to engage consulting engineers, contractors and counsel to perform under its direction such work as it deems necessary.

SECTION 17. Except as herein otherwise provided, the district shall be liable for the acts and negligence of its officers and employees in the management and operation of the transportation system established hereunder and of the properties owned, leased and operated by it to the same extent as any similar common carrier of passengers for hire within the commonwealth, but the members of the board shall not be personally liable except for malfeasance in office; provided however, that any contract made by the district with any corporation or public authority for the operation, maintenance or control of the property of the district and the operation of the transportation system, as the agent of and in behalf of the district, may provide for the exoneration from liability of the district in any instance where the actual control of said property or operation has been assumed by said other person, corporation or public authority, and in such event the liability of such person and such corporation or public authority, its officers and employees, shall be the same as that provided herein for the district and the provisions of the following paragraph shall be applicable to it.

Unless exonerated in the manner prescribed above, the district shall be liable in tort to passengers, and to persons in the exercise of due care who are not passengers or in the employment of the district, for personal

injury and for death and for damages to property in the same manner as though it were a street railway company.

Notwithstanding any provision of any general or special law to the contrary, service of process in all cases in law or in equity arising out of the operation of the transportation system by the district, or out of the exercise of any power or authority conferred upon it, shall be made upon the secretary-treasurer of the board, but if he cannot be found, upon the chairman or any member of said board and not otherwise; and the property of the district shall be exempt from attachment in such cases and the property of the inhabitants of the district may not be taken on execution or otherwise to satisfy an obligation of the district.

SECTION 18. There is hereby established an advisory council of the South Shore Transportation District, hereinafter called the council, consisting of the mayor of the city of Quincy and the chairman of the board of selectmen of each town named in section one. Such mayor and each such chairman shall have a number of votes in proportion to the amount paid by his city or town under section eleven. Every action by said council shall require the affirmative vote of two thirds of the total number of votes in said council. The council shall organize by the election of a chairman and secretary.

The members of the council may make recommendations and give advice to the board of managers with regard to the rates and charges for, and the character and extent of, the services and facilities provided for the residents of the district, and when requested by the board, may appear before the board to present such recommendations and advice.

SECTION 19. All bridges, not maintained completely by any public agency, carrying a highway or street over the railroad right-of-way acquired by the district under the provisions of this act shall become the property of the Massachusetts department of public works, except that the bridges at Columbia road, Boston and at Atlantic street, Quincy shall become the property of the metropolitan district commission.

Said department and commission shall expend such sums for maintenance, repair or replacement as may be appropriated therefor. New construction of overhead highway bridges or new locations required in the installation and operation of the passenger transportation system herein authorized shall, subject to appropriation, be built and maintained by said department.

The provisions of this section shall not apply to overpasses solely for pedestrian use nor to any structure belonging to any private corporation. The cost of relocation of the facilities of any public utility made necessary under the provisions of this section shall be borne by the district.

SECTION 20. Bonds or notes issued under the provisions of this act shall not be included in determining the statutory limit of indebtedness of the city of Quincy and the towns liable for assessment for the costs of service under section eleven.

SECTION 21. The board shall have authority to bargain collectively with labor organizations representing employees of the district and to enter into agreements with such organizations relative to wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances of such employees. The employees of the district shall submit all grievances and disputes to arbitration, pursuant to arbitration provisions in agreements entered into with the district, or, in the absence of such provisions, to the state board of conciliation and arbitra-

tion, or other board or body having similar powers and duties. The provisions of general or special laws relative to rates of wages, hours of employment and working conditions of public employees and relating to contracts for public works, shall not apply to the district nor to the employees thereof, nor to employees of contractors with the district, but the district and its employees shall be governed with respect to hours of employment, rates of wages, salaries, hours, working conditions, health benefits, pensions and retirement allowances of its employees and with respect to contracts for construction, maintenance and repair by the laws relating to street railways.

SECTION 22. Any person who has in fact lost his employment with the New York, New Haven and Hartford Railroad Company on account of the termination of passenger service on the former lines of the Old Colony Railroad, shall have the right, if exercised prior to ninety days from the date of actual operation by the district, to employment if qualified and required by the district or its operating agency, subject to negotiations between the labor organizations involved and the district or its operating agency.

SECTION 23. The provisions of sections twenty-six to twenty-nine, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine, and the provisions of sections thirty-nine F and thirty-nine G of chapter thirty of the General Laws are hereby made applicable to contracts entered into by the district, or any firm, agency or authority acting on its behalf, for the construction and installation of any facilities required to carry out the provisions of this act.

SECTION 24. This act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 25. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 26. Section 12 of chapter 63 of the General Laws is hereby amended by inserting after paragraph (*v*), inserted by section 1 of chapter 804 of the acts of 1960, the following paragraph: —

(*w*) Bonds, notes or other evidences of indebtedness issued by the South Shore Transportation District. *Approved May 10, 1961.*

Chap. 453. AN ACT AUTHORIZING THE CITY OF BROCKTON TO BORROW MONEY FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending its system of sewerage and constructing a sewage disposal plant and acquiring land in connection therewith, the city of Brockton 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, seven million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Brockton Sewer Loan, Act of 1961. 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 sub-

ject 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. This act shall take effect upon its passage.

Approved May 11, 1961.

Chap. 454. AN ACT RELATIVE TO THE SALARY OF CERTAIN JUSTICES OF THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Nothwithstanding 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 supreme judicial court who was appointed to said office between the first day of December, nineteen hundred and sixty and the seventh day of January, nineteen hundred and sixty-one, both dates inclusive, shall receive such salary as is provided by section twenty-two of chapter two hundred and eleven of the General Laws.

SECTION 2. This act shall take effect as of November thirtieth, nineteen hundred and sixty. *Approved May 12, 1961.*

Chap. 455. AN ACT ESTABLISHING A DEPARTMENT OF TRAFFIC AND PARKING AND A BOARD OF TRAFFIC AND PARKING IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. There is established in the city of Cambridge, hereinafter referred to as the city, a department of traffic and parking, consisting of a director of traffic and parking, hereinafter referred to as the traffic director, and such staff as may be appointed. The traffic director shall be a traffic engineer, possessing the qualifications required for associate or full membership in the Institute of Traffic Engineers. He shall be appointed and may be removed by the city manager. The traffic director's compensation shall be fixed by the city council. Upon recommendation of the traffic director, the city manager shall have the authority to create subordinate staff positions in the department of traffic and parking. The city manager may appoint persons to fill these positions and may remove them pursuant to law. The traffic director shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. There is also established in the city of Cambridge a board of traffic and parking, hereinafter referred to as the traffic board, consisting of three citizen members to be appointed by the city manager. Of the members first appointed by said manager, one shall be appointed for a term of one year, one for a term of two years and one for a term of three years. Upon the expiration of the term of a member his successor shall be appointed for a term of three years. Members shall be eligible for reappointment. No person holding public office in said city and no salaried employee of said city shall be eligible for appointment. A member shall not receive any compensation for his services, but shall be reimbursed for all reasonable expenses incurred by him in carrying

out his duties. The city manager shall each year designate one of the members to serve as chairman of the traffic board.

The traffic board shall carry out the functions prescribed for it in clause (*a*) of section three and, in addition, shall be available to the traffic director for advice and consultation with respect to all of his activities.

Meetings of the traffic board shall be called by the chairman either on his own motion or on request of the traffic director. Notice of meetings shall be sent to the board members, the traffic director, the planning director, the chief of police, the chief of the fire department and the commissioner of public works. All of said persons may attend board meetings and may present their views, but only board members may vote.

SECTION 3. The traffic director shall have exclusive authority, except as otherwise provided in this act, to take any and all of the following actions, if he determines that such actions serve the public safety, welfare or convenience. Subject to the provisions of section two of chapter eighty-five of the General Laws: —

(*a*) The traffic director may adopt, alter or repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular and pedestrian traffic in the streets of the city, and to the movement, stopping, standing or parking of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways under the control of the city, including rules and regulations designating any way or part thereof under such control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws. The traffic director may prescribe a schedule of fines not exceeding fifteen dollars for each violation of parking regulations in the calendar year as authorized by section twenty A of chapter ninety of the General Laws. All other violations of regulations adopted under the provisions of this act, except as otherwise provided by statute, shall be subject to fines not to exceed fifty dollars for each offense as set forth in the regulations.

No such adoption, alteration or repeal shall take effect until public notice of the proposed action has been given, except with respect to such special rules or regulations as are declared by the traffic director to be urgently required for the public safety or welfare or such as are of a temporary nature and are to be effective for a period of not more than three weeks. Public notice shall be given by publication in full of the proposed adoption, alteration or repeal not less than once in each of three successive weeks in one or more newspapers published or distributed in the city. The public notice shall include a statement of the effective date of the proposed action, which shall not be less than twenty-one days following the first of the three newspaper publications. Upon the filing of petitions with the traffic board by not less than fifty registered voters of the city, relative to any rule or regulation proposed to be adopted, altered or repealed, and not yet in effect, the proposed action shall be suspended, and the traffic board shall hold a public hearing thereon within two weeks of the date the petitions were filed, and shall by majority vote approve or disapprove the proposed action within two weeks following the public hearing.

Upon the filing of petitions with the traffic board by not less than fifty registered voters of the city, relative to any rule or regulation which

has been adopted, altered or repealed for a period of at least thirty days, the traffic board shall hold a public hearing thereon within two weeks of the date the petitions were filed and shall, following such hearing, determine by majority vote whether to void the adoption, alteration or repeal of the rule or regulation.

(*b*) The traffic director may erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of traffic and parking in the city and for informing and warning the public as to rules and regulations adopted under this act, subject, however, to section two of chapter eighty-five and to sections eight and nine of chapter eighty-nine of the General Laws.

(*c*) The traffic director may recommend to the city council the alteration, construction, erection, installation and maintenance of street lights.

(*d*) The traffic director with the approval of the city manager may retain the services of qualified consultants when such retention is deemed necessary or advisable.

Nothing in this act shall be construed to authorize the traffic director to adopt, alter or repeal any rule or regulation excluding the trackless trolley vehicles or buses of a street railway or bus company from any way or part thereof in which said company has a location; or to modify or limit any power or authority of the metropolitan district commission, state department of public works or state department of public utilities; or to modify or limit any power or authority of the mayor, city council, city manager or of any board or head of a department with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks for reasons not relating to traffic.

SECTION 4. The planning director, the chief of police, the chief of the fire department, the commissioner of public works, the city engineer, the city electrician and city solicitor shall be available to the department of traffic and parking to advise on matters relating to their respective departments and shall be responsible for putting into effect the rules and regulations adopted by the department of traffic and parking in so far as such rules and regulations relate to their respective departments. The traffic director shall co-operate with the planning board and with such public carriers as may be authorized and licensed to render service within the city, on matters relating to traffic planning, and shall co-operate with the planning board on all matters that may relate to the need for, location, construction, erection and maintenance of public parking facilities or of private parking facilities for public use within the city. When it is necessary to co-ordinate with federal, state or other local agencies on matters of traffic movement and traffic planning, the traffic director may serve as liaison for the city.

SECTION 5. Chapter one hundred and sixty-three of the acts of nineteen hundred and thirty-two is hereby repealed.

SECTION 6. Section 20A of chapter 90 of the General Laws is hereby amended by striking out the fifth paragraph, inserted by section 3 of chapter 233 of the acts of 1961, and inserting in place thereof the following paragraph: —

The Boston traffic commission shall from time to time establish, with the approval of the city council of the city of Boston, in accordance with the provisions of the charter of said city, by rule or regulation, a schedule of fines for offenses subject to this section committed in the city of Bos-

ton; provided, however, that the Boston traffic commission shall not establish under the provisions of this paragraph any fine exceeding fifteen dollars.

SECTION 7. The city of Cambridge shall from time to time establish by ordinance a schedule of fines for offenses subject to section twenty A of chapter ninety of the General Laws and committed in the city of Cambridge; but said city shall not establish any fine for any such offense which shall exceed fifteen dollars.

SECTION 8. Sections six and seven of this act shall take effect upon its passage. Sections one to five, inclusive, and section nine of this act shall take effect, and section seven shall be repealed, upon acceptance by vote of the city council of said city, subject to the provisions of its charter. All existing ordinances and regulations relating to the control of vehicular traffic, including those relating to the parking of vehicles on any streets, ways, highways, roads and parkways, under the control of the city, shall remain in full force and effect until superseded by rules and regulations adopted by the traffic director pursuant to clause (*a*) of section three, and the adoption thereof shall not affect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending at the time of such adoption.

SECTION 9. At any time after the expiration of four years from the date of acceptance of this act, such acceptance may be revoked by a two thirds vote of the city council. Upon such revocation, all existing rules and regulations shall remain in full force and effect until superseded by ordinances and regulations adopted in accordance with the provisions of law then applicable to said city, and neither such revocation nor such adoption of superseding ordinances or regulations shall affect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending, prior to said revocation or said adoption. *Approved May 12, 1961.*

Chap. 456. AN ACT PROVIDING FOR LANDSCAPING AND OTHER IMPROVEMENTS OF THE YANKEE DIVISION MEMORIAL AT CAMP EDWARDS.

Be it enacted, etc., as follows:

The special military reservation commission, established by section one of chapter one hundred and ninety-six of the acts of nineteen hundred and thirty-five, shall landscape and install walks and other improvements at the Yankee Division Memorial at Camp Edwards, also known as Otis Air Force Base, and for such purpose may expend such sums as may be appropriated therefor, but not more than an amount equal to such amount as may be provided by the United States for the same purpose. *Approved May 12, 1961.*

Chap. 457. AN ACT FURTHER EXTENDING THE DURATION OF THE BOARD OF SCHOOLHOUSE STRUCTURAL STANDARDS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 675 of the acts of 1955, as amended by section 1 of chapter 361 of the acts of 1958, is hereby further amended by striking out, in line 3, the word "six"

and inserting in place thereof the word: — nine, — so as to read as follows: — To promote the construction of schoolhouses in the commonwealth by the establishment of reasonable structural standards, there is hereby established for nine years in the department of public safety but not under the control of the commissioner, a board of schoolhouse structural standards, which shall consist of the commissioner of public safety, the chief of inspections of said department and the administrator of the school building assistance commission, ex-officiis, with the same powers and duties as other members of the board, and four members to be appointed by the governor, with the advice and consent of the council. The governor, with the advice and consent of the council, shall from time to time designate one member of said board as chairman.

SECTION 2. Section 2 of said chapter 675, as amended by section 2 of said chapter 361, is hereby further amended by striking out, in line 4, the word "six" and inserting in place thereof the word: — nine, — so as to read as follows: — *Section 2.* The regulations issued under section fifty-four of chapter one hundred and forty-three of the General Laws shall, in so far as they pertain to schoolhouses, be issued for a period of nine years by the board of schoolhouse structural standards, any provisions of said section to the contrary notwithstanding.

SECTION 3. Chapter 596 of the acts of 1960 is hereby amended by striking out section 4 and inserting in place thereof the following section: — *Section 4.* Section one shall become inoperative on November thirteenth, nineteen hundred and sixty-four, and section three shall thereupon take effect. *Approved May 12, 1961.*

Chap. 458. AN ACT RELATIVE TO THE RESTORATION OR SUBSTITUTION OF IDENTIFYING NUMBERS ON MOTOR VEHICLES OR TRAILERS AND REPEALING THE PROVISIONS RELATING TO CHANGING OR ALTERING SERIAL NUMBERS OF ENGINES BY ENGINE REBUILDERS.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by striking out section 32A, as most recently amended by chapter 278 of the acts of 1958, and inserting in place thereof the following section: — *Section 32A.* When the identifying number or numbers of a motor vehicle or trailer have been removed, defaced, altered, changed, destroyed, obliterated or mutilated, the registrar may issue to any person applying therefor a certificate authorizing the restoration upon such motor vehicle or trailer of its original identifying number or numbers, or the substitution therefor of an identifying number or numbers designated by the registrar.

Approved May 12, 1961.

Chap. 459. AN ACT AUTHORIZING THE TOWN OF WELLESLEY TO USE LAND OWNED BY IT AND SITUATED IN THE TOWN OF NEEDHAM FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. The town of Wellesley may use the following described land owned by it and situated in the town of Needham for the purpose

of increasing its water supply for supplying itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes by drawing water therefrom by driven, dug or gravel-packed wells and may install thereon and therein the necessary pumping and other equipment:

A certain parcel of land in said town of Needham containing approximately three and nine-tenths acres surrounded by other land of said town of Wellesley held for its said water division and bounded northwesterly by the Needham-Wellesley town line approximately eight hundred and seventy-one feet; easterly and southeasterly by Rosemary Brook approximately four hundred and eighty feet; southerly by a line approximately two hundred and twenty-five feet; and southwesterly by a line approximately three hundred and fifty-five feet.

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

Approved May 12, 1961.

Chap. 460. AN ACT AUTHORIZING THE TOWN OF WHITMAN TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS.

Be it enacted, etc., as follows:

SECTION 1. The town of Whitman, 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, pumping stations, treatment plants and other works as may be required for a system of sewage disposal, and may construct such sewers in said town as may be necessary to conduct the sewage of the town to the treatment works.

SECTION 2. The town upon acquiring the necessary easements or other rights may make and maintain common sewers in any way therein for the purpose of serving abutting estates or for other purposes of the sewer system; provided, that as to any private way in which such construction and maintenance would, except for this act, be barred by the provisions of section seventy-seven of chapter forty-one of the General Laws or any other general law, the town shall have voted prior to the beginning of construction therein that the sewer system be extended to such private way.

SECTION 3. The town may make and maintain, in any way 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 4. The town may at the meeting at which this act is accepted, vote that the public works commissioners 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 the work of construction authorized hereby a board of three sewer commissioners, who shall be registered voters of the town, to hold office, if elected at any annual town 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 town 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, the town shall elect one member of the board to serve three years and until his successor is qualified. In either case, whether the town votes that its public works commissioners 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 public works commissioners may act as a board of sewer commissioners, as the case may be.

SECTION 5. Until the public works commissioners have first been authorized by vote to act as a board of sewer commissioners, as provided in this act, or a board of sewer commissioners has first been elected, as the case may be, but not, in any event later than the second annual town meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by the selectmen authorized so to act at any town meeting. The selectmen shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "board of sewer commissioners" hereinafter occurs it shall mean and include the public works commissioners acting as a board of sewer commissioners, the board of sewer commissioners, or the selectmen as provided for in this section, as the case may be.

SECTION 6. The 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 and underdrains 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 or installing such pumping stations, treatment plants, or other works 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 or install any pumping station, treatment plant, or other works 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 7. Any person injured in his property by any action of the board of sewer commissioners under this act may recover damages from the town under said chapter seventy-nine.

SECTION 8. The town shall, by vote, determine what proportion of the cost of the system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one quarter nor more than two thirds of the whole cost, except that it shall make no payment whatever where a developer of land lays out and develops a subdivision of such land with new streets and ways, in which case the developer shall pay the entire cost. In providing for the payment of the remaining portion of the cost of said system or systems, or for the

use of said system or systems, the town may avail itself of any or all of the methods permitted by the General Laws, and 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, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines the proportion of the cost to be borne by the town, it may by vote determine by which of such methods the remaining portion of the 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, and to the town accountant, who shall preserve a record thereof.

SECTION 9. 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, four million dollars and may issue bonds or notes therefor, which shall bear on their face the words Whitman Sewerage Loan, Act of 1961. 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, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 10. 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 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 11. The town of Whitman is hereby authorized by vote of a town meeting to determine whether said town, acting through the board of sewer commissioners may, upon the application of the owner of any estate abutting on any public or private way where a common sewer is constructed, lay in such sewered way and in the private land of such owner such particular sewer as may be necessary to connect any building on such estate with such sewer, and the board of sewer commissioners may make all necessary contracts in the name and behalf of the town for such purpose. The cost of constructing each particular connection shall be assessed by the board of sewer commissioners upon the estate benefited thereby, with provision for the levying of annual assessments on such abutting owners so that said town may be reimbursed for the total cost of such connections within a period not to exceed twenty years. Such assessment shall be made by filing with the board of assessors of the town a certificate, designating the way and the private land in which such particular sewer has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount of the annual assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after filing of the same with the board of assessors, be recorded in the registry of deeds for the county of Plymouth, or in the case of registered land, filed in the office of the assistant recorder for the county of

Plymouth. The board of assessors shall upon receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall, within three months after such demand is served upon him or on the occupant of such estate, or sent by mail to the last address of the owner known to the collector of taxes, pay to the collector of taxes the sum so assessed or charged. Except as herein provided, 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 section. In applying said provisions to assessments made under this section, the notice referred to therein shall be deemed to be the demand of the tax collector required hereby. The lien for any assessment made under this section shall attach upon the recording or filing of registration of the copy or duplicate of the certificate of assessment. In the apportionment of assessments made under this section no installment shall be less than five dollars.

SECTION 12. The board of sewer commissioners may annually appoint a properly qualified clerk and may appoint a properly qualified superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk or superintendent for cause. The board may, at its discretion, prescribe for the users of the 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 13. 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 obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 14. The board of sewer commissioners may, from time to time, prescribe rules and regulations for the connection of estates and buildings with sewers, and for the 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 a newspaper published in the town of Whitman, if there be any, and if not, then in a newspaper published in the county of Plymouth, and shall not take effect until such publication.

SECTION 15. No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plans of the system of sewerage and sewage disposal have been approved by the state department of public health.

SECTION 16. This act shall take full effect upon its acceptance by vote of a majority of the voters of the town voting thereon at an annual or special town meeting called for the purpose within five years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved May 12, 1961.

Chap. 461. AN ACT DESIGNATING THE RECREATIONAL FACILITIES IN MARINE CORPS LEAGUE PARK IN THE CITY OF EVERETT AS THE EVERETT ALLIED WAR VETERANS' MEMORIAL RECREATION CENTER.

Be it enacted, etc., as follows:

SECTION 1. The recreational facilities being constructed by the metropolitan district commission in Marine Corps League Park in the city of Everett shall, upon completion, be known and designated as the Everett Allied War Veterans' Memorial Recreation Center. The metropolitan district commission shall erect at said center a suitable marker bearing said designation.

SECTION 2. Chapter three hundred and thirty-eight of the acts of nineteen hundred and sixty is hereby repealed.

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

Approved May 15, 1961.

Chap. 462. AN ACT RELATIVE TO STATE REIMBURSEMENT OF ADMINISTRATIVE COSTS FOR OLD AGE ASSISTANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for a uniform formula of state participation in administration expenditures, 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 8 of chapter 118A of the General Laws is hereby amended by striking out the first sentence, as amended by section 13 of chapter 781 of the acts of 1960, and inserting in place thereof the following two sentences: — Any town rendering assistance under this chapter shall also be reimbursed by the commonwealth for two thirds of the remainder of such disbursements for assistance, or, if the person so assisted has no settlement in the commonwealth, for all of such remainder of disbursements for assistance. After the deduction of the federal share of the costs of administration, the state shall reimburse the boards of public welfare for one half of the remainder of the costs of administration, except as otherwise provided in section five of chapter one hundred and eighteen B.

SECTION 2. This act shall take effect as of October first, nineteen hundred and sixty. *Approved May 15, 1961.*

Chap. 463. AN ACT DIRECTING CERTAIN TOWNS TO PREPARE A LIST OF PUBLIC RIGHTS OF WAY LEADING TO THE SHORE LINE LOCATED WITHIN THE BOUNDARIES OF SAID TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Each town bordering upon the shore line of the commonwealth shall prepare a list of all public rights of way leading to the shore line located within the boundaries of said town and submit said list to the division of waterways of the department of public works on or before June thirtieth, nineteen hundred and sixty-two.

SECTION 2. Said division of waterways shall, upon receipt of such lists, compile a composite list of such public rights of way, which list shall be made readily accessible to the public.

Approved May 15, 1961.

Chap. 464. AN ACT PROVIDING TAX RELIEF FOR CERTAIN RAILROADS DOING BUSINESS IN THE COMMONWEALTH AND MEETING CERTAIN ESTABLISHED STANDARDS OF SERVICE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eighty-seven of chapter one hundred and sixty of the General Laws, real estate devoted to railroad use owned by any railroad corporation doing business within the commonwealth, upon application as hereinafter provided, shall be exempt during each of the three calendar years commencing with the calendar year nineteen hundred and sixty-one from sixty per cent of the real estate taxes assessed thereon if the net income of such corporation from all sources for each of the three years immediately preceding the year in which the exemption is claimed is less than twenty-five thousand dollars.

The department of public utilities, hereinafter called the department, shall determine which real estate of a railroad corporation shall qualify for such exemption in accordance with the provisions of this section by determining which property is classified as being devoted to railroad use from accounts maintained pursuant to the Uniform System of Accounts for railroad corporations as prescribed by the Interstate Commerce Commission and the department.

SECTION 2. A railroad corporation claiming an exemption under the provisions of section one shall file an application with the department on or before July first of the year for which such exemption is claimed together with a complete financial report of such corporation for the five preceding years and an agreement executed by such corporation providing that, in consideration of such exemption, such corporation will maintain service in compliance with standards established under the provisions of section four. Such agreement shall contain a further provision that such tax exemption may be cancelled or modified by law: provided, however, that upon the effective cancellation of any such tax exemption the railroad involved in such cancellation shall be excused from any further compliance with the standards of service originally imposed upon it under the provisions of this act. If said department determines that any real estate of such corporation qualifies for an exemption from taxation as provided in section one it shall not later than October first in such year certify to the assessors of the city or town in which such real estate is located that such railroad corporation is entitled to such exemption on the real estate described in such certificate.

SECTION 3. The loss resulting from the real estate valuation exempted from taxes on real estate devoted to railroad use, as described in section one, shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the taxes which otherwise would have been collected; provided, however, in no event shall such city or town be reimbursed for any loss resulting from the provisions of this act, if its valuation of real estate devoted to railroad

use is greater than the valuation placed upon such real estate in the calendar year nineteen hundred and sixty.

SECTION 4. The governor shall appoint a person to act as the supervisor of standards of railroad service, hereinafter called the supervisor, who shall serve at his pleasure and who shall perform such duties as are hereinafter provided.

On or before November first of each year, after consultation with the supervisory authorities of other states charged by the law of such states with responsibilities similar to those vested by this act in the supervisor with respect to railroads transporting freight and passengers between such states and the commonwealth, and after consultation with such committee or group of public officers as may have been designated for the purpose of recommending a plan of rehabilitation for railroads by the commonwealth and one or more other states, the supervisor shall prepare tentative standards of service for each railroad claiming an exemption under section one, and shall promulgate annual standards not later than December thirty-first, such standards to be effective during the succeeding calendar year except as modified pursuant to section seven; provided, however, that the supervisor shall, on or before June fifteenth, nineteen hundred and sixty-one, after notice as hereinafter provided, prepare tentative standards of service which shall be in effect from July first to December thirty-first, inclusive, unless modified pursuant to the provisions of said section seven. The supervisor shall give prompt notice in writing to each such railroad of the tentative standards of service prepared for it and, prior to promulgation of annual standards of service, shall give such railroad reasonable opportunity to present comments and documentary material relating thereto. The supervisor may hold public hearings prior to the promulgation of such annual standards of service and shall hold such hearings on the request of any person, in the event that the tentative standards of service prepared by him provide for curtailment of the frequency of service provided on the effective date of this act or an increase in the rates in effect on said date. The determination of such annual standards of service by the supervisor shall be final and shall not be subject to the provisions of chapter thirty A of the General Laws.

SECTION 5. Such annual standards of service shall specify for each such railroad those measures which the supervisor deems necessary in the public interest for the railroad to carry out. Subject to the requirements of any applicable law or order of any regulatory agency having jurisdiction over such railroad, such standards of service may include one or more of the following measures:

(*a*) The acquisition of a satisfactory number of railroad cars, and locomotives and of other rolling stock to be used for freight and passenger service.

(*b*) The performance of a specified program of maintenance, cleaning and rehabilitation work upon some or all of the railroad cars, including self-propelled cars, and locomotives and other rolling stock used in the freight and passenger service of such railroad.

(*c*) The provision of freight and passenger service at satisfactory levels of frequency and on-time performance and at reasonable rates.

(*d*) The performance of a specified program of maintenance and rehabilitation work upon the trackage, rights of way, yards, repair shops, signalling devices and other transportation property of such railroad.

(*e*) The investment of specified sums in capital improvements to the trackage, rights of way, yards, repair shops, signalling devices and other transportation property of such railroad.

SECTION 6. In establishing standards of service, the supervisor shall take into consideration: (*a*) The existing and prospective financial ability of the railroad, on the basis of its past and estimated future net income from freight, passenger and other sources, to comply with such standards; (*b*) the standards of service, if any, established for such railroad by any other state or states, or any agency or political subdivision thereof; (*c*) the plan or plans, if any, recommended for such railroad by any committee or other group of public officers designated for such purpose by this commonwealth and by one or more other states; and (*d*) the reports and recommendations, if any, proposed by the United States or by any state or by any agency or commission of either relating to such railroad.

SECTION 7. From time to time during the calendar year following the promulgation of the annual standards of service, and after the consultation required by section four, the supervisor may modify such standards to reflect any material change in data previously considered under section six, after notice and hearing as provided in section four.

SECTION 8. The supervisor shall make periodic inspections to determine the degree of compliance with standards of service promulgated in accordance with the provisions of this act, and shall report his findings to the governor and general court annually on or before October first.

SECTION 9. For the purpose of establishing standards of service and determining the degree of compliance therewith, the supervisor may examine the accounts, books, and documents of each railroad for which he is preparing or has promulgated standards of service, may inspect the transportation property of such railroad and the performance of maintenance, cleaning and rehabilitation work thereon, may hold investigations and hearings within or without the commonwealth, either separately or jointly with appropriate agencies of other jurisdictions, and shall have power to compel the attendance of witnesses and the production of accounts, books and documents by the issuance of a subpoena.

SECTION 10. On or before September first of each year, the supervisor shall determine if each railroad for which he has promulgated standards of service under this act has substantially complied therewith. If the supervisor finds that any such railroad has failed to substantially comply with such standards, he shall certify to the department that such railroad is not entitled to the exemption provided by section one and any such exemption shall be null and void.

SECTION 11. The supervisor shall investigate all complaints that any railroad corporation subject to the provisions of this act is not faithfully performing its obligations hereunder and upon application of the commonwealth, acting by the attorney general upon the request of the supervisor, the superior court shall have jurisdiction in equity to compel the specific performance of such obligations by said corporation.

SECTION 12. The state auditor shall, at the request of the supervisor, or, of his own volition may, make an audit of the books and records of any railroad that may come under the provisions of this act.

SECTION 12A. In no event shall the tax exemptions provided for in this act be continued beyond January first, nineteen hundred and sixty-four.

SECTION 12B. Any railroad corporation which receives a tax exemption under the provisions of this act shall grant without consideration an easement along its right of way for sewer, water or drainage purposes to any city or town requiring the same.

SECTION 12C. No railroad corporation receiving a tax exemption under this act shall reduce any commuter service provided on the effective date thereof. Any railroad corporation violating the provisions of this section shall forfeit the tax exemption provided by this act.

SECTION 12D. No railroad corporation receiving a tax exemption under this act shall discharge, suspend or lay off any person employed on the effective date thereof except for just cause and with the consent of a justice of the superior court after a hearing. Any railroad corporation violating the provisions of this section shall forfeit the tax exemption provided by this act.

SECTION 13. This act shall take effect as of January first, nineteen hundred and sixty-one. *Approved May 15, 1961.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 15, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 464 of the Acts of 1961, entitled "An Act Providing Tax Relief For Certain Railroads Doing Business in the Commonwealth and Meeting Certain Established Standards of Service" and the enactment of which received my approval on May 15, 1961, 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: —

The deferred operation of this act for ninety days would tend to defeat its purpose, which is to avoid substantial loss of employment, great reduction in property values, other irreparable harm to the commonwealth and to the city of Boston and vehicular traffic congestion and other hardships in travelling and carrying on commerce which will ensue if the passenger and freight services, furnished by the several railroad companies are discontinued; and furthermore, the financial condition of the several railroads serving the commonwealth is deemed to be such that unless immediate assistance is provided, one or more of them will be unable to continue their vital services in the commonwealth.

Very truly yours,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, May 16, 1961.

I, Kevin H. White, 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 four hundred and sixty-four of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 465. AN ACT AUTHORIZING CERTAIN BANKING INSTITUTIONS TO PROVIDE CERTAIN GROUP INSURANCE AND BENEFITS FOR CERTAIN EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 56, inserted by section 1 of chapter 400 of the acts of 1957, the following section: — *Section 57.* A savings bank, co-operative bank or credit union may provide group life insurance, group accident and health insurance or group medical, surgical and hospital insurance or benefits, or all or any combination thereof, for its full time, salaried officers or employees or both. The commissioner may, if he deems it necessary, establish regulations providing reasonable restrictions in connection therewith. *Approved May 15, 1961.*

Chap. 466. AN ACT RELATIVE TO THE APPROVAL OF LOCATIONS OF TRANSMISSION LINES BY THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

Chapter 166 of the General Laws is hereby amended by striking out section 28, as amended by section 37 of chapter 550 of the acts of 1948, and inserting in place thereof the following section: — *Section 28.* Any company subject to this chapter, except a telegraph or telephone company, desiring to construct a line for the transmission of electricity which will of necessity pass through one or more cities or towns to connect the proposed termini of such line, whose petition for the location necessary for such line has been refused, or has not been granted within three months after the filing thereof by the board of aldermen of a city or the selectmen of a town through which said company intends to construct such line for the purpose aforesaid, may apply to said department for such location. The department shall give a public hearing thereon after notice to the board of aldermen or selectmen refusing or neglecting to grant such location, and to all persons owning real estate abutting upon any way in the city or town where such location is sought, as such ownership is determined by the last assessment for taxation. The department shall, if requested by the board of aldermen or selectmen, hold said hearing in the city or town where the location is sought. If it appears at the hearing that the company has already been granted and has accepted a location for such line in two cities, or in two towns, or in a city and town adjoining the city or town because of the refusal or neglect of whose board of aldermen or selectmen to grant a location therefor the application is made, or if it appears at the hearing that the company has already been granted and has accepted locations for such line in a

majority of the cities, or towns, or cities and towns through which such line will pass, and if the department deems the location necessary for public convenience, and in the public interest, it may by order grant a location for such line in the city or town with respect to which the application is made, and shall have and exercise relative thereto the same powers and authority conferred by section twenty-two upon the board of aldermen or selectmen and in addition to the provisions of law governing such company may impose such other terms, limitations and restrictions as it deems public interest may require. The department shall cause an attested copy of its order, with the certificate of its clerk, endorsed thereon, that the order was adopted after due notice and a public hearing as hereinbefore prescribed, to be forwarded to the city or town clerk, who shall record the same and furnish attested copies thereof. The company in whose favor the order is made shall pay for such record and attested copies the fees provided by clauses (31) and (32), respectively, of section thirty-four of chapter two hundred and sixty-two. *Approved May 15, 1961.*

Chap. 467. AN ACT RELATIVE TO PETITIONS FOR THE EXERCISE OF THE PARDONING POWER AND THE PROCEDURE IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 152, as most recently amended by section 7 of chapter 567 of the acts of 1954, and inserting in place thereof the following section: — *Section 152.* In a case in which the governor is authorized by the constitution to grant a pardon, he may, with the advice and consent of the council, and upon the written petition of the petitioner, grant it, subject to such conditions, restrictions and limitations as he considers proper, and he may issue his warrant to all proper officers to carry such pardon into effect. Such warrant shall be obeyed and executed instead of the sentence originally awarded.

In a case in which a sentence to death is imposed upon a child under seventeen years of age, and if before he reaches the age of seventeen, the governor pardons such child and commits him to the custody of the youth service board, said board shall assume control over him subject to the provisions of sections seventeen to twenty, inclusive, of chapter one hundred and twenty.

Every pardon petition shall, before its presentation to the governor, be filed with the parole board, acting as the advisory board of pardons, together with all statements and signatures appended thereto, and shall thereupon become a public record. Upon receipt, the advisory board of pardons shall process each petition in accordance with the applicable provisions of section one hundred and fifty-four.

In the case of a prisoner confined under sentence for a felony, no final action or vote shall be taken on such petition until after a public hearing has been held by the council. Such hearing shall be held as soon as practicable after the filing of such petition with the council. Any action taken by the council on such petition shall be taken by a roll call vote of the members present, recording and voting as yea or nay. The presence of a quorum and the vote of the majority of all members of the

council present shall be necessary for the approval or disapproval of a petition. Within three days after such vote of the council, a certified copy of such roll call shall be filed with the state secretary for public inspection.

The governor, with the advice and consent of the council, may at any time revoke any pardon if he, with such advice and consent, determines that there is a misstatement of a material fact knowingly made at the time of the filing of the written petition of the petitioner, or that such pardon was procured by fraud, concealment or misrepresentation or that any provision of this section has not been complied with, and upon such revocation the governor may issue his warrant to all proper officers to take the person so pardoned into custody and return him to the institution where he was imprisoned at the time of the granting of the pardon.

Such warrant shall be obeyed and executed by the officers to whom it is issued, and the person whose pardon has been so revoked shall have the same standing in the penal institution to which he is returned as he would have had if said pardon had not been granted, except that the time during which he has been out of said penal institution upon such pardon, shall not be counted in determining the amount of his sentence remaining to be served upon such return to such institution.

The governor shall, at the end of each calendar year, transmit to the general court, by filing with the clerk of either branch, a list of pardons granted with the advice and consent of the council during such calendar year, together with action of the advisory board of pardons concerning each such pardon, and together with a list of any revocations of pardons made under this section.

The word "pardon" as used in this section shall be deemed to include any exercise of the pardoning power except a respite from sentence.

SECTION 2. Said chapter 127 is hereby further amended by striking out section 154, as most recently amended by section 8 of said chapter 567, and inserting in place thereof the following section: — *Section 154.* The parole board shall be the advisory board of pardons. Said board shall, forthwith, upon receipt of a pardon petition in a case in which the petitioner is confined in a correctional institution of the commonwealth, forward a copy of such petition to the attorney general, the commissioner of correction, the chief of police of the municipality in which the crime was committed, and, if the petitioner was sentenced in the superior court, the district attorney in whose district sentence was imposed, or, if the petitioner was sentenced in a district court, the justice of the court in which sentence was imposed.

Upon receipt of all other petitions, the board shall forward a copy to the attorney general, the chief of police and the district attorney or the justice of the district court, as the case may be; provided, however, that they shall not be required to forward said copies if the petitioner was convicted of a misdemeanor and is not confined.

Within six weeks of the receipt of a copy of any petition, the appropriate officials may make written recommendations concerning such petition to the advisory board, but failure of any or all of these officials to make such recommendations, shall not arrest the pardoning procedure in the case.

Within ten weeks of the original receipt of any petition, the advisory board shall transmit the original petition to the governor, together with its conclusions and recommendations and together with such recom-

mendations as have been received from the above officials; except that if the board shall determine that adequate consideration of the case requires a hearing on its merits by the board, said board shall not be required to submit its recommendations at the end of ten weeks but shall notify the governor of its intention to hold a hearing; but such hearing shall be held and a report made to the governor within six months of the original receipt of the petition by the board. If the board shall determine that such hearing shall be held, in the case of a petitioner who is confined under sentence for a felony, the attorney general and the district attorney shall be notified of the hearing and they or their representatives given the opportunity to appear, examine the petitioner's witnesses and be heard.

If in the opinion of the board, the facts stated in their report to the governor are such as to cause undue or unmerited hardship or injury to the petitioner or to other individuals, if made public, the portion of said report containing such facts may be submitted separately from the conclusions and recommendations, and without publicity. However, in all cases a statement containing the facts of the crime or crimes for which a pardon or commutation is sought, the sentence or sentences received, together with all conclusions and recommendations shall be made public when the report is submitted. A copy of such statement, as well as a statement of the majority recommendation of the board, signed by all members concurring, and a certified copy of the petition with all statements and signatures appended thereto, shall be retained by the board as a permanent record open to public inspection at any reasonable time for a period of ten years from the date the original petition was filed with the board.

The said board shall not review the proceedings of the trial court, and shall not consider any questions regarding the correctness, regularity or legality of such proceedings, but shall confine itself solely to matters which properly bear upon the propriety of the extension of clemency to the petitioner. Said board, from time to time, may make rules relative to the calling of meetings and to the proceedings thereat. The board or any members of it may summon witnesses and administer oaths or affirmations. The fees of witnesses before the board shall be the same as for witnesses in civil actions before the courts, and shall be paid from the appropriation for the expenses of the parole board.

Approved May 15, 1961.

Chap. 468. AN ACT PROVIDING FOR PAYMENTS BY THE COMMONWEALTH TO CERTAIN TOWNS IN REIMBURSEMENT FOR LOSS OF TAXES BY REASON OF PROPERTY TAKEN FOR FLOOD CONTROL RESERVOIRS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by striking out section 17B, as most recently amended by section 1 of chapter 412 of the acts of 1959, and inserting in place thereof the following section: — *Section 17B.* The state treasurer shall annually, not later than November twentieth, upon certification by the commission as hereinafter provided, pay to each town in which property has been taken for flood control reservoirs by the commonwealth under any act,

or the United States pursuant to consent granted by the commonwealth under chapter two hundred and eighty-four of the acts of nineteen hundred and thirty-nine, chapter five hundred and ninety-four of the acts of nineteen hundred and forty-eight and chapter six hundred and thirteen of the acts of nineteen hundred and fifty-six, an amount determined by the commission as tax losses resulting from the takings. Such losses of taxes as determined by the commission shall be based on the then current tax rate in each town in which property has been taken for flood control reservoirs and on the average assessed valuation for a period of five years prior to the acquisition of said land; provided, that whenever a town wherein a flood control reservoir or portion thereof is located shall have made a general revaluation of property subject to the annual municipal taxes for such town, the commission may use such revaluation for determining the taxes for which payment shall be made. Said commission shall annually ascertain said valuation and the amount to be paid to each town, and shall certify the same to the state treasurer not later than November first.

SECTION 2. This act shall take effect as of January first, nineteen hundred and sixty-one. *Approved May 17, 1961.*

Chap. 469. AN ACT MAKING CERTAIN CHANGES IN THE INHERITANCE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 65 of the General Laws is hereby amended by striking out section 22, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 22.* A full and complete inventory of all property in which the deceased had an interest taxable under section one of this chapter, together with the fair market value at the time of decedent's death shall be filed with the commissioner on a form approved by him, within four months of the date of death of the deceased, by the executor, administrator or trustee of the deceased or by the person or persons in actual enjoyment or possession of, or entitled to receive said property or any interest therein.

Failure to file said inventory, as described above, shall subject the person or persons chargeable with the payment of the tax, in enjoyment or possession of, or entitled under this chapter to receive the property of the deceased so omitted, to a penalty of not more than one thousand dollars, which said penalty the commissioner shall assess and collect as part of the tax but which he may for good and sufficient cause, presented in writing, waive in whole or in part.

SECTION 2. Said chapter 65 is hereby further amended by striking out section 25, as amended by section 1 of chapter 572 of the acts of 1954, and inserting in place thereof the following section: — *Section 25.* The value of property upon which a tax under this chapter is to be computed shall be determined by the commissioner within six months from the date when the inventory provided for in section twenty-two is filed with him. If the commissioner fails to determine the value of the property within the prescribed time, the value of the property as submitted shall become final and binding upon him except for fraud or active concealment of essential information on the part of the fiduciary or the person liable for the payment of the tax. There may be excluded

from any determination of value any property on which information satisfactory to the commissioner has not been furnished to him, or any property in which the decedent had an interest vesting in possession or enjoyment at a future time, and with respect to such excluded property or any part thereof valuation shall be made by the commissioner when satisfactory information is furnished or otherwise becomes available to him. Notice of any determination of value by the commissioner under this section shall be sent by him by registered mail to the persons by whom the tax is payable, and such determination shall be final as to all property valued therein unless the value so determined shall be reduced or altered as provided in this section and in section twenty-six.

SECTION 3. Said chapter 65 is hereby further amended by striking out section 26, as amended by section 2 of said chapter 572, and inserting in place thereof the following section: — *Section 26.* At any time within two months after the date of giving of notice of any determination of value by the commissioner under section twenty-five, any person aggrieved by said determination may request the state tax commission to alter such determination. If the commission alters or refuses to alter the commissioner's determination, it shall notify the commissioner in hand and the aggrieved person by mail. Failure of the commission to take action within two months from the receipt by it of such written request shall be deemed a refusal of the commission to alter the commissioner's determination. At any time within two months after the mailing of such notice, or, if no action is taken, within two months after the time when such request is deemed to be refused, any person aggrieved by such alteration or refusal to alter may appeal to the appellate tax board. Said board shall appraise such property as has been valued by the commissioner at its value as of the date of death of the decedent, shall give notice of its decision to the commission and the appellant, and shall make return thereof to the probate court. Such return, when accepted by the court, shall be final except that any party aggrieved by such appraisal shall have an appeal on matters of law.

In all proceedings before the appellate tax board under this section, the commissioner or commission, as the case may be, shall receive notice and may be heard.

SECTION 4. This act shall take effect on January first, nineteen hundred and sixty-two and shall apply to property or interests passing or accruing upon the death of persons who die on or after said date.

Approved May 17, 1961.

Chap. 470. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO BORROW MONEY FOR THE PURPOSE OF PAYING ITS PROPORTIONATE SHARE OF THE DEFICIT INCURRED IN NINETEEN HUNDRED AND SIXTY IN THE OPERATION OF THE NEW BEDFORD, WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of paying its proportionate share of the deficit incurred in the year nineteen hundred and sixty in the operation of the New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, the city of New Bedford is hereby authorized to

borrow, from time to time, within a period of three years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate two hundred and thirty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, New Bedford Steamship Authority Funding Loan, Act of 1961. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, and shall, except as herein provided, 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 May 17, 1961.

Chap. 471. AN ACT INCREASING THE MEMBERSHIP OF THE SCHOOL BUILDING ASSISTANCE COMMISSION AND RELATIVE TO GRANTS FOR CERTAIN APPROVED SCHOOL PROJECTS BY SAID COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 645 of the acts of 1948 is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences: — Said commission shall consist of the commissioner of education, ex officio, and six other members, residents of the commonwealth, who shall serve for the effective period of this act. Four of the said members shall be appointed by the governor, with the advice and consent of the council, one of whom shall be designated, from time to time, as chairman by the governor.

SECTION 2. The first paragraph of section 8 of said chapter 645, as appearing in section 4 of chapter 703 of the acts of 1957, is hereby amended by striking out the last sentence.

SECTION 3. Clause (*a*) of section 9 of said chapter 645, as appearing in section 5 of said chapter 703 of the acts of 1957, is hereby amended by striking out, in line 8, the word "twenty" and inserting in place thereof the word: — thirty, — so as to read as follows: —

(*a*) The total construction grant for any approved school project in any city or town shall be one fourth of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in net average membership for the entire commonwealth divided by the equalized valuation per pupil in net average membership of the city or town; provided, however, that no grant shall be approved for an amount less than thirty per cent or more than fifty per cent of such approved cost;

SECTION 4. Clause (*c*) of said section 9 of said chapter 645, as so appearing, is hereby amended by striking out, in line 8, the word "twenty" and inserting in place thereof the word: — thirty, — so as to read as follows: —

(*c*) The total construction grant for any approved school project in any county shall be one fourth of the product of the final approved cost of the project multiplied by the equalized valuation per pupil in the net average membership for the entire commonwealth divided by the equalized valuation per pupil in the total net average membership of all

the cities and towns within the county; provided, however, that no grant shall be approved for an amount less than thirty per cent or more than fifty per cent of such approved cost;

SECTION 5. The provisions of clauses (*a*) and (*c*) of section nine of chapter six hundred and forty-five of the acts of nineteen hundred and forty-eight, as amended by sections three and four of this act, shall apply to projects approved by the school building assistance commission prior to the effective date of this act and which are under construction but unoccupied on said date, and to projects so approved but construction of which has not commenced prior to said date, and to all projects approved by the commission on or after said date.

Approved May 17, 1961.

Chap. 472. AN ACT REQUIRING THE BOSTON AND MAINE RAILROAD TO INSTALL, MAINTAIN AND OPERATE MANUALLY OPERATED OR AUTOMATIC GATES AT THE WESTERN AVENUE GRADE CROSSING IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

For the purpose of protecting the general public and for purposes of fire protection, the Boston and Maine Railroad shall install, maintain and operate manually operated or automatic gates at the Western avenue grade crossing in the city of Lowell. *Approved May 17, 1961.*

Chap. 473. AN ACT RELATIVE TO THE APPOINTMENT OF THE THIRD MEMBER OF THE MEDICAL PANEL IN CERTAIN CASES UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

Paragraph (*a*) of subdivision (3) of section 6 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as amended by section 3 of chapter 618 of the acts of 1949, and inserting in place thereof the following two sentences: — Such medical panel shall consist of three registered physicians who shall be selected as follows for the purpose of examining the member whose retirement or re-examination is under consideration: one physician who shall be designated by the commissioner of public health and who shall, so far as practicable, be skilled in the particular branch of medicine or surgery involved in the case, and who shall serve as chairman of the medical panel, a second physician who shall be designated by the board except as otherwise provided for in paragraph (*b*) of this subdivision, and a third physician who shall be designated by such member at the time of his application for retirement under this section or section seven, or if the application for the retirement of such member is filed by the head of his department, as provided in subdivision (1) of section sixteen, within sixty days of a request therefor by the board. Upon failure of such member to designate a physician within said sixty days the other two designated physicians shall choose and appoint the third physician on the medical panel. *Approved May 17, 1961.*

Chap. 474. AN ACT PROVIDING THAT CERTAIN TECHNICIANS IN MUNICIPAL HOSPITALS MAY BE TEMPORARILY RE-EMPLOYED THEREIN WITHOUT MAKING MAKE-UP PAYMENTS OR RECEIVING CREDIT FOR SUCH RE-EMPLOYMENT IN ANY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Paragraph (*c*) of subdivision (6) of section 3 of chapter 32 of the General Laws is hereby amended by adding at the end the following sentence: — Notwithstanding the provisions of this paragraph any laboratory technician or X-ray technician who has terminated his services and withdrawn his accumulated deductions may be re-employed for not more than sixty days in the aggregate in a municipal hospital in which he was formerly employed without being required to make any make-up payments or to pay any deductions into said fund while so re-employed, but he shall not receive any credit for service for such re-employment in any retirement system or for any pension purpose.

Approved May 17, 1961.

Chap. 475. AN ACT RELATIVE TO PROCEDURE UPON A SECOND CONVICTION FOR VIOLATION OF THE PREVAILING WAGE LAW AND ENLARGING THE APPLICATION OF SAID LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 27C of chapter 149 of the General Laws, as appearing in chapter 461 of the acts of 1935, is hereby amended by striking out the last sentence and inserting in place thereof the following four sentences: — Any person convicted of a second like violation of any provision of section twenty-six, twenty-seven or twenty-seven B shall be prohibited from contracting, directly or indirectly, with the commonwealth or any of its agencies or political subdivisions for the construction of any public building or other public works, or from performing any work on the same as a contractor or subcontractor for a period of three years from the date of such second conviction. After final conviction and disposition of a violation of any provision of said sections twenty-six, twenty-seven or twenty-seven B in any court, the clerk of said court shall send a notice of such conviction to the commissioner. Upon receipt of notice of a conviction of any person for a second like violation of any provision of said sections twenty-six, twenty-seven or twenty-seven B, the commissioner shall send written notice to all departments and agencies of the commonwealth which contract for public construction and to the appropriate authorities of counties, cities and towns that such person is prohibited from contracting, directly or indirectly, with the commonwealth or any of its political subdivisions for a period of three years from the date of such second conviction. The commissioner shall take such action as may be necessary to enforce the provisions of this section, and the superior court shall have jurisdiction to enjoin or invalidate any contract award made in violation of this section.

SECTION 2. Said chapter 149, is hereby further amended by striking out section 27D, as most recently amended by chapter 364 of the acts of

1958, and inserting in place thereof the following section: — *Section 27D.* Wherever used in sections twenty-six to twenty-seven C, inclusive, the words "construction" and "constructed" as applied to public buildings and public works shall include additions to and alterations of public works, the installation of resilient flooring in, and the painting of, public buildings and public works; certain work done preliminary to the construction of public works, namely, soil explorations, test borings and demolition of structures incidental to site clearance and right of way clearance; and the demolition of any building or other structure ordered by a public authority for the preservation of public health or public safety. *Approved May 17, 1961.*

Chap. 476. AN ACT RELATIVE TO THE MANNER OF FIXING THE SALARY OF THE CHIEF CLERK IN THE ATTORNEY GENERAL'S OFFICE.

Be it enacted, etc., as follows:

Chapter 12 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 297 of the acts of 1959, and inserting in place thereof the following section: — *Section 2.* He shall appoint a first assistant attorney general and may appoint such other assistants as the duties of the department require and a chief clerk and, with the approval of the governor and council, shall fix the compensation of said assistants. The compensation of the chief clerk shall be fixed in accordance with the provisions of sections forty-five to fifty, inclusive, of chapter thirty. He may, with the approval of the governor and council, employ additional legal assistance. Appointments under this section, other than that of chief clerk, shall be exempt from chapter thirty-one. Persons appointed as assistant attorneys general shall, in the event of a vacancy in the office of attorney general continue in the office until an attorney general is duly qualified. *Approved May 17, 1961.*

Chap. 477. AN ACT EXEMPTING MEALS FURNISHED TO ORGANIZATIONS IN WHICH MEMBERSHIP IS LIMITED TO PERSONS OVER SIXTY YEARS OF AGE FROM THE EXCISE UPON CHARGES FOR MEALS SERVED TO THE PUBLIC.

Be it enacted, etc., as follows:

Section 2A of chapter 64B of the General Laws, inserted by section 2 of chapter 627 of the acts of 1953, is hereby amended by adding at the end the following clause: —

(*d*) Meals furnished to any organization in which membership is limited to persons sixty years of age or over; provided, however, that said organization has previously filed with the commissioner, on a form approved by the state tax commission, satisfactory proof of its eligibility hereunder. *Approved May 17, 1961.*

Chap. 478. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, THEIR 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 COUNTIES.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of certain counties, their 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-one:

BARNSTABLE COUNTY.

Item		
1.	For interest on county debt	$30,603 75
2.	For reduction of county debt	136,000 00
3.	For county commissioners, salaries and expenses	18,277 75
4.	For transportation and expenses of county and acting commissioners	1,000 00
5.	For clerk of courts, salaries and expenses	22,793 25
6.	For county treasurer, salaries and expenses	24,599 47
7.	For sheriff, salary and expenses	10,605 75
8.	For registry of deeds, salaries and expenses	126,789 25
8a.	For registry of probate, salaries and expenses	6,654 50
9.	For law library, salaries and expenses	5,050 00
10.	For highways, including state highways, bridges and land damages	180,400 00
12.	For criminal costs in superior court	32,589 04
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	23,960 00
14.	For district courts, salaries and expenses	122,550 26
15.	For medical examiners and commitments of insane	5,060 00
16.	For jail and house of correction, maintenance and operation	201,460 50
17.	For training school	9,460 00
18.	For court houses and registry buildings, maintenance and operation	77,221 60
20.	For agricultural school or county aid to agriculture, maintenance and operation	43,416 26
22.	For hospital or sanatorium	600,055 00
23.	For preventorium or health service	69,397 56
24.	For non-contributory pensions	19,794 04
25.	For contributory retirement system and supervisory expenses	22,546 62
26.	For miscellaneous and contingent expenses	15,560 49

Item		
27.	For unpaid bills of previous years	$1,979 51
28.	For reserve fund	25,000 00
28a.	For reserve for salary adjustments	49,000 00
29.	For advertising recreational advantages of the county	75,000 00
30.	For state fire patrol	4,500 00
31.	For maintenance, forest fire apparatus	1,000 00
32.	For police training school and bureau of criminal identification	25,446 25
33.	For police radio system	35,791 74
36.	For beach commission	300 00
38.	For airplane	4,610 00
39.	For group insurance	15,100 00
40.	For advertising and promoting county fairs	500 00
41.	For sewage system, maintenance and operation	8,747 00
43.	For forest fire fighting training school	5,030 00
44.	For land use planning, as authorized by chapter one hundred and eighty-nine of the acts of nineteen hundred and sixty-one	25,000 00
	Total amount of appropriations	$2,082,849 59
	Less estimated amount available for reduction of county tax	720,245 54
	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	$1,362,604 05

BERKSHIRE COUNTY.

Item		
1.	For interest on county debt	$8,203 13
2.	For reduction of county debt	20,000 00
3.	For county commissioners, salaries and expenses	19,473 00
4.	For transportation and expenses of county and acting commissioners	1,500 00
5.	For clerk of courts, salaries and expenses	24,919 33
6.	For county treasurer, salaries and expenses	13,841 25
7.	For sheriff, salary and expenses	8,552 50
8.	For registries of deeds, salaries and expenses	102,727 98
8a.	For registry of probate, salaries and expenses	6,675 00
9.	For law library, salaries and expenses	9,021 00
10.	For highways, including state highways, bridges and land damages	262,772 64
11.	For examination of dams	1,486 00
12.	For criminal costs in superior court	39,039 74
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	56,870 00
14.	For district courts, salaries and expenses	204,953 06
15.	For medical examiners and commitments of insane	10,000 00

Item		
16.	For jail and house of correction, maintenance and operation	$129,630 84
17.	For training school	2,500 00
18.	For court houses and registry buildings, maintenance and operation	39,834 05
20.	For agricultural school or county aid to agriculture, maintenance and operation	48,424 00
21.	For state reservation, maintenance and operation, Mount Greylock	61,420 70
21a.	For state reservation, maintenance and operation, Mount Everett	7,766 00
22.	For hospital or sanatorium	82,164 52
23.	For preventorium or health service	15,501 00
24.	For non-contributory pensions	6,845 53
25.	For contributory retirement system and supervisory expenses	34,213 48
26.	For miscellaneous and contingent expenses	10,280 79
27.	For unpaid bills of previous years	1,200 00
28.	For reserve fund	8,000 00
28a.	For reserve for salary adjustments	19,000 00
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	1,500 00
32.	For Dutch elm disease	7,500 00
33.	For forest fire patrol	8,250 00
34.	For soil conservation district	450 00
35.	For industrial development commission	72,452 50
39.	For group insurance	11,000 00
	Total amount of appropriations	$1,390,218 04
	Less estimated amount available for reduction of county tax	220,438 14
	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	$1,169,779 90

BRISTOL COUNTY.

Item		
1.	For interest on county debt	$30,197 50
2.	For reduction of county debt	90,000 00
3.	For county commissioners, salaries and expenses	14,782 00
4.	For transportation and expenses of county and acting commissioners	1,200 00
5.	For clerk of courts, salaries and expenses	92,544 25
6.	For county treasurer, salaries and expenses	43,208 25
7.	For sheriff, salary and expenses	11,066 25
8.	For registries of deeds, salaries and expenses	219,809 95
8a.	For registry of probate, salaries and expenses	19,710 00
9.	For law library, salaries and expenses	29,459 80

Item		
10.	For highways, including state highways, bridges and land damages	$289,525 00
11.	For examination of dams	1,000 00
12.	For criminal costs in superior court	127,081 40
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	133,537 26
14.	For district courts, salaries and expenses	398,894 62
15.	For medical examiners and commitments of insane	36,305 00
16.	For jail and house of correction, maintenance and operation	244,107 01
17.	For training school	10,000 00
18.	For court houses and registry buildings, maintenance and operation	245,371 36
20.	For agricultural school or county aid to agriculture, maintenance and operation	379,225 68
24.	For non-contributory pensions	45,192 66
25.	For contributory retirement system and supervisory expenses	69,643 14
26.	For miscellaneous and contingent expenses	23,881 11
27.	For unpaid bills of previous years	3,000 00
28.	For reserve fund	30,000 00
28a.	For reserve for salary adjustments	58,000 00
30.	For forest fire patrol	2,500 00
31.	For forest development	2,400 00
32.	For police training school	500 00
39.	For group insurance	22,750 00
	Total amount of appropriations	$2,674,892 24
	Less estimated amount available for reduction of county tax	691,183 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	$1,983,708 30

DUKES COUNTY.

Item		
1.	For interest on county debt	$9,100 00
2.	For reduction of county debt	31,000 00
3.	For county commissioners, salaries and expenses	5,466 33
4.	For transportation and expenses of county and acting commissioners	500 00
5.	For clerk of courts, salaries and expenses	7,368 60
6.	For county treasurer, salaries and expenses	4,433 00
7.	For sheriff, salary and expenses	4,082 50
8.	For registry of deeds, salaries and expenses	14,886 00
8a.	For registry of probate, salaries and expenses	1,725 00
9.	For law library, salaries and expenses	800 00
10.	For highways, including state highways, bridges and land damages	28,750 00

Item		
12.	For criminal costs in superior court	$7,188 97
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	1,325 00
14.	For district courts, salaries and expenses	19,239 58
15.	For medical examiners and commitments of insane	550 00
16.	For jail and house of correction, maintenance and operation	10,400 82
18.	For court houses and registry buildings, maintenance and operation	6,198 75
20.	For agricultural school or county aid to agriculture, maintenance and operation	14,543 41
21.	For state reservation, maintenance and operation, Gay Head	1,000 00
21a.	For state reservation, maintenance and operation, Indian Burial Ground	400 00
24.	For non-contributory pensions	3,875 80
25.	For contributory retirement system and supervisory expenses	3,249 25
26.	For miscellaneous and contingent expenses	6,050 00
27.	For unpaid bills of previous years	1,000 00
28.	For reserve fund	5,000 00
28a.	For reserve for salary adjustments	4,400 00
29.	For advertising recreational advantages of the county	17,700 00
30.	For rodent control	6,630 00
31.	For county airport, maintenance and operation	44,530 71
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	$266,393 72
	Less estimated amount available for reduction of county tax	46,379 45
	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	$220,014 27

ESSEX COUNTY.

Item		
1.	For interest on county debt	$19,047 50
2.	For reduction of county debt	40,000 00
3.	For county commissioners, salaries and expenses	38,953 99
4.	For transportation and expenses of county and acting commissioners	2,000 00
5.	For clerk of courts, salaries and expenses	126,509 98
6.	For county treasurer, salaries and expenses	41,507 91
7.	For sheriff, salary and expenses	11,118 00
8.	For registries of deeds, salaries and expenses	392,595 86
8a.	For registry of probate, salaries and expenses	14,248 00

Item		
9.	For law library, salaries and expenses	$27,107 41
10.	For highways, including state highways, bridges and land damages	506,350 71
12.	For criminal costs in superior court	117,887 37
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	217,767 00
14.	For district courts, salaries and expenses	628,353 76
15.	For medical examiners and commitments of insane	36,820 00
16.	For jail and house of correction, maintenance and operation	353,939 27
16a.	For industrial farm, maintenance and operation	159,084 75
17.	For training school	238,072 63
18.	For court houses and registry buildings, maintenance and operation	202,093 33
20.	For agricultural school or county aid to agriculture, maintenance and operation	679,138 37
24.	For non-contributory pensions	67,493 46
25.	For contributory retirement system and supervisory expenses	151,847 28
26.	For miscellaneous and contingent expenses	43,160 21
27.	For unpaid bills of previous years	7,264 94
28.	For reserve fund	40,000 00
28a.	For reserve for salary adjustments	123,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	10,000 00
30.	For fire patrol	4,500 00
31.	For forest development	2,000 00
39.	For group insurance	58,000 00
	Total amount of appropriations	$4,359,861 73
	Less estimated amount available for reduction of county tax	1,107,925 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	$3,251,935 79

Notwithstanding any of the foregoing appropriations or the provisions of any law or regulation to the contrary, the county personnel board shall not re-grade the positions of head of division at the training school, superintendent of buildings at Salem, and superintendent of buildings and grounds at the agricultural school, and the incumbent of each of said positions shall remain in the grade in which he was classified by said board immediately prior to the effective date of this act; and said board is further directed to strike out of the county classification and pay plan the new positions of administrative assistant, custodian department, Salem and assistant superintendent, training school.

FRANKLIN COUNTY.

Item		
1.	For interest on county debt	$2,250 00
3.	For county commissioners, salaries and expenses	10,785 00
4.	For transportation and expenses of county and acting commissioners	700 00
5.	For clerk of courts, salaries and expenses	19,220 78
6.	For county treasurer, salaries and expenses	12,788 92
7.	For sheriff, salary and expenses	6,798 75
8.	For registry of deeds, salaries and expenses	44,632 10
8a.	For registry of probate, salaries and expenses	3,565 00
9.	For law library, salaries and expenses	8,552 00
10.	For highways, including state highways, bridges and land damages	205,075 00
11.	For examination of dams	400 00
12.	For criminal costs in superior court	22,106 20
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	57,524 30
15.	For medical examiners and commitments of insane	4,370 00
16.	For jail and house of correction, maintenance and operation	78,388 60
17.	For training school	1,000 00
18.	For court houses and registry buildings, maintenance and operation	26,865 25
20.	For agricultural school or county aid to agriculture, maintenance and operation	41,650 13
21.	For state reservation, maintenance and operation, Mount Sugarloaf	3,768 75
22.	For hospital or sanatorium	51,724 35
23.	For preventorium or health service	2,200 00
23a.	For mental health clinic	2,685 00
25.	For contributory retirement system and supervisory expenses	10,152 68
26.	For miscellaneous and contingent expenses	3,047 52
27.	For unpaid bills of previous years	2,000 00
28.	For reserve fund	15,000 00
28a.	For reserve for salary adjustments	11,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	7,581 65
31.	For radio system for fire protection	1,305 00
39.	For group insurance	4,500 00
	Total amount of appropriations	$683,831 98
	Less estimated amount available for reduction of county tax	98,395 41
	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	$585,436 57

HAMPDEN COUNTY.

Item		
1.	For interest on county debt	$10,000 00
3.	For county commissioners, salaries and expenses.	25,683 25
4.	For transportation and expenses of county and acting commissioners	600 00
5.	For clerk of courts, salaries and expenses	79,273 67
6.	For county treasurer, salaries and expenses	27,541 25
7.	For sheriff, salary and expenses	11,063 00
8.	For registry of deeds, salaries and expenses	198,803 35
8a.	For registry of probate, salaries and expenses	32,933 00
9.	For law library, salaries and expenses	22,024 00
10.	For highways, including state highways, bridges and land damages	300,558 00
11.	For examination of dams	4,200 00
12.	For criminal costs in superior court	81,845 83
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	202,402 50
14.	For district courts, salaries and expenses	526,344 22
15.	For medical examiners and commitments of insane.	40,000 00
16.	For jail and house of correction, maintenance and operation	286,883 01
17.	For training school	126,546 77
18.	For court houses and registry buildings, maintenance and operation	140,256 26
20.	For agricultural school or county aid to agriculture, maintenance and operation	120,886 49
21.	For state reservation, maintenance and operation, Mount Tom	34,361 20
23.	For preventorium or health service	3,000 00
24.	For non-contributory pensions	15,124 45
25.	For contributory retirement system and supervisory expenses	67,303 40
26.	For miscellaneous and contingent expenses	11,351 00
27.	For unpaid bills of previous years	7,500 00
28.	For reserve fund	15,000 00
28a.	For reserve for salary adjustments	62,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	4,581 65
30.	For radio system for fire protection	150 00
39.	For group insurance	23,000 00
40.	For soil conservation	200 00
	Total amount of appropriations	$2,481,416 30
	Less estimated amount available for reduction of county tax	483,058 42
	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	$1,998,357 88

HAMPSHIRE COUNTY.

Item		
1.	For interest on county debt	$3,500 00
3.	For county commissioners, salaries and expenses	17,731 00
4.	For transportation and expenses of county and acting commissioners	1,000 00
5.	For clerk of courts, salaries and expenses	25,008 00
6.	For county treasurer, salaries and expenses	18,465 50
7.	For sheriff, salary and expenses	7,055 00
8.	For registry of deeds, salaries and expenses	53,565 63
8a.	For registry of probate, salaries and expenses	4,528 25
9.	For law library, salaries and expenses	7,785 00
10.	For highways, including state highways, bridges and land damages	164,820 00
11.	For examination of dams	2,300 00
12.	For criminal costs in superior court	25,778 55
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	41,289 00
14.	For district courts, salaries and expenses	101,187 06
15.	For medical examiners and commitments of insane	11,285 00
16.	For jail and house of correction, maintenance and operation	106,027 68
17.	For training school	400 00
18.	For court houses and registry buildings, maintenance and operation	35,009 58
20.	For agricultural school or county aid to agriculture, maintenance and operation	49,827 41
21.	For state reservation, maintenance and operation, Mount Tom	5,599 44
21a.	For state reservation, maintenance and operation, Deer Hill	350 00
22.	For hospital or sanatorium	188,477 63
23.	For preventorium or health service	300 00
24.	For non-contributory pensions	4,744 17
25.	For contributory retirement system and supervisory expenses	21,087 20
26.	For miscellaneous and contingent expenses	2,662 38
27.	For unpaid bills of previous years	400 00
28.	For reserve fund	10,000 00
28a.	For reserve for salary adjustments	15,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	7,350 00
30.	For forest development in co-operation with the state	2,044 00
31.	For radio system for fire protection	1,500 00
34.	For soil conservation	1,120 00
39.	For group insurance	12,000 00
40.	For off-street parking	14,500 00
	Total amount of appropriations	$963,697 48
	Less estimated amount available for reduction of county tax	154,636 53

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..... $809,060 95

MIDDLESEX COUNTY.

Item		
1.	For interest on county debt.....	$23,000 00
3.	For county commissioners, salaries and expenses..	64,416 57
4.	For transportation and expenses of county and acting commissioners.....	2,000 00
5.	For clerk of courts, salaries and expenses.....	311,448 63
6.	For county treasurer, salaries and expenses.....	65,585 83
7.	For sheriff, salary and expenses.....	11,349 50
8.	For registries of deeds, salaries and expenses.....	947,528 80
8a.	For registry of probate, salaries and expenses....	35,361 00
8b.	For classified and consolidated index.....	1,644 46
9.	For law library, salaries and expenses.....	48,312 25
10.	For highways, including state highways, bridges and land damages.....	1,011,715 18
11.	For examination of dams.....	5,000 00
12.	For criminal costs in superior court.....	443,802 30
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees.....	566,173 03
14.	For district courts, salaries and expenses.....	1,551,782 97
15.	For medical examiners and commitments of insane	96,400 00
16.	For jail and house of correction, maintenance and operation.....	1,614,710 48
17.	For training school.....	294,263 11
18.	For court houses and registry buildings, maintenance and operation.....	515,368 44
20.	For agricultural school or county aid to agriculture, maintenance and operation.....	118,426 82
21.	For state reservation, maintenance and operation, Walden Pond.....	147,548 04
24.	For non-contributory pensions.....	117,103 84
25.	For contributory retirement system and supervisory expenses, including the position of executive secretary of the county retirement board at a minimum initial salary of not less than eight thousand dollars per year, and the position of administrative assistant of said board at a minimum initial salary of seven thousand five hundred dollars per year, both of whom shall be appointed by the said county retirement board on the effective date of this act; provided, however, that notwithstanding any contrary provision of law said positions shall not be under the supervision or control of the county personnel board	186,727 43
26.	For miscellaneous and contingent expenses.....	27,436 45
27.	For unpaid bills of previous years.....	15,630 00

Item		
28.	For reserve fund	$50,000 00
28a.	For reserve for salary adjustments	235,000 00
30.	For forest fire patrol	2,500 00
31.	For soil conservation	1,000 00
39.	For group insurance	100,000 00
	Total amount of appropriations	$8,611,235 13
	Less estimated amount available for reduction of county tax	2,273,349 76
	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	$6,337,885 37

NORFOLK COUNTY.

Item		
1.	For interest on county debt	$27,050 00
2.	For reduction of county debt	99,455 00
3.	For county commissioners, salaries and expenses	24,758 50
4.	For transportation and expenses of county and acting commissioners	660 00
5.	For clerk of courts, salaries and expenses	68,487 07
6.	For county treasurer, salaries and expenses	37,258 50
7.	For sheriff, salary and expenses	11,009 25
8.	For registry of deeds, salaries and expenses	346,306 06
8a.	For registry of probate, salaries and expenses	31,100 37
9.	For law library, salaries and expenses	6,727 00
10.	For highways, including state highways, bridges and land damages	502,678 50
12.	For criminal costs in superior court	164,580 72
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	153,136 00
14.	For district courts, salaries and expenses	589,440 72
15.	For medical examiners and commitments of insane	49,500 00
16.	For jail and house of correction, maintenance and operation	274,117 91
17.	For training school	60,000 00
18.	For court houses and registry buildings, maintenance and operation	211,529 42
19.	For construction of county buildings and/or purchase of land	105,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation	437,799 39
24.	For non-contributory pensions	30,000 00
25.	For contributory retirement system and supervisory expenses	71,503 02
26.	For miscellaneous and contingent expenses	9,711 35
27.	For unpaid bills of previous years	13,500 00
28.	For reserve fund	35,000 00
28a.	For reserve for salary adjustments	77,000 00

Item		
30.	For forest fire patrol	$2,500 00
39.	For group insurance	27,000 00
	Total amount of appropriations	$3,466,808 78
	Less estimated amount available for reduction of county tax	1,255,994 15
	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	$2,210,814 63

PLYMOUTH COUNTY.

Item		
1.	For interest on county debt	$9,789 73
2.	For reduction of county debt	80,400 00
3.	For county commissioners, salaries and expenses	24,745 00
4.	For transportation and expenses of county and acting commissioners	1,066 00
5.	For clerk of courts, salaries and expenses	59,701 50
6.	For county treasurer, salaries and expenses	23,788 25
7.	For sheriff, salary and expenses	10,182 67
8.	For registry of deeds, salaries and expenses	201,952 35
8a.	For registry of probate, salaries and expenses	15,454 00
9.	For law library, salaries and expenses	8,019 58
10.	For highways, including state highways, bridges and land damages	318,185 00
11.	For examination of dams	1,000 00
12.	For criminal costs in superior court	104,503 22
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	122,892 17
14.	For district courts, salaries and expenses	300,064 45
15.	For medical examiners and commitments of insane	21,729 50
16.	For jail and house of correction, maintenance and operation	332,940 08
17.	For training school	20,050 00
18.	For court houses and registry buildings, maintenance and operation	90,989 17
20.	For agricultural school or county aid to agriculture, maintenance and operation	79,847 00
24.	For non-contributory pensions	21,925 08
25.	For contributory retirement system and supervisory expenses	50,101 45
26.	For miscellaneous and contingent expenses	2,581 90
27.	For unpaid bills of previous years	7,000 00
28.	For reserve fund	30,000 00
28a.	For reserve for salary adjustments	40,000 00
30.	For forest fire control	6,960 00
31.	For bureau of criminal investigation and police training school	21,887 75

Item		
32.	For police radio network	$200 00
39.	For group insurance	15,035 00
	Total amount of appropriations	$2,022,990 85
	Less estimated amount available for reduction of county tax	494,958 11
	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	$1,528,032 74

WORCESTER COUNTY.

Item		
1.	For interest on county debt	$51,600 00
2.	For reduction of county debt	180,000 00
3.	For county commissioners, salaries and expenses	36,341 25
4.	For transportation and expenses of county and acting commissioners	2,451 00
5.	For clerk of courts, salaries and expenses	165,076 25
6.	For county treasurer, salaries and expenses	45,437 73
7.	For sheriff, salary and expenses	11,618 00
8.	For registries of deeds, salaries and expenses	321,238 37
8a.	For registry of probate, salaries and expenses	21,435 00
9.	For law libraries, salaries and expenses	36,780 64
10.	For highways, including state highways, bridges and land damages	789,139 50
11.	For examination of dams	1,850 00
12.	For criminal costs in superior court	156,860 55
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	277,037 10
14.	For district courts, salaries and expenses	645,954 80
15.	For medical examiners and commitments of insane	82,230 00
16.	For jail and house of correction, maintenance and operation	358,050 83
18.	For court houses and registry buildings, maintenance and operation	264,520 90
20.	For agricultural school or county aid to agriculture, maintenance and operation	112,913 50
21.	For state reservation, maintenance and operation, Mount Wachusett	36,567 00
21a.	For state reservation, maintenance and operation, Purgatory Chasm	16,896 50
24.	For non-contributory pensions	38,481 00
25.	For contributory retirement system and supervisory expenses	90,015 00
26.	For miscellaneous and contingent expenses	24,080 85
27.	For unpaid bills of previous years	7,000 00
28.	For reserve fund	40,000 00
28a.	For reserve for salary adjustments	84,000 00
29.	For bindery department	14,325 50

Item		
30.	For forest fire patrol	$2,600 00
31.	For radio system for fire protection	600 00
32.	For Dutch elm disease	10,000 00
34.	For soil conservation	250 00
39.	For group insurance	35,908 00
	Total amount of appropriations	$3,961,259 27
	Less estimated amount available for reduction of county tax	755,915 54
	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	$3,205,343 73

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 each county a certification of the amounts above appropriated as set forth in the approved schedules for such 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 subclasses 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; provided, however, that the salary rate for each full-time probation officer shall be increased at the rate of six hundred dollars per year effective January first, nineteen hundred and sixty-one

and the salary of each part-time probation officer shall be increased by that proportion of six hundred dollars which the service rendered by him in a calendar year bears to full-time service.

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-one, 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 18, 1961.

Chap. 479. AN ACT INCREASING THE SALARY OF THE CLERK OF THE SECOND DISTRICT COURT OF BARNSTABLE.

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 I* by striking out, in line 1, the words "second district court of Barnstable,", — and in *Class II* by striking out the first line and inserting in place thereof the following two lines: —

The second district court of Barnstable,
district court of Chicopee,.

Approved May 19, 1961.

Chap. 480. AN ACT INCREASING THE SALARY OF THE CLERK OF THE FIRST DISTRICT COURT OF EASTERN WORCESTER.

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 in *Class I* by striking out line 19, reading "first district court of eastern Worcester,", — and in *Class II* by striking out the last two lines and inserting in place thereof the following three lines: —

third district court of Plymouth,
fourth district court of Plymouth, and
first district court of eastern Worcester.

SECTION 2. This act shall take effect on July first, nineteen hundred and sixty-one.

Approved May 19, 1961.

Chap. 481. AN ACT VALIDATING THE ZONING BY-LAWS OF THE TOWN OF ADAMS.

Be it enacted, etc., as follows:

SECTION 1. The zoning by-laws of the town of Adams adopted during the year nineteen hundred and sixty and described in Article 2 of the warrant of the special town meeting held on November fourteenth of said year, and the further amendments to said zoning by-laws adopted during the current year and described in Articles 45 and 46 of the warrant for the annual town meeting held in said town in the current year, all are hereby confirmed and made valid notwithstanding the failure to comply with the provisions of law relative to the adoption of and changes in zoning by-laws.

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

Approved, May 19, 1961.

Chap. 482. AN ACT RELATIVE TO THE APPOINTMENT OF OFFICERS AND EMPLOYEES OF PRISON CAMPS.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby amended by striking out section 83D, inserted by chapter 755 of the acts of 1951, and inserting

in place thereof the following section: — *Section 83D.* The commissioner shall appoint a director of prison camps and such other prison camp officers as he shall deem necessary. All offices and positions in the prison camps shall be filled in accordance with the provisions of chapter thirty-one, except that offices and positions which require the care, custody and control of prisoners shall be filled by promotion or transfer from among the employees of the department of correction in accordance with the provisions of said chapter.

The director of prison camps shall have the care, custody and control of all prisoners removed to any camp. Purchases and sales on account of any camp shall, if authorized by the state purchasing agent, be made by the director with the approval of the commissioner.

Approved May 19, 1961.

Chap. 483. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF HOLYOKE 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 "district court of western Hampden," the following line: — district court of Holyoke,.

SECTION 2. Section 78 of said chapter 218, as appearing in section 2 of said chapter 675, is hereby amended by striking out line 9, reading "district court of Holyoke,". *Approved May 19, 1961.*

Chap. 484. AN ACT DIRECTING THE STATE SUPERINTENDENT OF BUILDINGS TO ERECT A PLAQUE TO COMMEMORATE THE MEN FROM MASSACHUSETTS WHO WERE AWARDED THE CONGRESSIONAL MEDAL OF HONOR FOR HEROIC SERVICES IN WORLD WAR II AND THE KOREAN CAMPAIGN.

Be it enacted, etc., as follows:

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

SECTION 2. The state superintendent of buildings shall erect within the state house in a location to be determined by the art commission a suitable plaque to commemorate the heroic services in World War II and in the Korean Campaign of the men from Massachusetts who were awarded the congressional medal of honor. Said plaque shall be similar to the plaque erected in the state house honoring the men from Massachusetts who were awarded the congressional medal of honor for heroic services in World War I. For the purposes of carrying out the provisions of this act there may be expended such sums as may be appropriated therefor. *Approved May 19, 1961.*

Chap. 485. AN ACT FURTHER DEFINING THE RETIREMENT BENEFITS OF ELECTED PUBLIC OFFICIALS.

Be it enacted, etc., as follows:

Chapter 574 of the acts of 1959 is hereby amended by striking out section 2 and inserting in place thereof the following section: — *Section 2.* The provisions of this act shall apply to any inactive member of a retirement system holding elective public office on the effective date of this act, provided that he pays into the annuity savings fund of the system an amount equal to that which would have been withheld as regular deductions from his regular compensation from the date of his attaining the maximum age for his group to the date that he re-enters the system as an active member under the provisions of this act, in addition to such sums as he may have received as retirement allowance under the provisions of chapter thirty-two of the General Laws.

Approved May 19, 1961.

Chap. 486. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO REIMBURSE THE WIDOW OF DANIEL J. LAWLER FOR THE EXPENSES OF HIS FUNERAL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Springfield may appropriate and pay to the widow of Daniel J. Lawler, who died June twenty-ninth, nineteen hundred and fifty-eight, as a result of injuries sustained while in the performance of his duty as a member of the fire department of said city, a sum not exceeding twelve hundred and thirty-seven dollars, in reimbursement of the expenses of his funeral.

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 May 19, 1961.*

Chap. 487. AN ACT AUTHORIZING ANY INSTITUTION WHICH HAS RENDERED SERVICE TO A CHILD OR PARENT TO FILE AN APPLICATION FOR AID ON HIS BEHALF WITH THE LOCAL BOARD OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

Chapter 118 of the General Laws is hereby amended by adding after section 10 the following section: — *Section 11.* If a parent or dependent child requests care at an institution, as defined in section thirteen of chapter one hundred and eighteen A, the institution furnishing such care may initiate an application on behalf of the parent or dependent child to the appropriate board of public welfare and such board shall accept the application and act thereon. Such institution shall be entitled to notice, hearing and right of appeal in the same manner as an applicant or recipient, as provided in section eight.

Payment for such care shall be made, to the extent allowed by rules and regulations of the Secretary of Health, Education and Welfare, if an applicant dies before approval of his application. Payment for such medical care and hospitalization, including nursing home care, shall be

paid, subject to the rules and regulations of the department and the rules and regulations of the Secretary of Health, Education and Welfare, for a reasonable period not to exceed thirty days prior to the date of application on account of said services actually rendered.

Approved May 19, 1961.

Chap. 488. AN ACT AUTHORIZING COUNTIES 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:

Chapter 32 of the General Laws is hereby amended by striking out section 95A, as amended by section 1 of chapter 670 of the acts of 1960, 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 county, a city or a 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 county, 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 county by vote of the county commissioners; 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 May 19, 1961.*

Chap. 489. AN ACT EXTENDING THE TIME WITHIN WHICH THE BOARD OF ASSESSORS OF THE CITY OF SPRINGFIELD MAY ACT ON APPLICATIONS FOR ABATEMENT OF TAXES ON REAL ESTATE FOR THE YEAR NINETEEN HUNDRED AND SIXTY AND THE TIME WITHIN WHICH APPEALS MAY BE FILED BY REASON OF SUCH APPLICATIONS BEING DEEMED TO BE DENIED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for extending the time within which the board of assessors of the city of Springfield may act on

applications for abatement of taxes on real estate for the 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:

Notwithstanding any provision of section sixty-four of chapter fifty-nine of the General Laws to the contrary, the board of assessors of the city of Springfield shall have authority to act on any application for abatement of a tax on real estate assessed for the year nineteen hundred and sixty at any time prior to the expiration of seven months from the date of filing said application, provided it was filed in accordance with chapter seven hundred and forty-eight of the acts of nineteen hundred and sixty, and the written consent of the applicant shall not be required.

Notwithstanding any provision of said section sixty-four or of section sixty-five of said chapter fifty-nine to the contrary, an appeal under either of said sections may be filed within seven months after the time when any such application for said year is deemed to be denied as provided in said section sixty-four. *Approved May 22, 1961.*

Chap. 490. AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN WAR VETERANS IN THE PUBLIC SERVICE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the retirement of certain eligible war veterans, which right to retire would be lost to them through the operation of the compulsory retirement law, therefore it is hereby declared to be an emergency law, necessary for the immediate protection of the public welfare.

Be it enacted, etc., as follows:

SECTION 1. A veteran, as defined in section one of chapter thirty-two of the General Laws, who has been in the service of the commonwealth, or of any county, city, town or district, for a total period of twenty-five years in the aggregate and has attained age sixty-five, and whose employment therein began on or before June thirtieth, nineteen hundred and thirty-nine, shall, at his own request, with the approval of the retiring authority, be retired from active service at sixty-five per cent of the highest annual rate of compensation, including any bonuses paid in lieu of additional salary or as a temporary wage increase in addition to his regular compensation, and including any maintenance allowance, payable to him while he was holding the grade held by him at his retirement, and payable from the same source. No veteran whose employment first began prior to June thirtieth, nineteen hundred and thirty-nine, shall be subject to the provisions of this act unless at the time of his retirement the total period of his creditable service is at least equal to twice the time he was not in the employ of the commonwealth or of a county, city, town or district when his employment by the commonwealth or by a county, city, town or district first began; provided, however, that this sentence shall not affect adversely any rights, benefits or privileges, or the entitlement to any rights, benefits or privileges, of any person in the employ of the commonwealth or any political subdivision thereof, immediately prior to June tenth, nineteen hundred and fifty-four, to receive such rights, benefits or privileges.

SECTION 2. Any veteran retired under this act shall have all the rights of a veteran at retirement as provided in subdivision (3) of section twenty-five of chapter thirty-two of the General Laws.

SECTION 3. This act shall take effect as of February first, nineteen hundred and sixty-one, as to veterans employed by the commonwealth or the metropolitan district commission, and shall take effect as to veterans employed by a county, city, town or district upon its acceptance prior to January first, nineteen hundred and sixty-three by a majority vote of the county commissioners, by the mayor, by majority vote of the selectmen, or by majority vote of the prudential committee, as the case may be. *Approved May 22, 1961.*

Chap. 491. AN ACT VALIDATING THE VOTE OF THE VOTERS OF THE CITY OF ATTLEBORO AT THE STATE ELECTION IN THE YEAR NINETEEN HUNDRED AND SIXTY RELATIVE TO ESTABLISHING PRELIMINARY MUNICIPAL ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. The action of the voters of the city of Attleboro at the state election held in the year nineteen hundred and sixty in voting to accept the provisions of chapter two hundred and eighty-one of the acts of nineteen hundred and sixty, entitled "An Act establishing Preliminary Municipal Elections in the city of Attleboro", is hereby validated notwithstanding the failure of said city to comply with the provisions of sections fifty-five to fifty-eight, inclusive, of chapter fifty-four of the General Laws.

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

Approved May 22, 1961.

Chap. 492. AN ACT FURTHER REGULATING THE SPENDING OF ENCUMBERED BALANCES OF APPROPRIATIONS FOR ORDINARY MAINTENANCE.

Be it enacted, etc., as follows:

Chapter 29 of the General Laws is hereby amended by striking out section 13, as amended by chapter 42 of the acts of 1950, and inserting in place thereof the following section: — *Section 13.* That portion of an appropriation for ordinary maintenance representing encumbrances outstanding on the records of the comptroller's bureau at the close of the fiscal year may be applied to the payment thereof in the six months immediately succeeding such fiscal year; provided, however, that the budget commissioner at the written request of a spending agency may, prior to the close of said six months, extend for an additional three months the recorded encumbrance outstanding and the funds reserved therefor, by furnishing the comptroller with a copy of such request and the approval thereof.

The unencumbered balance of an appropriation for ordinary maintenance mentioned in this section shall revert to the commonwealth at the end of each month. *Approved May 22, 1961.*

Chap. 493. AN ACT REVISING THE LAWS RELATIVE TO TRUST COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 172 and inserting in place thereof the following chapter:

CHAPTER 172.

TRUST COMPANIES.

GENERAL PROVISIONS.

Section 1. Wherever used in this chapter, unless the context otherwise requires, the following words shall have the following meanings:—

"Board" or the "board of bank incorporation", a board consisting of the commissioner of banks, the commissioner of corporations and taxation, and the state treasurer.

"Capital stock", the sum of the par value of the preferred and common shares of capital stock, issued and outstanding.

"Commissioner", the commissioner of banks.

"Common stock", the shares of capital stock of a trust company, other than preferred stock, issued under the provisions of this chapter.

"Deposit book" or "pass book", book issued to a depositor as evidence of his savings account.

"Incorporators", subscribers to the agreement of association for the purpose of forming a trust company under the provisions of this chapter.

"Officer", any individual designated as such in accordance with the by-laws including, whether or not so designated, the president, vice-president, treasurer, and the clerk or secretary, or any individual who performs the duties appropriate to those offices.

"Stockholder", a registered owner of shares of capital stock of a trust company.

"Surplus account", an account so designated on the books of a trust company and consisting of such amounts as shall be required by law or shall be transferred thereto by vote of the board of directors, which may not be reduced except by vote of the board of directors, and with the written approval of the commissioner.

"Trust company" or "such corporation", a trust company incorporated as such in the commonwealth.

Section 2. (*a*) Except as herein otherwise specifically provided, this chapter shall apply to all trust companies.

(*b*) A trust company doing business under a charter issued prior to May twenty-eighth, eighteen hundred and eighty-eight shall not be subject to any provision of this chapter which is inconsistent with its charter or any provision of its by-laws adopted pursuant to its charter. Such trust company may adopt as part of its charter this chapter, or any provision thereof, by vote of a majority of its stockholders at its annual meeting or at a meeting called for the purpose and by filing within ten days from the date of such meeting, with the state secretary and with the commissioner, a certificate of such adoption sworn to by the clerk of such trust company.

Section 3. No person, other than a trust company, shall use the words "trust company", even though said words may be separated by one or

more other words, as part of his or its name or in any representation describing his or its business, powers, services or functions. Any person who violates this section shall be punished by a fine of one hundred dollars for each day during which such violation continues.

Section 4. A trust company shall have all the powers and privileges specified in this chapter and whatever further incidental powers may fairly be implied from those expressly conferred and such as are reasonably necessary to enable it to exercise fully those powers according to common commercial banking customs and usages.

Section 5. A trust company shall upon its incorporation have such capital structure as the board of bank incorporation shall deem adequate but not less than the following:

(*a*) Capital stock as follows:

Located in a city or town having a population of	Minimum Capital Stock
Less than 50,000	$100,000.00
50,000 or more	$200,000.00

(*b*) A surplus account amounting to fifty per cent of its capital stock.

(*c*) An undivided profits account amounting to fifty per cent of its capital stock.

Section 6. Fifteen or more individuals who associate themselves by a written agreement for the purpose of forming a trust company may, upon compliance with sections five to ten, inclusive, become a corporation, with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws relating to such corporations. The agreement of association shall specifically state:

(*a*) That the subscribers thereto associate themselves with the intention of forming a corporation;

(*b*) The name by which the corporation shall be known;

(*c*) The location of the principal office of the corporation, which shall be within the commonwealth;

(*d*) The purposes for which the corporation is formed and the nature of the business to be transacted;

(*e*) The amount and classes of its capital stock, and the number of shares into which any class is to be divided;

(*f*) The amount of the surplus account;

(*g*) The amount of the undivided profits account;

(*h*) The name of each incorporator and his residence, post office address, and the number of shares of capital stock, if any, which he agrees to take and the class or classes of such shares.

Each incorporator shall subscribe his name to the agreement of association.

Section 7. A notice of the intention of the subscribers to form such a trust company shall be given to the board of bank incorporation.

A notice in such form as said board shall approve shall be published at least once a week, for three successive weeks, in one or more newspapers designated by the board, and published in the city or town in which it is proposed to establish the trust company, or if there is no newspaper in such city or town, in a newspaper published in the city or town which is nearest to the proposed location. Such notice shall specify the names of the proposed incorporators, the name of the cor-

poration and the location of the same, as set forth in the agreement of association. Within thirty days after the first publication of said notice the subscribers to said agreement shall apply to the board for a certificate that public convenience and advantage will be promoted by the establishment of such trust company. In determining whether the public convenience and advantage will be promoted by the establishment of such trust company, the board shall consider the adequacy of its capital structure, the general character of its management, the adequacy of banking facilities in the area, and the convenience and needs of the community to be served. The board may grant such certificate, which shall be deemed to be revoked if the applicants therefor do not become incorporated and begin business within one year after its date of issue. If the board refuses to issue such certificate no further proceedings shall be had, but the application may be renewed after one year from the date of such refusal without further notice or publication unless the board shall order it.

Section 8. The first meeting of the incorporators shall be called by a notice signed either by that incorporator who is designated in the agreement for the purpose, or by a majority of the incorporators; and such notice shall state the time, place and purposes of the meeting. A copy of the notice shall, at least seven days before the day appointed for the meeting, be given to each incorporator or left at his residence or usual place of business, or deposited in the post office, postage prepaid, and addressed to him at his residence or usual place of business, and another copy thereof and an affidavit of one of the signers that the notice has been duly served shall be recorded with the records of the corporation. If all the incorporators shall, in writing endorsed upon the agreement of association, waive such notice and fix the time and place of the meeting, no notice shall be required. At such first meeting, or at any adjournment thereof, the incorporators shall organize by the choice by ballot of a temporary clerk who shall be sworn, by the adoption of by-laws and by the election in such manner as the by-laws may determine, of directors, a clerk or secretary, and such other officers as the by-laws may prescribe. The temporary clerk shall make and attest a record of the proceedings until the clerk or secretary has been chosen and sworn, including a record of such choice and qualification.

Section 9. The clerk or secretary and a majority of the directors elected at such first meeting shall make and sign under penalties of perjury articles of organization in duplicate, setting forth —

(*a*) A true copy of the agreement of association, the names of the subscribers thereto, and the name, residence and post office address of each of the officers and directors of the company;

(*b*) The date of the first meeting and the successive adjournments thereof, if any.

One duplicate original of the articles so signed shall be submitted to the commissioner, and the other, together with the records of the proposed corporation, to the commissioner of corporations and taxation, who shall examine the same, and who may require such amendment thereof or such additional information as he may consider necessary. If he finds that the articles conform to the four preceding sections relative to the organization of the corporation and that section seven has been complied with, he shall so certify and endorse his approval thereon. The articles shall be filed within thirty days thereafter in the office of the

state secretary, who, upon payment of a fee equal to one twentieth of one per cent of the capital stock of said corporation as set forth in said articles, shall issue a certificate of incorporation in the following form:

COMMONWEALTH OF MASSACHUSETTS.

Be it known that whereas (the names of the subscribers to the agreement of association) have associated themselves with the intention of forming a corporation under the name of (the name of the corporation), for the purpose (the purpose declared in the agreement of association), with a capital stock of (the amount fixed in the agreement of association), and have complied with the statutes of the commonwealth in such case made and provided, as appears from the articles of organization of said corporation, duly approved by the commissioner of corporations and taxation and recorded in this office: Now, therefore, I (the name of the state secretary), secretary of the commonwealth of Massachusetts, do hereby certify that said (the names of the subscribers to the agreement of association), their associates and successors, are legally organized and established as, and are hereby made, an existing corporation under the name of (name of the corporation), with the powers, rights and privileges, and subject to the limitations, duties and restrictions, which by law appertain thereto.

Witness my official signature hereunto subscribed, and the great seal of the commonwealth of Massachusetts hereunto affixed, this day of in the year (the date of the filing of the articles of organization).

The state secretary shall sign the certificate of incorporation and cause the great seal of the commonwealth to be thereto affixed, and such certificate shall have the force and effect of a special charter. The existence of every such corporation shall begin upon the filing of the articles of organization in the office of the state secretary. He shall also cause a record of the certificate of incorporation to be made, and such certificate, or such record, or a certified copy thereof, shall be conclusive evidence of the existence of such corporation.

Section 10. When all the capital stock has been issued, a list of the stockholders, with the name, residence and post office address of each, and the number of shares in each class held by each stockholder, shall be filed with the board of bank incorporation, which list shall be verified by the clerk of the corporation. Upon receipt of such list the board shall cause an examination to be made of the method of payment of the capital stock, of the personnel of the corporation, including the officers and directors thereof, and if, after such examination, it appears that the whole capital stock, surplus account and undivided profits account have been paid in in cash, that all requirements of law have been complied with, and that the qualifications of the personnel are satisfactory, the board shall, if satisfied that the public convenience and advantage will be promoted thereby, issue a certificate authorizing such corporation to begin the transaction of business. No such corporation shall begin the transaction of business until such a certificate has been granted.

Section 11. (*a*) After such notice and hearing as the board may prescribe, a trust company may, with the approval of the board, establish and operate one or more branch offices in the city or town where its principal office is located, or in any other city or town in the same

county having no commercial banking facilities or having banking facilities which, in the opinion of the board, are inadequate for the public convenience. A branch office so authorized shall be established within one year of the board's approval thereof, except that the board may extend the time in which such branch office may be established, without further notice or hearing unless the board shall order it.

(*b*) With the approval of the commissioner and under such conditions as he may prescribe, such corporation may maintain as a branch office or offices any office of a trust company, banking company or national banking association, in the same county, the business of which has been taken over under section thirty-two or thirty-eight.

(*c*) With the approval of the commissioner and under such conditions and regulations as may be prescribed by him, any such corporation having a total capital stock and surplus account of five million dollars or more may establish and operate one or more branches in foreign countries or dependencies of the United States.

(*d*) With the approval of the board of bank incorporation, such corporation may change the location of its principal office or any branch office, when the public convenience so requires, to any place where a branch office may be established and operated by it, and, with like approval, the former principal office of the corporation may thereafter be operated as a branch office.

No such corporation shall establish a branch office except as provided in this section.

Section 12. Such corporation may adopt by-laws for the proper management of its affairs and may establish regulations controlling the assignment and transfer of its shares. A majority in interest of the stockholders entitled to vote shall constitute a quorum at any meeting unless the by-laws require more than a majority. A copy of the by-laws and a copy of any regulations established hereunder shall be transmitted to the commissioner. A copy of any change in or amendment to any by-law or regulation shall be transmitted to the commissioner immediately after adoption. To all copies there shall be appended a written statement, signed by the clerk or secretary and the president, declaring that the copies are true and correct. The statement shall contain a declaration that it is made under the penalties of perjury. Said copies shall be kept in a suitable place by the commissioner and shall be competent evidence in all cases, equally with the originals thereof.

Section 13. The business of such corporation shall be managed by a board of not less than seven nor more than twenty-five directors. Three fourths of the directors shall be citizens of the commonwealth and resident therein. The directors shall be elected by the stockholders at their annual meeting or at a special meeting called for the purpose. The directors shall hold office for such term, not exceeding three years, as is provided in the by-laws and until their successors are selected and have qualified. A director shall be eligible for re-election. Any vacancy in the board may be filled by appointment by the remaining directors and any director so appointed shall hold his office until the next election.

Each director shall own, in his own right and free of any lien or incumbrance, common stock of such corporation having a par value of not less than one thousand dollars. Any director who ceases to be the owner of the required number of shares of stock, or who becomes in any

other manner disqualified, shall vacate his office forthwith. Each director, when appointed or elected, shall take an oath that he will faithfully perform the duties of his office and that he is the owner, in his own right and free of any lien or incumbrance, of the amount of stock required by this section. The oath shall be taken before a notary public or justice of the peace, who is not an officer of such corporation, and a record of the oath shall be made a part of the records of such corporation.

Each such corporation shall have an executive committee of not less than three members, who shall be elected by and from the directors and shall hold office during their pleasure.

Section 14. The officers of such corporation shall be a president, a clerk or secretary, a treasurer and such other officers as may be prescribed in accordance with its by-laws, and they shall be sworn to the faithful performance of their duties, and shall give to the corporation bond in such amounts and with such surety or sureties and conditions as the commissioner may prescribe. Any officers and employees required to give bond may be included in one or more blanket or schedule bonds; provided, that such bonds are approved by the commissioner as to the amounts and conditions thereof, and as to the sureties thereon.

Section 15. The clerk or secretary shall be elected by the stockholders at their annual meeting or at a special meeting duly called for the purpose.

The president shall be elected by and from the board of directors and shall be chairman thereof unless the board designates a director in lieu of the president to be chairman. The directors shall elect the treasurer and such other officers as may be required or permitted by law or by-law. The officers elected by the board shall hold their respective offices during the pleasure of the directors. The directors may fill a vacancy in the office of clerk or secretary until the next meeting of the stockholders.

Section 16. No person shall serve as a director, officer or employee of a trust company if he is, at the same time, engaged, individually or as a partner, in the business of making loans secured by stock or bond collateral or is a director, officer or employee of any person engaged in such business if such business is not subject to the supervision of the commissioner. A director, officer or employee of a trust company may at the same time be a director, officer or employee of another such corporation or national banking association, if, in such case, there is in force a permit therefor issued by the commissioner, who is hereby authorized to issue such permit if, in his judgment, it is not incompatible with the public interest, and to revoke any such permit whenever he finds, after reasonable notice and opportunity to be heard, that the public interest warrants its revocation.

Section 17. The board of directors shall meet at least once in each calendar month. At each meeting, the treasurer or any other officer designated by the board of directors shall submit a written report, over his signature, for the period running from the closing date of the last report to a date not more than eighteen days prior to the date of the meeting. The report shall be filed with the records of the meeting and shall cover the following transactions:

1. All changes in investments, including a list of the securities purchased or sold.

2. All changes in any reserve or contingency account, however designated, and an itemized list of the credits and debits to profit and loss and reserve accounts.

3. Lists of the following loans, the date thereof, and the date to which interest has been paid, setting forth the total liabilities of the borrower to the corporation, both secured and unsecured: —

(*a*) All loans payable on demand, other than real estate mortgage loans.

(*b*) All time loans overdue for more than thirty days, other than real estate mortgage loans.

(*c*) All real estate mortgage loans on which interest is more than six months in arrears.

(*d*) All real estate mortgage loans concerning which any tax upon the underlying security is more than twelve months overdue.

(*e*) All real estate mortgage loans concerning which any tax upon the underlying security has been paid by and not repaid to such corporation, specifying the amounts of taxes so paid and the years for which they were paid.

4. A statement setting forth the number and aggregate amount of all real estate mortgage loans exceeding legal limitations based on valuation, together with the aggregate of the excess, and indicating the number, aggregate amount and aggregate excess of such loans concerning which no principal payment program is in operation.

5. A list of all loans, secured or unsecured, and discounts of any borrower including both direct and indirect liabilities made during such period which brings the aggregate of the liabilities of such borrower to an amount in excess of two thousand dollars, with a notation of any line of credit possessed by such borrower.

Section 18. No officer of a trust company shall borrow from or otherwise become indebted to such corporation, and no trust company shall make any loan or extend credit in any other manner to any of its own officers. No state bank examiner shall borrow, directly or indirectly, from any trust company, without the prior written assent of the commissioner.

Section 19. No officer, director, employee or attorney of a trust company shall be a beneficiary of or receive, directly or indirectly, any fee, commission, gift or other consideration for or in connection with any business of such corporation. This section shall not prohibit any such officer, director, employee or attorney from receiving interest on a deposit made by him or his usual salary or director's fee or a reasonable fee for services rendered to such corporation or from borrowing from such corporation in accordance with law, or from sharing in commissions, profits or other benefits derived by any firm, association or corporation, in which he is interested, arising out of any transaction with said trust company if such transaction is made in the regular course of business upon terms as favorable to the trust company as those offered to other persons. The commissioner may require a full disclosure to be made on such forms as he may prescribe by regulations or otherwise, of all commissions, profits and other benefits realized in any such transaction.

Section 20. Whoever violates any provision of section eighteen or nineteen shall be punished by a fine not exceeding five thousand dollars or by imprisonment for not more than one year, or both.

Section 21. The capital stock of a trust company shall be subject to the following provisions:

A. *Classes.* — The capital stock of such corporation may consist of common stock and one or more classes of preferred stock, all issued, except as hereinafter provided, in such amount, with such restrictions, if any, and with such par value, as shall be approved by the commissioner.

B. *Preferred Stock.* — The preferred stock may contain such provisions relative to preferences, voting powers, retirement, dividend and conversion rights and participation in control and management as the by-laws and articles of organization may, with the approval of the commissioner, provide; but the holders thereof shall not be held individually responsible as such holders for any debts, contracts or engagements of such corporation and shall not be liable for assessments to restore impairments in its capital. In case dividends on the preferred stock are to be cumulative, no dividends shall be declared or paid on common stock until all such cumulative dividends shall have been paid in full and all requirements of any retirement fund shall have been met; and if such corporation is placed in voluntary liquidation, or a conservator is appointed therefor, or possession of its property and business has been taken by the commissioner, no payments shall be made to the holders of the common stock until the holders of the preferred stock shall have been paid in full such amount as may, with the approval of the commissioner, be provided in the articles of organization or amendments thereof, not in excess of the purchase price or other consideration received by the corporation for such preferred stock, plus all accumulated unpaid dividends.

C. *Issue.* — No stock specified in the agreement of association shall be issued until the par value and pro rata portion of surplus account and undivided profits account shall be paid in full in cash. No additional stock shall be issued until the par value thereof is paid in full in cash or such other consideration as shall be approved by the commissioner or is in its possession as surplus account; provided, that no stock shall be issued against the surplus account unless, after such issue, the surplus account shall amount to at least fifty per cent of the total capital stock.

D. *Increase or Reduction.* — Any such corporation may, subject to the approval of the commissioner, increase or reduce its capital stock in the manner provided by sections forty-one and forty-four and the first sentence of section forty-five of chapter one hundred and fifty-six; provided, that the capital stock shall not be reduced to less than the minimum amounts set forth in section five; and provided, further, that, in the case of reorganization of any such corporation in possession of the commissioner under section twenty-two of chapter one hundred and sixty-seven or in possession of a conservator under section forty of this chapter, the capital stock outstanding at the time of possession taken by the commissioner or conservator may be cancelled in whole or in part or other disposition thereof made in accordance with any plan of reorganization approved by the commissioner and the supreme judicial court.

E. *Change of Par Value.* — Any such corporation may change the par value of its shares in the manner provided by sections forty-one and forty-three of chapter one hundred and fifty-six.

F. *Unissued Stock.* — Any such corporation may, to the extent approved by the commissioner, have authorized and unissued stock required to fulfill any stock option or other arrangement pursuant to section twenty-two.

Section 22. Such corporation may grant options to purchase, issue and sell shares of its capital stock to its employees, or to a trustee on their behalf, without first offering the same to its shareholders, for such consideration, not less than par value, and upon such terms and conditions as shall be approved by its board of directors, by the holders of two thirds of the stock entitled to vote with respect thereto and by the commissioner. In the absence of fraud, the sufficiency of consideration as so approved shall be conclusively presumed.

Section 23. The registrar, transfer agent or other officer or agent of any such corporation having charge of its stockholders' records or ledger shall, within ten days after recording thereon any transfer of stock of the corporation which makes the transferee the owner of record of ten per cent or more of the outstanding stock with voting power, report such transfer to the commissioner. Whoever violates this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Section 24. A. The board of directors may, subject to the restrictions contained in this section, declare and pay dividends on capital stock, out of net profits, from time to time and to such extent as they deem advisable.

B. No cash dividend shall be paid unless, following the payment of each such dividend, the capital stock and the surplus account will be unimpaired.

C. No dividends on common stock shall be paid unless prior thereto:

(1) dividends on any preferred stock have been paid; and

(2) the requirements of any preferred stock retirement fund have been complied with.

D. If at the date on which any dividend on common stock is declared the capital stock, surplus account and guaranty fund of such corporation do not amount in the aggregate to at least ten per cent of its deposit liability, there shall be transferred from net profits to the surplus account prior to the payment of said dividend:

(1) the amount required to increase the surplus account so that it, together with the capital stock and guaranty fund, shall amount to at least ten per cent of deposit liability; or

(2) the amount required to increase the surplus account so that it, together with the guaranty fund, shall amount to fifty per cent of the common stock, and thereafter, the amount, not exceeding fifty per cent of net profits, required to increase the surplus account so that it, together with the guaranty fund, shall amount to one hundred per cent of capital stock.

E. Dividends on common stock may be declared and paid only out of that portion of the net profits on hand that is not required by this section to be transferred to the surplus account after deducting from such net profits losses and bad debts in excess of reserves specifically established therefor. All debts on which interest is in default for a period of six months shall be considered bad debts, except to the extent that such debts and the accrued interest thereon are well secured or in the process of collection and reasonably certain of payment in full.

F. Nothing in this section shall be construed to prevent the reduction of capital stock as provided in section twenty-one.

Section 25. Any such corporation whose capital stock has, in the opinion of the commissioner, become impaired by losses or otherwise, shall, within three months after receiving notice from the commissioner, pay the deficiency in the capital stock by assessment upon the common stockholders pro rata to the shares held by each. If such corporation shall fail to pay such deficiency in its capital stock for three months after receiving such notice, the commissioner may apply to the supreme judicial court for an injunction; and if a common stockholder of such corporation neglects or refuses, after three months' notice, to pay the assessment as provided in this section, the board of directors shall cause an amount of his stock sufficient to make good his assessment to be sold by public auction, after thirty days' notice given by posting such notice in the office of the corporation and by publishing it in a newspaper of the city or town where the corporation is located or in a newspaper published nearest thereto; and the balance, if any, shall be returned to such delinquent stockholder.

Section 26. Each trust company shall prepare an annual report which shall contain, in such form as the commissioner may approve, a statement of condition and of profit and loss. Each annual report and the general books of each trust company shall be available for examination for reasonable purposes by stockholders or their authorized agents at the principal office during business hours.

Section 27. A. Except as otherwise provided in this chapter, every trust company which is not located in Boston shall at all times maintain, as a reserve, an amount equal to fifteen per cent of the total of its demand and time deposits withdrawable within thirty days. Every trust company which is located in Boston shall at all times maintain, as a reserve, an amount equal to twenty per cent of the total of its demand and time deposits withdrawable within thirty days.

No reserve shall be required for savings deposits and time deposits not withdrawable within thirty days.

B. The composition of the reserve shall be as follows:

1. Lawful currency of the United States, silver certificates, or notes and bills issued by a federal reserve bank.	Not less than 20%
2. Bonds, notes, bills and certificates of indebtedness of the United States or this commonwealth, computed at their current market value, which are unpledged and the absolute property and under the control of the corporation.	Not more than 40%
3. Balances payable on demand due from any member of the federal reserve system located in this commonwealth or in any reserve city as designated by or under authority of an act of Congress, or from any trust company insured by the Federal Deposit Insurance Corporation and located in the commonwealth.	Not more than 80%

C. The commissioner may, from time to time and in his discretion, increase or decrease the percentages required by subsection A hereof.

D. The treasurer or other officer or employee charged with the functions or duties usually performed by the treasurer shall report in writing to the commissioner, once in each week, the amount and composition of the reserve for each business day of the preceding week. Whoever violates this subsection shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Section 28. A trust company which is a member of the federal reserve system shall maintain the reserve balances required by or pursuant to the Federal Reserve Act, as amended or supplemented from time to time and shall be exempt from the requirements of section twenty-seven.

Section 29. If the reserve of any trust company is at any time less than the amount which it is required to keep on hand, it shall not make any new loans or investments until the required percentages shall be restored. The commissioner may notify such corporation to make good such reserve, and if it fails so to do for thirty days thereafter, he may appoint a conservator in the manner provided in section forty, or he may proceed to take possession of its property and business and liquidate its affairs in the manner provided in sections twenty-two to thirty-six, inclusive, of chapter one hundred and sixty-seven.

Section 30. Such corporation may hold real estate suitable for the transaction of its business, provided, however, that if the aggregate amount invested and proposed to be invested therein, including the cost of alterations and additions in the nature of permanent fixtures exceeds, directly or indirectly, thirty per cent of its capital stock, surplus account and guaranty fund, such excess investment shall be made only with the approval of the commissioner. The amount of any mortgage on real estate owned by a trust company directly or indirectly and used by it in whole or in part for the transaction of its business, and the amount of money invested by a trust company in the securities of any corporation, trust or other organization which holds real estate used in whole or in part for the transaction of the business of such trust company or intended for such use, shall be included in determining the amount of real estate that may be held by such trust company under this section.

Any sums that may be recovered by a trust company through the sale or other disposal of real estate or any part thereof held under this section, together with such sums as are allowable for ordinary depreciation under the provisions of the federal income tax law, and such additional sums as are taken on account of depreciation or obsolescence, or for other reason shall, with the consent of the commissioner or at his direction, be deducted from the amount considered to be invested in such real estate.

Section 31. A trust company which succeeds or has succeeded to the business of a national bank may continue to hold the real estate owned and used by such national bank in the transaction of its business.

Section 32. With the approval of the commissioner, a trust company may advance or loan upon, or purchase, the whole or any part of the assets of any other trust company, including trust companies in possession of the commissioner under sections twenty-two to thirty-six, inclusive, of chapter one hundred and sixty-seven, and may participate in such an advance, loan or purchase with one or more other trust companies or savings banks. A trust company making or participating in

such advance, loan or purchase may assume and agree to pay the whole or any part of the deposit and other liabilities of such other trust company. The commissioner may impose such conditions and restrictions as he may deem necessary or advisable in respect to the deposit or other liabilities assumed as hereinbefore provided, and, in the case of any new trust company formed for the purpose of purchasing any or all of the assets and assuming any or all of the liabilities of any trust company in his possession under said sections, he may impose such other and further conditions and restrictions concerning the business, investments and operation of such new trust company as he may deem necessary or advisable.

Section 33. Any such corporation may subscribe for and acquire stock issued by the Federal Reserve Bank of Boston for the purpose of qualifying for membership in the federal reserve system, and while a member of such system may have and exercise any and all of the corporate powers and privileges which may be exercised by federal reserve member banks.

Section 34. Any such corporation may become a member of the Federal Deposit Insurance Corporation or any successor of such corporation, and during membership therein may have and exercise any and all corporate powers and privileges which may be exercised by members of said insurance corporation.

The Federal Deposit Insurance Corporation shall, upon payment of the insured portion of any deposit in any such corporation in possession of the commissioner pursuant to section twenty-two of chapter one hundred and sixty-seven, or in the hands of a conservator appointed by the commissioner pursuant to section forty of this chapter, be subrogated to the rights of the person to whom such insurance was paid to receive the same distribution from the proceeds of assets and claims of such corporation as would have been payable to him on a claim for the insured portion of such deposit, but such person shall retain his right to receive distribution on so much of his claim as represents the uninsured portion of his deposit.

Section 35. Subject to section twenty-eight of chapter two hundred and six, the probate court, court of insolvency or other court, respectively, shall, upon the application of a person interested or of the attorney general, and after public notice, order and decree that all amounts of money deposited with such corporation, by authority of any of said courts or of any judge thereof, and which shall have remained unclaimed for more than fourteen years from the date of such deposit shall be paid, together with the interest accumulated thereon, to the state treasurer, to be held and used by him according to law, subject to being repaid to the person having and establishing a lawful right thereto, with interest at the rate of three per cent per annum from the time when it is so paid to said treasurer to the time when it is paid over by him to such person, as hereinafter provided in this section.

Any person claiming a right to money deposited with the state treasurer under this section pursuant to a decree of a probate court or a court of insolvency in any county may establish the same by a petition to the probate court of such county, or if so deposited pursuant to the order of any other court, by a petition to the superior court under section one of chapter two hundred and fifty-eight; provided, that in cases where claims amount to less than fifty dollars each, such claims may be pre-

sented to the comptroller of the commonwealth, who shall examine the same and allow and certify for payment those which are proved to his satisfaction.

Section 36. Every trust company shall at such times as the commissioner orders, but not exceeding five times in any one calendar year and within ten days after the day designated in the order, make a return in the form of a trial balance to the commissioner.

The return shall be signed and sworn to by the president, clerk or secretary, and treasurer, and by at least four directors, and shall show the condition of the trust company at the close of business on the day designated. It shall be made on a form furnished by the commissioner and shall specify the different kinds of assets and liabilities, the amount of each kind and the amount of securities pledged to secure deposits as provided in sections forty-nine and seventy-six.

The return shall be published by and at the expense of the trust company, at such times and in such manner as the commissioner may require, in a newspaper published in the city or town where the principal office of the trust company is located, or, if there is no such newspaper, in a newspaper published in the city or town nearest to such principal office.

Section 37. The commissioner shall have access to the vaults, books and papers of such corporation, and shall inspect, examine and inquire into its affairs; and may make, or cause to be made, at the expense of the corporation, such further examination of a corporation exercising the powers conferred by section seventy as he may consider necessary, and shall, when ordered by any court of competent jurisdiction, make an examination or cause it to be made. In making an examination of any such corporation, whenever in the opinion of the commissioner it is necessary, he shall have access to the vaults, books and papers of each of its affiliates and may make such examination of the affairs of its affiliates as may be necessary to disclose fully the relations between such corporation and such affiliates and the effect of such relations upon the affairs of such corporation.

The expense of the examination of the affairs of any affiliate of such a corporation, determined as provided in section two of chapter one hundred and sixty-seven, shall be paid by the affiliate examined. For the purpose of this section, the term "affiliate" shall include holding company affiliates as well as other affiliates, but shall not include any person or corporation the control of which is held by such trust company when acting in a fiduciary capacity.

Section 38. A. With the written approval of the commissioner,

1. any trust company, any banking company, or any national banking association engaged in the business of banking in the commonwealth may, upon compliance with the provisions of section forty-six B of chapter one hundred and fifty-six, which are hereby made applicable in all such cases, and subject, as to any such trust company or banking company, to the provisions of section forty-six E of chapter one hundred and fifty-six as modified for the purposes of this section by the provisions hereof, consolidate or merge into any trust company;

2. any trust company or banking company may, subject to the provisions of sections forty-two and forty-six of chapter one hundred and fifty-six as modified for the purpose of this section by the pro-

visions hereof, or any such national banking association may sell or exchange all or substantially all of its property and assets to or with any trust company and any trust company may purchase all or substantially all of the assets of any trust company or any banking company or any such national banking association;

3. by vote, at a meeting duly called for the purpose, of two thirds of each class of its stock outstanding and entitled to vote and upon execution by a majority of its directors in form satisfactory to the commissioner of an agreement of association, an organization certificate and such other instruments as the commissioner shall prescribe, any such national banking association having an unimpaired capital stock sufficient in value or amount to satisfy the provisions of section five may, upon approval by the board of bank incorporation, be converted into a trust company and shall not, in connection with or upon such conversion, be subject to the requirements of this chapter with respect to the organization and commencement of business of trust companies; provided, however, that such conversion shall not be in contravention of the laws of the United States.

B. A trust company or banking company by vote of the holders of at least two thirds of each class of its capital stock at a meeting duly called for the purpose, preceded by a notice in writing sent to each stockholder of record and to the commissioner by registered mail at least sixty days before said meeting, may consolidate or merge into or convert into a national banking association in accordance with the laws of the United States and without the approval of any authority of the commonwealth.

C. For the purposes of either clause (1) or clause (2) of sub-section A hereof, the value of the stock of stockholders of a trust company or banking company who have, as provided in section forty-six E or section forty-six of chapter one hundred and fifty-six, voted against any action authorized by either of such clauses shall be ascertained by three disinterested persons, one of whom shall be named by the stockholders who have so voted, or in the absence of agreement by such stockholders, by the commissioner, one by the trust company or banking company and the third by the two thus chosen.

D. The continuing trust company into which a trust company, banking company or a national banking association shall have been consolidated or merged or into which a national banking association shall have been converted under this section shall be considered the same business and corporate entity as that of the consolidating or merging or converting institution and the rights, powers and duties of the continuing trust company shall be those established by its charter.

E. The charter of any trust company or banking company which shall have been converted into a national banking association, or consolidated or merged into, or the business and substantially all of the property and assets of which shall have been purchased or absorbed by a trust company or national banking association, or the affairs of which shall have been liquidated, shall be void except for the purpose of discharging existing obligations and liabilities.

Section 39. A person indebted to such a corporation may, in a proceeding for the collection of such indebtedness or for the enforcement of

any security therefor, set off or recoup the amount of a deposit held and owned by him in said corporation at the time of the commencement of such proceeding; provided, that if a proceeding in equity has been commenced to restrain the corporation from doing its actual business or if the commissioner has taken possession of such corporation as provided in section twenty-two of chapter one hundred and sixty-seven, no deposit shall so be set off or recouped by any such person unless held and owned by him on the date of the commencement of such proceeding or of possession so taken, and that the right of set-off or recoupment shall be determined as of such date, whether the indebtedness or the deposit is then due or payable or becomes due or payable at a later date. Any indebtedness against which a deposit is permitted to be set off or recouped as aforesaid may be secured or unsecured. Section three of chapter two hundred and thirty-two shall not apply to a set-off hereunder. Notwithstanding the foregoing, a judgment shall not be rendered against such corporation in favor of the defendant or defendants for any balance found due from the plaintiff if the commissioner has taken possession of such corporation, as hereinbefore provided. The word "deposit," as used in this section, shall include interest due thereon.

Section 40. In addition to all other powers conferred upon him by law, the commissioner, whenever he shall deem it necessary in order to conserve the assets of any trust company for the benefit of the depositors and creditors thereof, may, under his hand and official seal, appoint a conservator for such trust company, and require of such conservator such bond and security as the commissioner may deem proper.

A certificate of the appointment of such conservator shall forthwith be filed in the office of the commissioner. The conservator, with the approval of the commissioner, may procure such expert assistance and advice as he considers necessary in the administration of the affairs of such trust company and with like approval may retain such of the officers and employees of such trust company as he deems necessary.

The conservator, under the direction and subject to the control of the commissioner, shall take possession forthwith of the property and business of such trust company and take such action as may be necessary to carry on its business and to conserve its assets, pending further disposition thereof, as provided by law.

Upon taking possession of the property and business of a trust company, the conservator shall forthwith give notice thereof to all persons holding or having possession of any assets of such trust company. No bank, trust company, association, firm or individual, knowing that a conservator has taken such possession, or having been notified thereof as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred, against any of the assets of the trust company of whose property and business the conservator shall have taken possession as aforesaid, except as otherwise provided in this section and sections forty-one to forty-six, inclusive.

During the time that such conservator remains in possession of such trust company, the rights of all parties with respect thereto shall, subject to the other provisions of this section and sections forty-one to forty-six, inclusive, be the same as if the commissioner had taken possession of such trust company.

Section 41. Such conservator, subject to such orders, rules and regulations as may be prescribed from time to time by the commissioner,

may collect moneys due to the trust company, and do all acts necessary to continue its business or to conserve its assets. He shall collect all debts due and claims belonging to it, and with the approval of the commissioner, may sell or compound all bad or doubtful debts, and on like approval may sell all, or any part of, the real and personal property of the trust company on such terms as the commissioner shall approve; and, in the name of such trust company, may take a mortgage on such real property from a bona fide purchaser to secure the whole or a part of the purchase price, upon such terms and for such periods as the commissioner may approve.

To execute and perform the powers and duties conferred upon him, the conservator may, in the name of any such trust company prosecute and defend all suits and other legal proceedings and may, in the name of the trust company, execute, acknowledge and deliver all deeds, assignments, releases and other instruments necessary and proper to effectuate any sale of real or personal property or any compromise approved by the commissioner; and any deed or other instrument executed pursuant to the authority hereby given, shall be valid and effective for all purposes to the same extent as though executed by the officers of the trust company by authority of its board of directors or of its stockholders.

Such conservators, and their assistants, shall be subject to all the penalties, and except as provided in sections forty to forty-six, inclusive, to all other provisions of law, to which agents appointed by the commissioner for the purpose of liquidating the affairs of a bank are subject.

Section 42. While a trust company is in the hands of a conservator, the commissioner may require the conservator to set aside and make available for withdrawal by depositors and for payment to other creditors such amounts or proportions of their deposits or claims in any department thereof as the commissioner may deem necessary or expedient and may authorize the conservator to receive new deposits, as provided in section three of chapter fifty-nine of the acts of nineteen hundred and thirty-three.

Section 43. Whenever any trust company shall have resumed business with or without a reorganization, or whenever the commissioner shall have taken possession of its property or business as provided in section twenty-two of chapter one hundred and sixty-seven, the provisions of section three of chapter fifty-nine of the acts of nineteen hundred and thirty-three with respect to the segregation of new deposits received under section forty-two shall no longer apply and the deposits received thereunder shall be disposed of in such manner as the commissioner shall direct, unless the owner of any such deposit, within fifteen days after notice given by the conservator or the commissioner, in such manner as the commissioner shall prescribe, shall have withdrawn the same.

Section 44. The compensation of the conservator and of counsel, employees and assistants and all other expenses of such conservatorship, including costs and expenses incurred by the commissioner in relation to such trust company, shall be fixed by the commissioner and approved by the governor and council and paid out of the funds of such trust company; provided, however, that the compensation paid the conservator shall in no event be at a higher rate than the highest salary established in said trust company, and that the total pay roll of the trust company

at the time of the appointment of the conservator shall not be increased by reason of such compensation.

Section 45. If the commissioner shall be satisfied that it may be safely done and that it would be in the public interest, he may terminate the conservatorship and permit such trust company to resume business subject to such terms, conditions, restrictions or limitations as he may prescribe.

Section 46. Nothing contained in sections forty to forty-five, inclusive, shall, unless otherwise expressly provided therein, be deemed to abridge any power or authority to take possession of a trust company conferred upon the commissioner by chapter one hundred and sixty-seven or any power or authority conferred by any other provision of law.

Section 47. The supreme judicial court, or any justice thereof, shall have jurisdiction in equity to enforce the provisions of sections forty to forty-six, inclusive, and to act upon all applications and in all proceedings thereunder.

BANKING DEPARTMENT.

Section 48. Every trust company, in its banking department, shall, subject to any limitations imposed by this chapter, have the following powers:

1. To receive demand, time and savings deposits upon such terms and conditions as may be agreed upon between the depositors and such corporation;

2. To receive on deposit, storage or otherwise, money, government securities, stocks, bonds, coin, jewelry, plate, valuable papers and documents, evidences of debt, and other property of any kind, upon terms and conditions to be agreed upon; and to collect and disburse, at the request of the depositor, the interest or income or principal of said property upon terms to be prescribed by such corporation;

3. To discount, buy, invest in, hold, assign, transfer, sell and negotiate promissory notes, drafts, bills of exchange, mortgages, trade acceptances, banker's acceptances, bonds, debentures, bonds or notes secured by mortgages, installment obligations, accounts receivable, balances due on conditional sales, and other evidences of debt for its own account or for the account of customers;

4. To advance money or credits on real estate or on personal security, on terms to be agreed upon;

5. To invest in the bonds or other evidences of indebtedness of associations or trusts, both as defined in chapter one hundred and eighty-two, and of corporations;

6. To invest in the bonds or other evidences of indebtedness of governments, or political subdivisions thereof, both foreign and domestic;

7. To invest in the capital stock of any other trust company or a national banking association incorporated or doing business within the commonwealth;

8. To invest in the capital stock of any small business investment company organized under the provisions of the Small Business Investment Act of 1958 in an amount aggregating not more than one per cent of its capital stock, surplus account and guaranty fund;

9. To buy and sell gold and silver bullion, foreign coin and exchange;

10. Subject to such restrictions as may be imposed by the commissioner, to accept for payment at a future date drafts and bills of exchange drawn upon it and to issue letters of credit authorizing holders thereof

to draw drafts upon it, or its correspondents, at sight or on time; provided, that such acceptances or drafts be based upon actual values; and, provided, that no such corporation shall accept such bills or drafts to an aggregate amount exceeding at any one time one half of its capital stock and surplus account, except with the approval of the commissioner, and in no case to an aggregate amount in excess of its capital stock and surplus account;

11. To accept drafts or bills of exchange drawn upon it and arising out of transactions involving the import or export of goods, having not more than six months' sight to run; provided, that no such corporation shall accept such bills to an aggregate amount exceeding at any time one half of its capital stock and surplus account;

12. To rediscount notes, drafts and bills of exchange arising out of actual commercial transactions;

13. To act as financial or other agent for a person, association, trust, corporation, municipal corporation or government, and in their behalf to negotiate loans and the sale, purchase or other disposition or acquisition of securities or other property;

14. To act as fiscal agent of the United States, and of any corporation, state, county, municipality, board, commission or other body politic, and to perform all duties as such fiscal agent as may lawfully be required of it;

15. To assist customers or act for customers in the preparation of pay rolls and pay roll deductions and in the preparation, maintenance and furnishing of records and statistical information;

16. To maintain, and rent out for hire, at any location occupied by its principal office or any branch office, safe deposit boxes or other receptacles for the safe-keeping of personal property upon such terms and conditions as may be agreed upon;

17. To consent to any settlement, modification or readjustment of any investment in securities legally made by such corporation, and to accept and hold as investments bonds, notes, stocks and other securities offered in full or partial settlement, modification or readjustment of any such investment, pursuant to a reorganization or otherwise.

Section 49. No trust company shall give collateral or other security for a deposit of money received in its banking department, except that such corporation may make such a deposit of securities as may be required by the laws of the United States or the rules and regulations of the trustees of the postal savings system as security for deposits of postal savings funds made with such corporation and may give such collateral or other security for deposits of public or other funds as may be required by any public authority making such deposits or controlling the terms upon which they may be made and except as provided in section seventy-six.

Section 50. No such corporation shall allow a time deposit represented by a certificate or written agreement to be withdrawn before the time specified therein, and where such certificate or agreement does not specify any definite date for withdrawal no such corporation shall allow such deposit to be withdrawn without receiving written notice of at least thirty days. Originals or duplicates of all agreements in reference to time deposits shall be kept on file by such corporations and submitted to the commissioner at his request. Any such corporation violating this section shall be punished by a fine of not more than one thousand dollars.

Section 51. A trust company may receive savings deposits subject to the following limitations: —

1. Deposits from any person for his own account or for the accounts of one or more distinct estates or trusts; but no such account shall be permitted to exceed ten thousand dollars except by accumulation of interest.

2. Deposits on any joint account; but no such account shall be permitted to exceed twenty thousand dollars except by accumulation of interest. Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed twenty thousand dollars, exclusive of interest accumulated thereon.

Said limitations shall not apply to deposits by a religious, charitable or educational corporation or organization, a labor union, credit union, fraternal benefit society, in the name of a judge of probate, by order of any court, on account of a sinking fund of a town in the commonwealth, or of any trust fund held by a town for public uses, or of the funds of any state, county or municipal retirement or pension system or association.

Section 52. Any such corporation may receive deposits in the name of two persons, payable to either, or to either or the survivor. Such deposits or any part thereof, or any dividends thereon, may be paid to either of such persons or his assignee or pledgee, whether the other be living or not, provided the deposits are not then attached at law or in equity in a suit against either person, and the corporation then has no notice in writing of any assignment or pledge of the deposit to any person other than the person to whom payment is being made hereunder. All payments made in accordance with this section shall fully discharge the liability of the corporation to all persons.

Section 53. Any such corporation may receive deposits made by one or two persons in trust for another. The name and residence of the person for whom such deposit is made shall be disclosed and the deposit shall be credited to the depositors as trustees for such person. Payments may be made to the trustee, or if there are two trustees, to both or to either or the survivor. If no other notice of the existence and terms of a trust has been received in writing by the corporation upon the death of the trustee, or if there are two trustees upon the death of both, the amount then on deposit together with the dividends thereon may be paid to the person for whom such deposit was made, or to his legal representative. Withdrawals and payments made in accordance with this section shall fully discharge the liability of the corporation to all persons.

Section 54. A. The total obligations of one borrower to a trust company shall not exceed the limitations prescribed in the following table:

1. Obligations of one person, including in the liabilities of a firm the liabilities of its several members.	(*a*) 20% of the total of the capital stock, surplus account and guaranty fund, if the capital stock of such corporation is $500,000 or more;
	(*b*) 20% of the capital stock, or 10% of the total of the capital stock, surplus account and

	guaranty fund, whichever is the greater, if the capital stock of such corporation is less than $500,000;
	(c) 25% of the total of the capital stock, surplus account and guaranty fund, if the amount of such obligations in excess of the limitations set forth in (a) or (b) is fully secured by obligations of the United States of like value;
	(d) 100% of the total of the capital stock, surplus account and guaranty fund, if the amount of such obligations in excess of the limitations set forth in (a) or (b) is fully secured by obligations of the United States of like value, due within three years of the date of the note of the borrower;
	(e) In addition to the limitations prescribed in (a), (b), (c) or (d), 2% of the total amount of savings deposits, if the amount of such obligations in excess of such prescribed limitation is secured by collateral of the classes specified in section thirty-eight of chapter one hundred and sixty-eight.
2. Obligations of a state or a political sub-division of a state other than a New England state or a state contiguous thereto.	10% of capital stock, surplus account and guaranty fund.
3. Obligations of a political subdivision of a New England state other than this commonwealth.	20% of capital stock, surplus account and guaranty fund.
4. Obligations of a political subdivision of a state contiguous to any of the New England states.	20% of capital stock, surplus account and guaranty fund.
5. Obligations of a foreign government or a political subdivision thereof.	10% of capital stock, surplus account and guaranty fund.

6. Obligations of all foreign governments and the political sub-divisions thereof.	20% of capital stock, surplus account and guaranty fund.

B. The limitations of sub-section A hereof shall not apply to:

1. Obligations of the United States and of this commonwealth.

2. Obligations of any other New England state and of any state contiguous thereto.

3. Obligations of a political sub-division of this commonwealth.

4. Obligations to the extent that they are secured as to principal and interest by the unconditional guarantee, insurance or other like commitment of the United States, an agency of the United States or a federal reserve bank, whether the commitment provides for payment in cash or in obligations of the United States.

5. Obligations arising out of the discount of:
   a. drafts or bills of exchange drawn in good faith against actually existing values, and
   b. commercial or business paper actually owned by the person negotiating it.

6. Real estate loans made under the provisions of subsection B of section fifty-five.

Section 55. A. Any such corporation may, subject to the limitations of section fifty-six make, acquire by purchase, participate in or service first mortgage real estate loans of the following classes:

(1) a mortgage loan on improved farm land, located within the commonwealth or within a radius of fifty miles of its principal office without regard to geographical location, not exceeding fifty per cent of its appraised value and payable in or within three years from the date of the note, or acquisition, except that when by its terms the note requires repayment of not less than two per cent of the principal each year, the loan may be payable in or within five years from the date of the note or the acquisition thereof;

(2) a mortgage loan on improved real estate, located in the United States, not exceeding fifty per cent of its appraised value and payable in or within five years from the date of the note, mortgage or other such instrument or the acquisition thereof;

(3) a mortgage loan on improved real estate, located within the commonwealth or within a radius of fifty miles of its principal office without regard to geographical location, not exceeding sixty per cent of its appraised value and payable in or within three years from the date of the note or the acquisition thereof, except that when, by its terms, the note requires repayment of not less than two per cent of the principal each year, the loan may be payable in or within five years from the date of the note or the acquisition thereof;

(4) a mortgage loan on improved real estate, located in the United States, not exceeding seventy-five per cent of its appraised value; provided, that the terms of the note, mortgage or other such instrument shall require payments in periodic instalments, at intervals not exceeding three months, sufficient to amortize at least forty per cent of the prin-

cipal in or within ten years or in periodic instalments, at intervals not exceeding three months, sufficient to fully amortize the principal in or within twenty years from the date of the note, mortgage or other such instrument or the acquisition thereof;

(5) a mortgage loan on real estate, located in the United States, when the note has been endorsed for insurance, or a commitment to so insure has been given, by the federal housing administrator or is guaranteed in whole or in part by the United States under the Servicemen's Readjustment Act of 1944, as amended.

B. Any such corporation may, subject to the limitations of section fifty-six, make, acquire by purchase, participate in or service first mortgage real estate loans in accordance with the provisions of sections thirty-four, thirty-five and thirty-six of chapter one hundred and sixty-eight; provided, however, that the limitations on amounts which may be invested in the classes of mortgage loans referred to in paragraphs 1, 2, 3 and 8 of section thirty-five of chapter one hundred and sixty-eight and that part of paragraph 4 of said section thirty-five which provides that the aggregate balance of principal outstanding at any one time on mortgage loans of this class as are in excess of one half of one per cent of deposits shall not exceed seven and one half per cent of the deposits of such corporation, and the limitations on the liabilities of one person referred to in paragraph 8 of section thirty-six of said chapter shall not apply.

C. Loans made to finance the construction of industrial or commercial buildings and having maturities not exceeding eighteen months where there is a valid and binding agreement entered into by a financially responsible lender to advance the full amount of the bank's loan upon the completion of the buildings shall not be considered as real estate loans, but shall be classed as ordinary commercial loans whether or not secured by a mortgage or similar lien upon the real estate upon which the building or buildings are being constructed, provided that no such corporation shall invest in, or be liable on any such loans in an aggregate amount in excess of one hundred per cent of its capital stock, surplus account and guaranty fund.

Section 56. The aggregate amount invested in real estate loans under subsection A of section fifty-five shall not exceed fifteen per cent of the total deposits of such corporation exclusive of the savings deposits, provided that the amount invested in the class of loans described in paragraph (4) of said subsection shall not exceed five per cent of said deposits; nor shall the aggregate amount invested in real estate loans under subsection B of section fifty-five exceed seventy per cent of the total of the savings deposits, provided that in addition to such seventy per cent an amount equivalent to ten per cent of the savings deposits of such corporation may be invested in mortgages insured by the federal housing administrator or guaranteed in whole or in part by the United States under the Servicemen's Readjustment Act of 1944, as amended.

Section 57. A loan or mortgage on real estate to be originated by such corporation may not be considered until a written application has been presented to it containing such information as the corporation may, from time to time, deem necessary.

No such loan shall be made, acquired by purchase or participated in until at least two members of the committee charged with the responsibility for making such investments shall have certified, in writing, ac-

cording to their best judgment the value of the property to be mortgaged. Such value may, however, be determined upon the signed opinion, in writing, of an appraiser approved by said committee.

All loans on real estate located outside the commonwealth which are not governed by the provisions of section fifty-one of chapter one hundred and sixty-seven or chapter forty-six of the acts of nineteen hundred and forty-five, as amended, except those loans made within a radius of fifty miles of the principal office, and all participation loans and servicing arrangements shall be subject to such regulations as the commissioner may deem necessary.

The provisions of this section and sections fifty-five and fifty-six shall not apply to mortgages taken in good faith by way of security for debts to such corporation previously contracted, or to loans made by such corporation to secure the payment of a portion of the purchase price of real estate acquired by such corporation by foreclosure, or otherwise.

Section 58. No such corporation shall invest in the common stock of another trust company, or a national banking association, having preferred stock outstanding, nor shall it so invest unless such company or association has paid dividends of not less than four per cent on its capital stock in cash in each of the five years immediately preceding the date of investment and has a surplus at least equal to fifty per cent of its capital stock; but such corporation shall not hold by way of investment and as security for loans more than fifteen per cent of the stock of any one such company or association, nor shall it hold by way of investment stock of such companies and associations having an aggregate initial cost to such corporation in excess of ten per cent of its capital stock, surplus account, and guaranty fund, or stock of any one such company or association having an initial cost to such corporation in excess of one per cent of its capital stock, surplus account, and guaranty fund, except if any such company or association consolidates or merges with any other such company or association the amount of stock of the consolidated or absorbing company or association which may be held under authority hereof may be in excess of one per cent but not in excess of two per cent of the capital stock, surplus account, and guaranty fund of such corporation if the stock so held is acquired in exchange for stock of the consolidating or merging companies which is owned by such corporation at the time of consolidation or merger.

The commissioner may, at any time after the expiration of five years following the acceptance and acquisition of any stocks or other securities received by any such corporation in settlement, modification or readjustment of an investment, order the sale or other disposition thereof.

Section 59. No such corporation shall directly or indirectly make a loan or discount on the security of the shares of its own capital stock, nor, except as permitted by section twenty-one, be the purchaser or holder of such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith; and stock so purchased or acquired shall, within six months after its purchase or acquisition, be sold or disposed of at public or private sale; but the commissioner in his discretion, may grant additional periods of time for the holding of such stock. Any officer or employee of a trust company who knowingly violates any provision of this section, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

Nothing in this section shall be deemed to prevent any such corporation from being the purchaser or holder of its own shares, if, in connection with a stock dividend or a merger or consolidation to which such corporation is a party or a purchase by such corporation of all or substantially all of the assets of a trust or banking company or national banking association, such purchase or holding is incidental to an arrangement approved by the commissioner as appropriate to enable those entitled thereto to sell resulting fractional interests or to purchase such fractional interests as may be necessary for the acquisition of a full share.

Section 60. Except as specifically provided in this chapter no trust company shall be required to dispose of securities lawfully acquired.

Section 61. Dividends may be declared on savings deposits at such rate as the board of directors may determine; provided, however, that the rate shall not exceed five per cent a year.

Savings deposits may be placed on interest once a month and not oftener, on such day in each month as may be determined by the by-laws or the board of directors. No dividend may be declared and paid for periods of less than one month nor more than six months; provided, however, that if the by-laws or regulations of the corporation so provide, a deposit made on or before the ninth day after the day on which deposits begin to draw dividends, as provided in the by-laws or regulations, or if such ninth day be a Saturday, Sunday or legal holiday, on or before the next business day succeeding such ninth day, and remaining on deposit through the balance of the monthly period, may be construed as having been on deposit one full month within the meaning of this section.

Dividends, not withdrawn, shall be treated as deposits and, in computing the dividend next following, shall be considered as having been on deposit for the preceding dividend period.

Section 62. The savings deposits in any such corporation may be withdrawn at such time and in such manner as the by-laws direct; but the treasurer or other authorized officer of such corporation may at any time require a depositor to give a written notice not exceeding ninety days of his intention to withdraw the whole or any part of his savings deposit or to apply for a loan under section sixty-three. Whenever said notice is required from ten or more depositors on any one day, such corporation shall be deemed to have made a general requirement and shall file with the commissioner within forty-eight hours thereafter a written notice thereof. Until such general requirement has been removed and notice thereof filed with the commissioner, no payment by way of withdrawal or loan shall be made to any such depositor on account of his deposit, except that, with the approval of the commissioner, such sum or sums not exceeding, in the aggregate, an amount fixed by the board of directors may be so paid to each such depositor.

Whenever in the judgment of the board of directors there is an unusual demand by such depositors for withdrawals the corporation may with the approval of the commissioner, and whenever in the opinion of the commissioner there is such an unusual demand the corporation shall upon his order, require such a depositor to give written notice of his intention to withdraw the whole or any part of his deposits or to apply for a loan under section sixty-three, such notice to be for such period not exceeding six months, as may be determined by the commissioner, which period may, in his discretion, be extended, but not beyond one

year from the date of notice; and until such a requirement has been revoked by the commissioner the foregoing limitations as to payments by way of withdrawal or loan applicable in case of a general requirement as aforesaid shall apply.

Such corporation shall not advertise for deposits in newspapers, by posters or other written solicitation, while any requirement of notice of intention to withdraw is in effect, unless the advertisement shall contain, in type not smaller than the largest type thereof, a statement that such deposits may not be paid out by way of withdrawal or loan except in accordance with the terms of the requirement, which terms shall be set forth in such statement.

Section 63. Such corporation shall, upon application by a savings depositor or by either of two joint savings depositors therein, make a loan to him, secured by his deposit book, in an amount not exceeding said deposit account, for a time not extending beyond the date when the next dividend on savings deposits shall be payable. Such 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 dividend declared and paid on savings deposits; provided that a minimum of three dollars 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 and of section sixty-two in such form as the commissioner may prescribe.

Section 64. Every trust company shall, immediately before declaring a semi-annual dividend on savings deposits, set apart as a guaranty fund a sum equal to one eighth of one per cent of the savings deposits on the date of said dividend. If the said payments by way of dividends are made to cover periods of less than six months, then the amount so set apart for the particular period covered shall bear the same proportion to the said one eighth of one per cent which the length of the period covered bears to the period of six months. The said sums shall continue to be set apart until the guaranty fund amounts to seven and one half per cent of the savings deposits. The guaranty fund shall be invested in securities legal for the investment of deposits in savings banks. Further additions to the guaranty fund shall be at the discretion of the board of directors, and any sum in the guaranty fund in excess of the required seven and one half per cent may be transferred to the general funds at the discretion of the board of directors.

Such guaranty fund shall be maintained as security for savings deposits, except those insured by the Federal Deposit Insurance Corporation, or any successor of such corporation, and such fund shall be liable for and used to pay any debt or obligation of the trust company after payment of the uninsured savings deposits.

Section 65. At least once in each three year period, every trust company shall cause its savings accounts to be verified, to such an extent and in such manner as the commissioner shall require, and under such rules as he may prescribe.

Section 66. Such corporation may pay an order, drawn by a savings depositor who has sufficient funds on deposit in his savings account to meet the same, notwithstanding the death of the drawer, if presentation is made within thirty days after the date of such order, and at any time if the corporation has not received written notice of the death of

the drawer. Payments made under authority of any provision of this section shall discharge the liability of the corporation to all persons to the extent of such payments.

Section 67. Savings deposits standing in the name of a deceased depositor shall, except as provided in sections fifty-two and fifty-three, be paid to his legal representative; provided that, if the deposit does not exceed seven hundred and fifty dollars and there has been no demand for payment by a duly appointed executor or administrator, payment may be made, in the discretion of the treasurer or other duly authorized officer of the corporation, or pursuant to special vote of the board of directors, after the expiration of sixty days from the death of such depositor, to the surviving husband, wife or next of kin of such deceased, upon presentation of a copy of the death certificate and the surrender of the deposit book evidencing the deposit. Payments made under authority of any provision of this section shall discharge the liability of the corporation to all persons to the extent of such payments.

Section 68. Money deposited in a savings account in the name of a minor may, at the discretion of the treasurer or other authorized officer, be paid to such minor or to his legal representative or, if the amount of the deposit does not exceed seven hundred and fifty dollars, to either parent of such minor, and any such payment shall discharge the liability of the corporation to all persons to the extent of such payment.

TRUST DEPARTMENT.

Section 69. With the written authority of the board of bank incorporation any such corporation may have a trust department in which all business conducted by such department shall be segregated from its general business. The board may grant or refuse such authority after such investigation of the affairs of the corporation as it deems expedient.

Section 70. The trust department of such corporation shall, subject to the limitations contained in this chapter, have the following powers:

1. To hold money or property in trust or on deposit from executors, administrators, assignees, guardians, conservators and trustees upon such terms and conditions as may be agreed upon;

2. To be appointed and to act as executor of a will, codicil, or writing testamentary, administrator with the will annexed, administrator of the estate of any person, receiver, assignee, guardian, conservator or trustee under a will or instrument creating a trust for the care and management of property, under the same circumstances, in the same manner, and subject to the same control by the court having jurisdiction of the same, as a legally qualified individual; to act in any other fiduciary capacity not expressly prohibited by the laws of this commonwealth; provided, however, that any such appointment as guardian shall apply to the estate and not to the person of the ward;

3. To act as agent for the purpose of issuing, transferring, registering, or countersigning the certificates of stock, bonds, or other evidences of indebtedness or legal or beneficial ownership of a corporation, association, trust, municipal corporation, state or national government, on such terms as may be agreed upon;

4. To act as trustee or financial or other agent for a person, association, trust, corporation, municipal corporation or government, and in their behalf to negotiate loans and the sale, purchase or other disposition

or acquisition of securities or other property; to act as trustee for the holders of obligations, shares, or evidences of interest or ownership of a corporation or other issuer, and for any such purposes to receive transfers or deposits of money or of real and personal property upon such terms as may be agreed upon;

5. To perform any and all functions and engage in any and all business customarily engaged in by trust departments of banks in this commonwealth, provided that the same is not expressly prohibited by the laws of this commonwealth.

Section 71. Money, property or securities received, invested or loaned by the trust department of any such corporation, shall be a special deposit in such corporation, and the accounts thereof shall be kept separate. Such funds and the investment or loans thereof shall be specially appropriated to the security and payment of such deposits, shall not be mingled with the investments of the capital stock or other money or property belonging to such corporation, or be liable for the debts or obligations thereof.

Section 72. Such corporation in its trust department may invest the funds or assets which it may receive and hold in a fiduciary capacity in the same way, to the same extent, and under the same restrictions as an individual holding a similar position may invest such funds or assets.

Section 73. The capital funds of such corporation shall be security for the faithful performance of duties undertaken by the trust department.

Section 74. No surety shall be required upon the bonds filed by such corporation as fiduciary except that the court making such an appointment other than of a trustee, may, upon application by an interested person, require the corporation so appointed to give such security, in addition to that provided by section seventy-three, as the court may consider proper, and upon failure of such corporation to give the security required, may revoke such appointment and remove such corporation.

Section 75. In all proceedings in the probate court or elsewhere, connected with any authority exercised by the trust department, all accounts, returns and other papers may be signed and sworn to, in behalf of such corporation by any officer thereof duly authorized by it, who has knowledge of the subject matter covered therein, and the answers and examinations under oath of said officer shall be received as the answers and examinations of such corporation. The court may order and compel an officer of such corporation to answer and attend said examination in the same manner as if he, instead of the corporation, were a party to the proceeding.

Section 76. Notwithstanding any provision of section seventy-one, funds held in the trust department of any trust company awaiting investment or distribution may be deposited in its banking department if such corporation shall first transfer to its trust department to be held as security therefor bonds, notes, bills and certificates of indebtedness of the United States or of this commonwealth, or any of them, of an aggregate value of not less in amount than funds so deposited, and shall at all times maintain the value of such security at such amount.

SECTION 2. Subsection (*a*) of section 1 of chapter 62 of the General Laws is hereby amended by striking out paragraph First, as most recently amended by chapter 250 of the acts of 1961, and inserting in place thereof the following paragraph: — First, Deposits in any savings

bank chartered by the commonwealth, in any banking company or Morris Plan company subject to the provisions of chapter one hundred and seventy-two A, or in the Massachusetts Hospital Life Insurance Company, or in credit unions chartered by the commonwealth, and savings deposits in any trust company so chartered, and deposits in any bank in any other state which exempts from taxation to its inhabitants similar deposits, and interest and dividends thereon, owned by such inhabitants in banks in this commonwealth.

SECTION 3. Chapter 63 of the General Laws is hereby amended by striking out section 11, as amended by section 1 of chapter 456 of the acts of 1959, and inserting in place thereof the following section: — *Section 11.* Every savings bank and every trust company having savings deposits, as defined respectively in chapters one hundred and sixty-eight and one hundred and seventy-two, shall pay to the commissioner, on account of its depositors, an annual tax of one half of one per cent, which shall be levied on the amount of the deposits in a savings bank, and on the amount of savings deposits of a trust company, to be paid as follows: one fourth of one per cent shall be levied upon the average amount of such deposits for the six months preceding May first, and paid on or before May twenty-fifth; and a like percentage shall be levied upon the average amount of such deposits for the six months preceding November first, and paid on or before November twenty-fifth.

SECTION 4. Said chapter 63 is hereby further amended by striking out section 13, as amended by section 2 of said chapter 456 of the acts of 1959, and inserting in place thereof the following section: — *Section 13.* Every savings bank and every trust company having savings deposits shall semi-annually, on or before May twenty-fifth and November twenty-fifth, make a return to the commissioner, signed and sworn to by its president and treasurer, of the amount of its deposits if a savings bank, and if a trust company of the amount of its savings deposits, on the first day of each of said months, and of the average amount of such deposits for the six months preceding each of said last mentioned days.

SECTION 5. Paragraph (*e*) of section 4 of chapter 110A of the General Laws, as appearing in section 1 of chapter 290 of the acts of 1932, is hereby amended by striking out, in line 2, the words "savings department of any trust company,".

SECTION 6. Chapter 121 of the General Laws is hereby amended by striking out section 8A, as most recently amended by section 4 of chapter 126 of the acts of 1954, and inserting in place thereof the following section: — *Section 8A.* The commissioner may receive funds in trust for the use of illegitimate children or other persons under the care or supervision of the department. The commissioner shall deposit such funds in savings banks in the commonwealth or in savings accounts in trust companies therein, or on paid-up shares and accounts of and in cooperative banks, or may use said funds to purchase share accounts of federal savings and loan associations located in the commonwealth and, when necessary, make expenditures from said funds for the benefit of or on behalf of the ward.

SECTION 7. The last sentence of section 26HH of said chapter 121, as appearing in section 1 of chapter 574 of the acts of 1946, is hereby amended by striking out, in line 4, the words "and the savings departments of trust companies".

SECTION 8. The last paragraph of section 7 of chapter 121A of the General Laws, as appearing in section 1 of chapter 654 of the acts of 1945, is hereby amended by striking out, in line 10, the words "and the savings departments of trust companies".

SECTION 9. Section 11 of chapter 167 of the General Laws, as appearing in section 1 of chapter 480 of the acts of 1950, is hereby amended by striking out, in lines 2 and 3, the word "twenty-six" and inserting in place thereof the word: — thirty-six.

SECTION 10. Section 16 of said chapter 167, as amended by chapter 370 of the acts of 1949, is hereby amended by striking out, in lines 1 and 2, the words "in their savings departments".

SECTION 11. Said chapter 167 is hereby further amended by striking out section 18, as most recently amended by section 7 of chapter 432 of the acts of 1955, and inserting in place thereof the following section: — *Section 18.* An officer, agent, clerk or servant of a savings bank who pays or authorizes the payment of any dividend or interest unless the same has been earned and collected as provided in section sixty of chapter one hundred and sixty-eight shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months.

SECTION 12. Section 20 of said chapter 167, as appearing in chapter 22 of the acts of 1943, is hereby amended by striking out, in lines 3 and 4, the words "the savings department of".

SECTION 13. Section 24 of said chapter 167, as appearing in section 4 of chapter 41 of the acts of 1933, is hereby amended by striking out, in line 12, the word "forty-four A" and inserting in place thereof the word: — thirty-two.

SECTION 14. Section 45A of said chapter 167, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 5, the words "fifty-two to fifty-nine" and inserting in place thereof the words: — seventy to seventy-six.

SECTION 15. Section 51 of said chapter 167 is hereby amended by striking out the last sentence, as amended by section 9 of chapter 432 of the acts of 1955, and inserting in place thereof the following sentence: — Notwithstanding the foregoing, a trust company may make mortgage loans hereunder within the geographical limits contained in section fifty-five of chapter one hundred and seventy-two, a savings bank may make mortgage loans hereunder within the geographical limits contained in or authorized under paragraph 2 of section thirty-four and paragraph 11 of section thirty-five of chapter one hundred and sixty-eight, and a co-operative bank may make mortgage loans hereunder within the geographical limits contained in section twenty-three of chapter one hundred and seventy.

SECTION 16. Paragraph 3 of 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 striking out, in line 3, the words "savings departments of".

SECTION 17. Section 51 of said chapter 168, as so appearing, is hereby amended by striking out, in lines 8 and 9, the words "a savings department" and inserting in place thereof the words: — savings deposits.

SECTION 18. The first sentence of section 73 of said chapter 168, as amended by section 4 of chapter 1 of the acts of 1957, is hereby further amended by striking out, in lines 5 and 6, the words "or of the savings

department of any trust company so located,", — and by striking out, in lines 6 and 7, the words "and trust companies".

SECTION 18A. The first paragraph of said section 73 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out, in lines 21 and 22, the words "or savings department".

SECTION 18B. The second paragraph of said section 73 of said chapter 168, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "or savings department of a trust company".

SECTION 19. Section 3 of chapter 169 of the General Laws is hereby amended by striking out, in lines 12 and 13, as appearing in the Tercentenary Edition, the words "in savings departments of".

SECTION 20. Subsection 5 of section 26 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out, in lines 7 and 8, the words "the savings department of".

SECTION 21. Section 3 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as amended by section 10 of chapter 698 of the acts of 1957, and inserting in place thereof the following sentence: — Credit unions shall be organized under the provisions, so far as applicable, of sections six to ten, inclusive, of chapter one hundred and seventy-two, except that the fee for filing the articles of organization, including the issuing by the state secretary of the certificate of incorporation, shall be fifty dollars.

SECTION 22. Paragraph 5 of subdivision (A) of section 24 of said chapter 171, as most recently amended by section 1 of chapter 159 of the acts of 1953, is hereby further amended by striking out, in lines 9 and 10, the words "the savings department of".

SECTION 23. Section 6A of chapter 172A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 115 of the acts of 1946, and inserting in place thereof the following sentence: — Subject to the limitations hereinafter provided, any such corporation which shall have been authorized under section one to do the business of a banking company may, during such time as it shall have membership in the Federal Deposit Insurance Corporation, receive deposits of money payable on demand and subject to withdrawal by check or similar order, such deposits being referred to in this chapter as demand deposits, and may give such collateral or other security for deposits of federal, state and municipal governments and agencies thereof as may be required by the governmental authority making such deposits or controlling the terms under which they may be made.

SECTION 24. Section 12A of said chapter 172A, as amended by section 2 of chapter 275 of the acts of 1955, is hereby further amended by striking out, in line 4, the word "forty-four" and inserting in place thereof the word: — thirty-eight.

SECTION 25. The next to the last paragraph of section 80 of chapter 175 of the General Laws, as appearing in chapter 317 of the acts of 1947, is hereby amended by striking out, in line 7, the words "deposits in savings departments of" and inserting in place thereof the words: — savings deposits in.

SECTION 26. The first sentence of section 40 of chapter 176 of the General Laws, as amended by chapter 238 of the acts of 1960, is hereby

further amended by striking out, in lines 8 and 9, the words "any savings bank, or savings department of a" and inserting in place thereof the words: — savings accounts in any savings bank or.

SECTION 27. Section 10 of chapter 176B of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 276 of the acts of 1954, and inserting in place thereof the following sentence: — The funds of a medical service corporation shall be invested only in such securities as are permitted by chapter one hundred and seventy-five for the investment of the capital of insurance companies or in the purchase of share accounts of a federal savings and loan association located in the commonwealth in an amount not in excess of ten per cent of the combined surplus and contingent surplus, or it may deposit the whole or any portion of its funds in savings accounts in any savings bank or trust company organized under the laws of the commonwealth or a national banking association or in paid-up shares and accounts of and in a co-operative bank.

SECTION 28. Section 5 of chapter 194 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 7, the words "the savings department of" and inserting in place thereof the words: — a savings account in.

SECTION 29. Section 8 of chapter 200 of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the words "the savings department of" and inserting in place thereof the words: — a savings account in.

SECTION 30. Section 48A of chapter 201 of the General Laws, as most recently amended by section 17 of chapter 314 of the acts of 1956, is hereby further amended by striking out, in line 7, the words "the savings department of" and inserting in place thereof the words: — a savings account in.

SECTION 31. Section 7 of chapter 31 of the acts of 1959 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — During the period that the provisions of this section are in effect, trust companies having savings deposits shall not be subject to the excise imposed by section eleven of said chapter sixty-three, nor to the requirements of sections eleven to sixteen, inclusive, of said chapter sixty-three. *Approved May 22, 1961.*

Chap. 494. AN ACT RELATING TO THE ESTABLISHMENT OF CREDITABLE SERVICE UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

Subdivision (2) of section 4 of chapter 32 of the General Laws is hereby amended by striking out paragraph (*c*), as most recently amended by section 6 of chapter 695 of the acts of 1955, and inserting in place thereof the following paragraph: —

(*c*) In the case of any employee of any governmental unit who is a member of the retirement system pertaining thereto, the board may allow credit, upon whatever proportionate basis it shall determine under appropriate rules and regulations which shall be subject to the approval of the actuary, for any previous period of part-time, provisional, temporary, temporary provisional, seasonal or intermittent employment or service rendered by him after such a retirement system becomes operative and while he was not eligible for membership excluding any

prescribed waiting period under the provisions of the law or under the board's rules and regulations in effect during such previous period before eligibility for membership, established either by law or board ruling in effect prior to January first, nineteen hundred and forty-six, for which such service credit was given upon attaining membership; provided, that after becoming a member or being reinstated as such, and before the date any retirement allowance becomes effective for him, he pays into the annuity savings fund of the system in one sum, or in installments, upon such terms and conditions as the board may prescribe, make-up payments of 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 previous period, together with regular interest. In the event any retirement allowance becomes effective for him before the completion of such make-up payments, such member shall, in addition to credit for his actual membership service, be entitled to credit for that proportion of his service rendered prior to the date of his becoming a member which the total amount of his make-up payments actually made, together with regular interest thereon to the date his retirement allowance becomes effective, bears to the total amount of what his make-up payments, together with regular interest thereon to such latter date, would have been had he made payment thereof in one sum on such latter date.

Approved May 22, 1961.

Chap. 495. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SIXTY-TWO, FOR THE MAINTENANCE OF THE 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-two, in this act referred to as the year nineteen hundred and sixty-two, 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 appropriations continued	$270,000
0101-02	For the salary of the clerk of the senate	13,800

Item		
0101–03	For the salary of the assistant clerk of the senate	$10,920
0101–04	For clerical assistance to the clerk of the senate, including not more than two permanent positions	15,080
0101–05	For the salary of the chaplain of the senate	4,260
0101–06	For personal services of the counsel to the senate and assistants, including not more than four permanent positions	56,240
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 the 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	82,000
0101–30	For expenses of senators, including travel, prior appropriation continued	49,406
0101–51	For stationery for the senate, purchased by and with the approval of the clerk	800
0101–53	For expenses of the counsel to the senate	1,500
0101–54	For expenses of the senate clerk's office	500
0101–55	For expenses of the committee on rules on the part of the senate	350
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
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
	Total	$524,856

House of Representatives.

0102–01	For the compensation of representatives, prior appropriation continued	$1,600,000
0102–02	For the salary of the clerk of the house of representatives	13,800
0102–03	For the salary of the assistant clerk of the house of representatives	10,920
0102–04	For clerical assistance to the clerk of the house of representatives, including not more than four permanent positions	27,840
0102–05	For the salary of the chaplain of the house of representatives	4,260
0102–06	For personal services of the counsel to the house of representatives and assistants, including not more than seven permanent positions	95,860
0102–07	For clerical and other assistance to the house committee on rules, including not more than fourteen permanent positions, prior appropriation continued	93,600
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	70,000
0102–30	For expenses of representatives, including travel, prior appropriation continued	254,829
0102–51	For stationery for the house of representatives, purchased by and with the approval of the clerk	1,500
0102–52	For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued	12,000
0102–53	For expenses of the counsel to the house of representatives, prior appropriation continued	1,500
0102–54	For expenses of the clerk's office, house of representatives	500
0102–56	For expenses of the house committee on ways and means, prior appropriation continued	25,000
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	2,500
	Total	$2,214,109

Sergeant-at-Arms.

Item		
0103–01	For the salary of the sergeant-at-arms	$9,831
0103–02	For clerical and other assistance employed by the sergeant-at-arms, including not more than six permanent positions	37,446
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	15,942
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 fifty-four permanent positions	301,415
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 thirty-six permanent positions	139,000
0103–06	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	37,000
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	31,500
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
	Total	$572,434

Legislative Research Council.

0104–01	For expenses of the legislative research council, prior appropriation continued	$2,000
0104–02	For personal services and other expenses of the legislative research bureau	95,000
	Total	$97,000

Recodification Counsel.

0105–01	For expenses of the recodification counsel, including not more than four permanent positions	$38,000

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	$250,000
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	50,000
0110–05	For telephone service, prior appropriation continued	70,000
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	5,700
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
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	3,000
	Total	$393,700
	Total, Legislative	$3,840,099

Judiciary.

Supreme Judicial Court.

Item		
0301-01	For the salaries of the chief justice and of the six associate justices	$155,000
0301-02	For traveling allowances and expenses	3,000
0301-03	For the salary of the clerk for the commonwealth	16,500
0301-04	For clerical assistance to the clerk	5,513
0301-05	For law clerks and clerical assistance for the justices	79,411
0301-06	For office supplies, services and equipment	8,000
0301-07	For the salaries of the officers and messengers	6,886
0301-08	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 two hundred and twenty-one of the General Laws	6,670
0301-10	For facilities provided by the Social Law Library	3,500
0301-12	For the service of the executive secretary	34,207
0302-01	For the salary of the reporter of decisions	15,000
0302-02	For the service of the reporter of decisions, including not more than three permanent positions	19,328
	Total	$353,015

Superior Court.

0305-01	For the salaries of the chief justice and of the thirty-seven justices	$723,000
0305-02	For traveling allowances and expenses, prior appropriation continued	47,500
0305-03	For the salary of the assistant clerk of Suffolk county	1,500
0305-04	For expenses authorized by section twenty-eight of chapter two hundred and twelve of the General Laws	42,500
0305-11	For compensation of justices of district courts while sitting in the superior court	50,000
0305-12	For expenses of justices of district courts while sitting in the superior court	12,000
0305-14	For the compensation of probation officers, including not more than forty permanent positions	322,000
0305-15	For personal services and expenses of the office of the supervisor of probation	7,389
	Total	$1,205,889

Judicial Council.

0308-01	For the service of the judicial council	$8,000
0308-10	For expenses of the Massachusetts defenders committee, as authorized by section thirty-four D of chapter two hundred and twenty-one of the General Laws, to be in addition to any amounts otherwise available for the purpose	70,000
	Total	$78,000

Administrative Committee of District Courts.

0310-01	For the service of the administrative committee of district courts	$15,100

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
0320-02	For expenses of judges of probate when acting for other judges of probate	1,500
0320-03	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by law	500
0320-04	For expenses of the administrative committee of probate courts	500
	Total	$7,500

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		
	Barnstable:	
0321-01	Judge of probate	$14,000
0321-02	Register	10,500
0321-03	Assistant register	7,875
0321-04	Clerical assistance to register, including not more than four permanent positions	16,077
	Berkshire:	
0322-01	Judge of probate	14,000
0322-02	Register	10,500
0322-03	Assistant register	7,875
0322-04	Clerical assistance to register, including not more than five permanent positions	21,734
	Bristol:	
0323-01	Two judges of probate	32,000
0323-02	Register	12,000
0323-03	Two assistant registers	17,400
0323-04	Clerical assistance to register, including not more than fourteen permanent positions	60,033
	Dukes:	
0324-01	Judge of probate	6,000
0324-02	Register	4,950
0324-04	Clerical assistance to register, including not more than one permanent position	3,671
	Essex:	
0325-01	Two judges of probate	34,000
0325-02	Register	12,750
0325-03	Three assistant registers	26,775
0325-04	Clerical assistance to register, including not more than seventeen permanent positions	68,941
	Franklin:	
0326-01	Judge of probate	14,000
0326-02	Register	10,500
0326-03	Assistant register	7,875
0326-04	Clerical assistance to register, including not more than two permanent positions	8,573
	Hampden:	
0327-01	Two judges of probate	32,000
0327-02	Register	12,000
0327-03	Three assistant registers	25,200
0327-04	Clerical assistance to register, including not more than fifteen permanent positions	64,407
	Hampshire:	
0328-01	Judge of probate	14,000
0328-02	Register	10,500
0328-03	Assistant register	7,875
0328-04	Clerical assistance to register, including not more than two permanent positions	8,479
	Middlesex:	
0329-01	Three judges of probate	54,000
0329-02	Register	13,500
0329-03	Five assistant registers	43,875
0329-04	Clerical assistance to register, including not more than forty-four permanent positions	184,000
	Nantucket:	
0330-01	Judge of probate	6,000
0330-02	Register	4,950
0330-04	Clerical assistance to register, including not more than one permanent position	3,671
	Norfolk:	
0331-01	Three judges of probate	54,000
0331-02	Register	13,500

Item		
0331-03	Three assistant registers	$28,350
0331-04	Clerical assistance to register, including not more than fifteen permanent positions	61,768
	Plymouth:	
0332-01	Judge of probate	14,000
0332-02	Register	10,500
0332-03	Assistant register	7,875
0332-04	Clerical assistance to register, including not more than nine permanent positions	37,675
	Suffolk:	
0333-01	Three judges of probate	54,000
0333-02	Register	13,500
0333-03	Five assistant registers	43,875
0333-04	Clerical assistance to register, including not more than fifty permanent positions	212,737
	Worcester:	
0334-01	Two judges of probate	34,000
0334-02	Register	12,750
0334-03	Four assistant registers	34,425
0334-04	Clerical assistance to register, including not more than sixteen permanent positions	67,841
	Total	$1,607,282

Land Court.

0340-01	For the salaries of the judge, associate judges and the recorder, including not more than four permanent positions	$71,250
0340-02	For the service of the land court, including not more than forty-five permanent positions	334,000
	Total	$405,250

Pensions for Certain Retired Justices.

0345-01	For pensions of retired judges, as authorized by law	$140,000

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	$176,600
0351-01	For the salaries of the district attorney and assistants for the northern district, including not more than twelve permanent positions	82,500
0352-01	For the salaries of the district attorney and assistants for the eastern district, including not more than seven permanent positions	42,000
0354-01	For the salaries of the district attorney and assistants for the southern district, including not more than six permanent positions	29,800
0355-01	For the salaries of the district attorney and assistants for the middle district, including not more than seven permanent positions	42,000
0356-01	For the salaries of the district attorney and assistants for the western district, including not more than six permanent positions	32,000
0357-01	For the salaries of the district attorney and assistant for the northwestern district, including not more than two permanent positions	10,100
0358-01	For the salaries of the district attorney and assistants for the Norfolk district, including not more than four permanent positions	19,800
0359-01	For the salaries of the district attorney and assistants for the Plymouth district, including not more than four permanent positions	19,300
0365-01	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, including expenses incurred in previous years	5,000
	Total	$459,100

Committee on Probation.

Item		
0370-01	For the office of the commissioner of probation, including not more than fifty-nine permanent positions	$290,992
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
	Total	$292,792

Board of Bar Examiners.

0380-01	For the service of the board, including not more than six permanent positions	$39,374
	Total, Judiciary	$4,603,302

Executive.

Governor.

0401-01	For the salary of the governor	$20,000
0401-02	For the salaries of officers and employees in the governor's office	162,500
0401-03	For postage, printing, office and other contingent expenses, including travel of the governor	59,000
0401-04	For maintenance expenses of the governor's automobile	1,800
	Total	$243,300

Lieutenant-Governor.

0402-01	For the salary of the lieutenant-governor	$11,000
0402-02	For personal services for the lieutenant-governor's office	20,800
	Total	$31,800

Governor's Council.

0403-01	For the salaries of the eight councillors	$24,000
0403-02	For personal services for the council	37,844
0403-03	For postage, printing, stationery, traveling and contingent expenses of the governor and council	14,000
0403-05	For travel and expenses of the lieutenant-governor and council from and to their homes	4,000
	Total	$79,844

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	$100,000

Civil Defense Agency.

Item		
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, to be in addition to any federal funds available for the purpose, prior appropriation continued	$250,000
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
0406-07	For matching certain funds allocated to the state civil defense program by the federal civil defense administration	50,000
	Total	$320,000
	Total, Executive	$774,944

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	$227,014
	Militia:	
0421-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	192,000
0421-02	For officers' uniform allowances, as authorized by section eighty-seven of chapter thirty-three of the General Laws	76,000
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	89,875
0421-14	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property	8,000
0421-17	For the military reservation, located in Barnstable county, including compensation of the commissioner	629
0421-21	For the service of the air national guard including not more than one permanent position	10,450
0421-60	For the operation of the war records project, so called, including not more than ten permanent positions	48,098
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
	Total	$653,566

State Quartermaster.

0423-01	For the office of the state quartermaster	$5,400
0423-02	For the operation of armories of the first class, including not more than one hundred and two permanent positions	802,098
	Militia:	
0424-01	For reimbursement for rent and maintenance of armories not of the first class	21,680
0424-02	For the Camp Curtis Guild rifle range, including not more than seven permanent positions	34,539
0424-05	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	122,202
0424-08	For certain national guard aviation facilities, including not more than ten permanent positions	42,680
	Total	$1,028,599

Armory Commission.

Item		
0428-01	For compensation of one member and for expenses of the commission . . . . . 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.	$195
	Total, Military Division	$1,682,360

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	$500
0441-01	For the office of the commissioner of administration, including not more than thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of seventy-eight thousand one hundred and twenty-two dollars from the Highway Fund	250,408
0441-03	For telephone service in the state house, prior appropriation continued	40,100
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
0442-01	For the bureau of the comptroller, including not more than one hundred seventeen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of two hundred twenty-two thousand six hundred and seventeen dollars from the Highway Fund	739,958
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-six thousand two hundred and seven dollars from the Highway Fund . . .	119,865
0444-01	For the bureau of the purchasing agent, including not more than seventy-six permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and thirty thousand eight hundred and sixty-three dollars from the Highway Fund	434,860
0444-02	For the purchase of paper used in the execution of the contracts for state printing, other than legislative	85,000
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 thirty-one thousand six hundred and five dollars from the Highway Fund	436,734
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, including not more than three permanent positions .	3,350
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 forty-five thousand dollars from the Highway Fund, prior appropriation continued	45,000
0446-01	For the division of building construction, including not more than forty-eight permanent positions	429,503
0447-01	For the division of hospital costs and finances, including not more than six permanent positions	47,987
0448-01	For administration of the state employees' group insurance, including not more than twenty-five permanent positions	176,487
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, authorities and divisions which have federal or other funds allocated to them	

Item		
	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	$3,500,000
	Total	$6,319,752
	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 . . .	$1,051,880
0450-32	For roof repairs, state house	7,500
0450-33	For repair of certain roof drains, state house . . .	25,000
0450-36	For resetting the granite steps, state house, Derne Street .	10,000
	Total	$1,094,380
	Commissioners on Uniform State Laws.	
0457-01	For the expenses of the commissioners	$2,950
	George Fingold Library.	
0459-01	For the service of the library, including not more than thirty-one permanent positions	$183,545
	Art Commission.	
0460-01	For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws . . .	$200
	Ballot Law Commission.	
0461-01	For compensation and expenses of the commissioners, including not more than three permanent positions	$3,117
	Massachusetts Commission Against Discrimination.	
0462-01	For the service of the commission, including not more than fourteen permanent positions	$108,050
	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	$167,661
	Council for the Aging.	
0465-01	For expenses of the council	$40,042
	Mount Greylock Reservation Commission.	
0466-01	For the maintenance of the Mount Greylock war memorial	$2,000
	Old State House.	
0467-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	$1,500

Alcoholic Beverages Control Commission.

Item		
0469-01	For the service of the commission, including not more than sixty-six permanent positions	$480,261

Contributory Retirement Appeal Board.

0471-01	For the service of the board	$100

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	$26,706
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	175,000
	Total	$201,706

Finance Advisory Board.

0477-01	For expenses of the board	$100

Medical, Dental and Nursing Scholarship Board.

0479-01	For expenses of the board	$500
0479-02	For scholarships	75,000
	Total	$75,500

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	$3,383,020

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	$1,265,544

State Housing Board.

0483-01	For the service of the board, including not more than thirty-six 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	$340,634

Commissioner of Veterans' Services.

0485-01	For personal services of the commissioner and deputies, including not more than three permanent positions	$26,484
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	496,312
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	115,500
	Total	$638,296

Massachusetts Aeronautics Commission.

Item		
0490-01	For the compensation and expenses of members of the commission, including not more than five permanent positions	$7,000
0490-02	For the service of the commission, including not more than nine permanent positions	79,070
	Total	$86,070

Commission on Employment of the Handicapped.

0496-07	For expenses of the commission	$2,378

Massachusetts Rehabilitation Commission.

0497-01	For the service of the commission, including not more than one permanent position, prior appropriation continued	$856,000

Massachusetts Commission on Atomic Energy.

0498-01	For the service of the commission	$9,471
	Total, Boards and Commissions serving under Governor and Council	$15,262,277

Secretary of the Commonwealth.

0501-01	For the salary of the secretary	$11,000
0501-02	For the office of the secretary, including not more than eighty-six permanent positions	538,302
0501-03	For the processing of certain statistical data in the division of vital statistics	21,000
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 for the furnishing of photostatic copies of corporation papers, election papers and acts and resolves	8,700
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
	Total	$581,252

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-two, prior appropriation continued	$40,000
0503-02	For the printing of reports of decisions of the supreme judicial court, prior appropriation continued	20,000
0503-03	For printing and binding public documents, prior appropriation continued	9,000
	Total	$69,000

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	$278,659

Medical Examiners.

Item		
0505-01	For medical examiners' fees	$1,800

Commission on Interstate Co-operation.

0506-01	For the service of the commission, including not more than two permanent positions	$35,098
	Total, Department of the Secretary of the Commonwealth	$965,809

Treasurer and Receiver-General.

0601-01	For the salary of the treasurer and receiver-general . .	$11,000
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 fifty-eight thousand two hundred and fifty-four dollars from the Highway Fund	482,973
	Total	$493,973

Commissioners on Firemen's Relief.

0602-01	For expenses of administration and for relief disbursed by the commissioners on firemen's relief	$15,000

State Board of Retirement.

0604-01	For the administrative office of the board, including not more than twenty-four permanent positions	$129,950
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 two hundred 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	7,800,000
0604-04	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, 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 seven hundred and four thousand dollars from the Highway Fund .	3,200,000
0604-05	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	15,100
0604-06	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . .	21,000
0604-07	For retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission; provided, that the comptroller shall transfer to the General Fund from the Highway Fund twenty-five per cent and from the Metropolitan Dis-	

Item		
	trict Commission Funds seventy-five per cent of the cost of payments made under this item; and, provided further, that the metropolitan district commission's share of this item shall be assessed by methods fixed by law	$2,500
0604-08	For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission as provided by law; provided, that the comptroller shall transfer to the General Fund from the Highway Fund sixty per cent and from the Metropolitan District Commission Funds thirty-nine per cent of the cost of payments made under this item; and, provided further, that the metropolitan district commission's share of this item shall be assessed as provided in section fifty-five of chapter ninety-two of the General Laws	430,000
0604-09	For retirement allowances of certain veterans formerly in the service of the metropolitan sewerage district as provided by law; provided, that the comptroller shall transfer to the General Fund from the Metropolitan Sewerage District Funds the cost of payments made under this item	130,000
0604-10	For retirement allowances of certain veterans formerly in the service of the metropolitan water system as provided by law; provided, that the comptroller shall transfer to the General Fund from the Metropolitan Water System Funds the cost of payments made under this item	320,000
	Total	$12,048,550

Emergency Finance Board.

0605-01	For administrative expenses of the board, including not more than one permanent position; provided, that no payments shall be allowed from sums appropriated in this item in excess of compensation for one meeting per week for board members	$18,776

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
	Total, Department of the Treasurer and Receiver-General	$12,577,049

Auditor of the Commonwealth.

0701-01	For the salary of the auditor	$11,000
0701-02	For the office of the auditor, including not more than forty-nine permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-three thousand nine hundred and nine dollars from the Highway Fund	404,929
0701-23	For an audit of the accounts of the Metropolitan Transit Authority	34,061
0701-24	For the expense of an audit of the books of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, to be reimbursed by said authority as provided by law	3,690
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	95,917
	Total, Department of the Auditor	$549,597

Department of the Attorney General.

0801-01	For the salary of the attorney general	$15,000
0801-02	For the office of the attorney general, including not more than forty-two permanent positions	385,590
0801-03	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	17,360

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	$90,000
0802-02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws	10,000
	Total, Department of the Attorney General	$517,950

Department of Agriculture.

0901-01	For the salary of the commissioner	$10,000
0901-02	For the office of the commissioner, including not more than thirty-three permanent positions	223,708
0901-11	For expenses of the board of agriculture	500
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	8,634
0901-22	For the program of soil conservation, as authorized by chapter one hundred and twenty-eight B of the General Laws	1,835
0901-24	For matching certain federal funds allocated to the department for a program of quality improvement of the production and marketing of eggs, prior appropriation continued.	
	Total	$244,677

Division of Dairying and Animal Husbandry.

0905-01	For the service of the division, including not more than five permanent positions	$35,133
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	105,444
0905-04	For matching certain federal funds allocated to the department for a program of quality improvement of dairy products	4,500
	Total	$145,077

Milk Control Commission.

0906-01	For the service of the commission, including not more than thirty-four permanent positions	$217,499

Division of Livestock Disease Control.

0907-01	For the office of the director, including the administration of sections one hundred and thirty-nine C to one hundred and thirty-nine G, inclusive, of chapter ninety-four of the General Laws, and including not more than twenty-eight permanent positions	$244,315
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	1,300
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	10,000
	Total	$255,615

Division of Markets.

Item		
0908-01	For the service of the division, including not more than twelve permanent positions	$107,770

Division of Plant Pest Control and Fairs.

0909-01	For the service of the division, including not more than four permanent positions	$30,135

State Reclamation Board.

0910-01	For the service of the board, including not more than four permanent positions	$20,591
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	5,400
	Total	$25,991
	Total, Department of Agriculture	$1,026,764

Department of Natural Resources.

1001-01	For the salary of the commissioner	$10,000
1001-02	For the office of the commissioner, including not more than thirty-five permanent positions	228,196
1001-04	For the expenses of the natural resources board	500
	Total	$238,696

Division of Forests and Parks.

1002-01	For the office of the director, including not more than eight permanent positions	$50,832
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	398,601
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws	59,139
1002-21	For the development of forests, including not more than thirty-seven permanent positions	253,307
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 two thousand and fifty dollars in the state treasury for this project	8,198
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 six dollars in the state treasury for this project	7,223
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	198,107
	Total	$975,407

Division of Law Enforcement.

1003-01	For the office of the director, including not more than five permanent positions	$27,464

Item		
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	$223,739
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	278,309
	Total	$529,512

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	$120,375
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, prior appropriation continued.	

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 or other funds available	$88,920
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	4,000
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	57,150
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
1010-31	For the commonwealth's share of the cost of construction of a certain project, as authorized by chapter four hundred and ninety-six of the acts of nineteen hundred and fifty-nine, to be in addition to any federal or other funds which may be made available to the commission for said project, prior appropriation continued.	
	Total	$194,370
	Total, Department of Natural Resources	$2,058,360

Department of Banking and Insurance.

Division of Banks.

1101-01	For the salary of the commissioner	$12,500
1101-02	For the office of the commissioner, including not more than two hundred and one permanent positions	1,404,039
1102-01	For the office of the supervisor of loan agencies, including not more than forty-one permanent positions	268,143
	Total	$1,684,682

Division of Insurance.

Item		
1103-01	For the salary of the commissioner	$12,500
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 sixty permanent positions; provided, that the position of "area legal counsel" shall not be subject to the provisions of chapter thirty-one of the General Laws; and, provided further, 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 three hundred twenty thousand three hundred and seventy-four dollars from the Highway Fund	1,593,952
	Total	$1,606,452

Division of Savings Bank Life Insurance.

1105-01	For the service of the division, including not more than twenty-eight permanent positions	$158,660
	Total, Department of Banking and Insurance	$3,449,794

Department of Corporations and Taxation.

1201-01	For the salary of the commissioner and associate commissioners	$43,000
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 two hundred and four thousand three hundred and fifty dollars from the Highway Fund and the sum of two million six hundred fifty-six thousand five hundred and fifty dollars from the receipts of the income tax	4,047,930
1201-03	For expenses of the department except as otherwise provided; provided, that the comptroller shall transfer to the General Fund the sum of fifty thousand nine hundred dollars from the Highway Fund	252,800
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	1,007,770
	Total	$5,351,500

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	$859,404
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
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	77,000
1203-21	For the service of the county personnel board, including not more than six permanent positions	21,927
	Total	$1,037,331

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 com-	

Item		
	monwealth 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	$226,958
	Total, Department of Corporations and Taxation .	$6,615,789

Department of Education.

1301-01	For the salary of the commissioner	$25,000
1301-02	For the office of the commissioner, including not more than eighty permanent positions	530,501
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 state 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 and fifty thousand dollars with the approval of the state board of education	9,000
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 .	149,600
1301-06	For printing school registers and other school blanks for cities and towns	5,000
1301-07	For expenses of holding teachers' institutes	925
1301-08	For aid to certain pupils in state colleges, under the direction of the department of education	4,000
1301-10	For the service of the state building on Newbury Street, Boston, including not more than five permanent positions	44,260
1301-13	For the commonwealth's share of the expenses of the national council of state school officers	1,500
1301-20	For the board of education, including not more than two permanent positions	12,018
1301-23	For printing guides for school curricula, prior appropriation continued.	
1301-25	For expenses of the board of collegiate authority . . .	400
1301-29	For a program of sight saving classes	2,000
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	200,000
1301-33	For certain educational services to certain war veterans .	29,150
1301-40	For a reserve to provide excess quota instruction personnel at the several state colleges for courses of instruction for which instructors are not otherwise available; provided, that upon request of the commissioner of education and the approval of the commission on administration and finance, the comptroller shall transfer such amounts as may be so approved from the amount appropriated in this item to appropriation accounts made for the maintenance of said state colleges .	90,000
	Total	$1,103,354

School Lunch and Commodity Distribution Program.

1305-01	For the administration of the program, including not more than thirty-two permanent positions	$187,730

Item		
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 . .	$350,000
	Total	$537,730

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	$138,150
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	21,108
	Total	$159,258

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	$2,350,000

Division of University Extension.

1313-01	For the university extension courses, including not more than fifty-five permanent positions; provided, that the division may, in addition to the sums appropriated for the purpose in this item, expend from 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	$275,414

Division of Immigration and Americanization.

1315-01	For the service of the division, including not more than seventeen permanent positions	$99,068

Division of Public Libraries.

1316-01	For the service of the division, including not more than twenty-five permanent positions	$162,773

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	$419,887
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

Item		
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
1317-11	For the operation of local shops, including not more than fourteen permanent positions	268,501
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	51,344
1317-16	For the operation of the Cambridge industries for the blind, including not more than twelve permanent positions	502,224
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	42,232
1317-28	For the promotion of vocational rehabilitation of the blind in co-operation with the federal government, prior appropriation continued	127,200
	Total	$3,741,388

Teachers' Retirement Board.

1319-01	For the service of the board, including not more than thirty-four permanent positions	$170,712

Massachusetts Maritime Academy.

1327-01	For administration, including not more than two permanent positions	$13,095
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	500,840
	Total	$513,935

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 the positions approved for use at state colleges in position titles designated with the prefix "Commonwealth":

1330-01	State college at Bridgewater, including not more than one hundred and thirty-six permanent positions	$1,017,235
1330-21	State college at Bridgewater, boarding hall, including not more than thirty-eight permanent positions	258,812
1331-01	State college at Fitchburg, including not more than one hundred and ten permanent positions	823,502
1331-10	For scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws	5,000
1331-21	State college at Fitchburg, boarding hall, including not more than nineteen permanent positions	137,744
1332-01	State college at Framingham, including not more than one hundred and one permanent positions	601,059
1332-21	State college at Framingham, boarding hall, including not more than thirty-six permanent positions	230,190
1333-01	State college at Lowell, including not more than seventy-one permanent positions	430,779
1333-21	State college at Lowell, boarding hall, including not more than four permanent positions	13,737
1334-01	State college at North Adams, including not more than forty-nine permanent positions	297,385
1334-21	State college at North Adams, boarding hall, including not more than eight permanent positions	48,529
1335-01	State college at Salem, including not more than one hundred and eleven permanent positions	757,691

Item		
1336-01	State college at Westfield, including not more than sixty-five permanent positions	$410,263
1336-21	State college at Westfield, boarding hall, including not more than seven permanent positions	29,401
1337-01	State college at Worcester, including not more than ninety-five permanent positions	639,665
1338-01	State college at Boston, including not more than one hundred and twenty-five permanent positions	942,955
1338-45	For the payment of a certain judgment as recorded in the Suffolk superior court by docket number 516054 on account of work on project number E-704	4,280
1339-01	Massachusetts College of Art, including not more than forty-seven permanent positions	372,659
	Total	$7,020,886

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-five permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city 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-one; 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	$478,229
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-one; 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	482,687
	Total	$960,916

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-one; 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	$1,504,217
1345-42	For scholarships, as authorized by section seventeen of chapter seventy-five A of the General Laws	10,000
	Total	$1,514,217

University of Massachusetts.

Item		
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 eighty-seven 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 sixteen 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, 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, the trustees may, in addition to the sums appropriated, receive and expend as a University health services trust fund under said section five A, without appropriation, funds received for student health services in the infirmary building; and, provided further, that there shall be transferred from the receipts of said boarding halls the sum of one hundred and thirty thousand dollars to the General Fund 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 the comptroller, on the effective date of this act, shall transfer to the University health services trust fund, the sum of twenty-eight thousand seven hundred and fifty dollars from the General Fund to meet the commonwealth's share of the cost of health services, said sum being the estimated net cost to be paid by the commonwealth after deducting the cost of certain employee fringe benefits to be furnished by the commonwealth; and, provided further, that notwithstanding the provisions for said boarding hall operation and University health services, all present and future employees of said boarding hall and University health services trust fund 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 .	$11,224,879
1350–21	For expenses in connection with research projects for which the commonwealth shall be fully reimbursed; provided, that, on and after the effective date of this act, the trustees may receive and expend, at no net expense to the commonwealth, funds for such research projects without further appropriation, prior appropriation continued . .	10,000
1350–26	For the purchase of books	50,000
1350–35	For the entertainment of distinguished visitors to the campus of the University, with the approval of the board of trustees .	2,000
1350–36	For the payment of the rental fee for the president's house, with the approval of the board of trustees	1,200
1350–96	For scholarships, as authorized by section thirty-one of chapter seventy-five of the General Laws	25,000
	Total	$11,313,079

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	$41,794
1361–00	Community college, Metropolitan Boston, including not more than thirty-one permanent positions	179,965
1362–00	Northern Essex community college, including not more than eleven permanent positions	74,194
1363–00	Cape Cod community college, including not more than eleven permanent positions	74,888
1364–00	Berkshire community college, including not more than twenty permanent positions	146,760
	Total	$517,601

Division of Youth Service.

Item		
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	$874,788

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	$778,037
1382–01	Industrial school for girls, including not more than ninety-five permanent positions	553,401
1383–01	Lyman school for boys, including not more than one hundred and forty-nine permanent positions	996,137
1384–01	For the operation of reception and detention facilities for boys in the city of Boston, including not more than sixty-two permanent positions	404,212
1385–01	For the operation of the institute of juvenile guidance, including not more than fifty-four permanent positions	361,099
1386–01	For the operation of reception and detention facilities for girls in the city of Boston, including not more than thirty-two permanent positions	189,627
1387–01	For the operation of a detention center in Hampden county, including not more than eighteen permanent positions	90,724
1388–01	For the operation of a residential treatment unit for small boys in Oakdale, including not more than twenty-six permanent positions	194,267
1389–01	For the operation of a detention center in Worcester county, including not more than nineteen permanent positions	108,462
1390–01	For the maintenance of the Stephen L. French Youth Forestry Camp	60,833
	Total	$3,736,799
	Total, Division of Youth Service	$4,611,587

School Building Assistance Commission.

1393–01	For the school building assistance commission	$80,987

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	$11,100
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
	Total	$161,100
	Total, Department of Education	$35,294,005

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	$47,500

Item		
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 eighty-six thousand one hundred and fifty-four dollars from the Highway Fund	$1,212,201
1402-21	For expenses of hearings, as authorized by section forty-three of chapter thirty-one of the General Laws	2,500
	Total	$1,262,201

Division of Registration.

1403-01	For the salary of the director	$6,000
1403-02	For the service of the division, including not more than forty-nine permanent positions	365,781
	Total	$371,781

For the service of the following agencies in the division:

1404-01	Board of registration in medicine, including not more than seven permanent positions	$10,200
1405-01	Board of dental examiners, including not more than five permanent positions	5,950
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
1407-01	Board of registration in pharmacy, including not more than nine permanent positions	36,671
1408-01	Board of registration of nurses, including not more than twelve permanent positions	6,800
1409-01	Board of registration in embalming and funeral directing, including not more than five permanent positions	11,500
1410-01	Board of registration in optometry, including not more than five permanent positions	3,100
1411-01	Board of registration in veterinary medicine, including not more than five permanent positions	2,750
1412-01	Board of registration of professional engineers and land surveyors	22,225
1413-01	Board of registration of architects, including not more than five permanent positions	4,425
1414-01	Board of registration of certified public accountants, including not more than five permanent positions	15,160
1416-01	State examiners of electricians, including not more than two permanent positions	9,700
1417-01	State examiners of plumbers, including not more than three permanent positions	7,800
1418-01	Board of registration of real estate brokers and salesmen, including not more than twenty-six permanent positions; provided, that persons employed under this item shall not be subject to the civil service laws and rules	167,267
1419-01	Board of registration of electrologists, including not more than three permanent positions	1,900
1420-01	Board of registration of barbers, including not more than nine permanent positions	48,054
1421-01	Board of registration of hairdressers, including not more than seventeen permanent positions	97,325
1422-01	Board of registration of dispensing opticians, including not more than five permanent positions	1,200
1424-01	Board of registration of sanitarians, including not more than four permanent positions	1,080
	Total	$456,207
	Total, Department of Civil Service and Registration	$2,090,189

Department of Commerce.

Item		
1551-01	For the service of the department, including not more than fifty-seven permanent positions	$586,454
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	99,700
1551-03	For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item	99,700
1551-10	For the commonwealth's share of the expenses of the New England textile committee	1,500
	Total, Department of Commerce	$787,354

Department of Labor and Industries.

1601-01	For general administration and for the division of employment of the aging, including not more than thirteen permanent positions	$107,089
1603-01	For the division of industrial inspection, including not more than sixty-eight permanent positions	480,310
1605-01	For the division of occupational hygiene, including not more than fourteen permanent positions	96,229
1607-01	For the division of statistics, including not more than thirty-four permanent positions	191,415
1609-01	For administration of the division on necessaries of life, including not more than five permanent positions	31,170
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	80,424
1611-01	For the board of conciliation and arbitration, including not more than fifteen permanent positions	130,091
1613-01	For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	188,989
1615-01	For the division of standards, including not more than twenty-one permanent positions	135,077
	Total	$1,440,794

Division of Apprentice 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	$197,924

Labor Relations Commission.

1630-01	For the service of the commission, including not more than twenty permanent positions	$148,866

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-six permanent positions	$190,779

Division of Industrial Accidents.

1651-01	For personal services of members of the board, including not more than eleven permanent positions	$111,000

Item		
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-three permanent positions	$930,512
1651–05	For expenses of impartial examinations, prior appropriation continued	32,000
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 fifty thousand dollars from the Highway Fund	990,000
	Total	$2,063,512

Division of Self-Insurance.

1651–21	For the service of the division, including not more than six permanent positions	$36,442

Industrial Accident Rehabilitation Board.

1652–01	For the service of the board, including not more than six permanent positions	$13,799
	Total, Department of Labor and Industries	$4,092,116

Department of Mental Health.

1701–01	For the salary of the commissioner	$20,000
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 fifty-eight permanent positions	3,635,092
	Total	$3,655,092
	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-five permanent positions	$1,587,614
1711–00	Boston state hospital, including not more than one thousand one hundred and four permanent positions	6,005,496
1711–43	For certain improvements to the plumbing	20,000
1712–00	Danvers state hospital, including not more than eight hundred and forty-two permanent positions	4,506,017
1712–40	For the purchase and installation of X-ray equipment	25,000
1712–41	For certain roof repairs, Middleton colony	14,300
1713–00	Foxborough state hospital, including not more than five hundred and fifty-three permanent positions	3,009,923
1714–00	Gardner state hospital, including not more than four hundred and eighty-four permanent positions	2,722,943
1714–40	For the purchase and installation of a refrigeration unit	12,000
1715–00	Grafton state hospital, including not more than five hundred and seventy permanent positions	3,176,674
1715–40	For the replacement of sewer lines, Oaks group	20,000
1716–00	Medfield state hospital, including not more than six hundred and seventy-three permanent positions	3,506,354
1717–00	Metropolitan state hospital, including not more than seven hundred and thirty-one permanent positions	3,941,645

Item		
1717-42	For waterproofing exterior walls, "A" building	$17,500
1718-00	Northampton state hospital, including not more than seven hundred and thirty-two permanent positions	4,080,745
1719-00	Taunton state hospital, including not more than six hundred and ninety-seven permanent positions	3,871,615
1720-00	Westborough state hospital, including not more than seven hundred and sixty-nine permanent positions	4,103,304
1720-40	For the relocation of certain dishwashing equipment	17,500
1720-41	For certain boiler and stoker repairs	15,000
1721-00	Worcester state hospital, including not more than one thousand and twenty-eight permanent positions	5,277,579
1721-40	For certain roof repairs, east wing	12,500
1721-41	For the purchase and installation of a flat work ironer	23,000
1722-00	Monson state hospital, including not more than seven hundred and forty-seven permanent positions	3,573,897
1723-00	Belchertown state school, including not more than five hundred and seventy-one permanent positions	2,875,119
1723-42	For the construction of a storage area, infirmary building	3,600
1724-00	Walter E. Fernald state school, including not more than eight hundred and sixty-one permanent positions	4,994,694
1725-00	Wrentham state school, including not more than six hundred and forty-one permanent positions	3,457,194
1725-42	For fencing certain play areas	5,500
1726-00	Paul A. Dever state school, including not more than six hundred and nineteen permanent positions	3,413,420
1727-00	Cushing hospital, including not more than three hundred and thirty-three permanent positions	2,642,778
	Total	$66,932,911
	Total, Department of Mental Health	$70,588,003

Department of Correction.

1801-01	For the salary of the commissioner	$15,000
1801-02	For administration, including not more than sixty-eight 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	499,074
	Total	$514,074

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	$4,044,945
1810-42	For a survey to locate a new water supply	3,000
1810-43	For the removal of two chimneys	3,000
1812-01	Correctional institution at Walpole, including not more than two hundred and ninety-one permanent positions	2,130,188
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.	884,738

Item		
1814-01	Correctional institution at Concord, including not more than two hundred and forty-seven permanent positions	$1,787,361
1814-02	Correctional institution at Concord, industries, including not more than twenty-three permanent positions	370,488
1816-01	Correctional institution at Framingham, including not more than one hundred and thirty-three permanent positions	943,579
1816-02	Correctional institution at Framingham, industries, including not more than ten permanent positions	238,896
1818-01	Correctional institution at Norfolk, including not more than two hundred and fifty-five permanent positions	2,033,391
1818-02	Correctional institution at Norfolk, industries, including not more than twenty-nine permanent positions	510,900
1818-40	For the purchase and installation of kitchen equipment	25,000
1820-01	For the operation of correctional institution camps, including not more than twenty-five permanent positions	281,608
	Total	$13,257,094

Parole Board.

1830-01	For the service of the board, including not more than sixty-nine permanent positions	$513,350
	Total, Department of Correction	$14,284,518

Department of Public Welfare.

1901-01	For the salary of the commissioner	$12,500
1901-03	For the office of the commissioner and expenses of the department, including the administration of a program for medical assistance for the aged as authorized by chapter one hundred and eighteen A of the General Laws, and including not more than five hundred and fifty-one permanent positions	3,268,286
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	75,650
1901-06	For payments on account of old age assistance grants made in accordance with section thirty-two of chapter one hundred and eighteen A of the General Laws	115,000
1906-04	For the care and maintenance of children under the jurisdiction of the division of child guardianship, prior appropriation continued	4,207,500
	Total, Department of Public Welfare.	$7,678,936

Department of Public Health.

Bureau of Administration.

2001-01	For the salary of the commissioner	$16,000
2001-02	For the service of the bureau of administration, including not more than thirty-nine permanent positions	270,094
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-two, prior appropriation continued.	

Item		
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	$4,860
	Total	$290,954

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	$576,485
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-three.	
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	57,577
	Total	$634,062

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 fifty-nine permanent positions	$1,386,695

Bureau of Health Services.

2004–01	For the service of the bureau, including not more than sixty-one permanent positions	$738,820

Bureau of Hospital Facilities.

2005–01	For the service of the bureau, including not more than twenty-three permanent positions	$163,096

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	$221,693

Institute of Laboratories.

2007–01	For the service of the institute, including not more than one hundred and thirty-seven permanent positions	$821,770

Bureau of Consumer Products Protection.

2008–01	For the service of the bureau, including not more than fifty permanent positions	$354,672

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 thirty-two permanent positions	$4,365,812

Item		
2021-42	For certain roof repairs to the administration building and the male and female hospitals	$14,600
2022-00	Lakeville state sanatorium, including not more than two hundred and forty-seven permanent positions	1,329,733
2023-00	This item postponed.	
2024-00	Rutland state sanatorium, including not more than two hundred and fifty-four permanent positions	1,377,327
2025-00	Westfield state sanatorium, including not more than two hundred and ninety-one permanent positions	1,647,796
2026-00	Lemuel Shattuck hospital, including not more than eight hundred and eight permanent positions	4,553,074
2027-00	Massachusetts Hospital School, including not more than two hundred and thirteen permanent positions	1,207,521
2031-00	Pondville hospital, including not more than two hundred and seventy-four permanent positions	1,736,303
2031-50	For the expenses of a cancer research project	24,600
	Total	$16,256,766

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	$9,755
	Total, Department of Public Health	$20,883,283

Department of Public Safety.

2101-01	For the salary of the commissioner	$12,500
2101-02	For certain administrative expenses of the department, including not more than one hundred and one permanent positions	630,776
	Total	$643,276

Division of Fire Prevention.

2103-01	For the fire prevention service, including not more than twenty-five permanent positions	$222,064

Division of Inspection.

2104-01	For the service of the division, except as otherwise provided, including not more than fifty-nine permanent positions	$462,225
2104-31	For the board of boiler rules, including not more than four permanent positions	1,500
	Total	$463,725

State Boxing Commission.

2105-11	For the service of the commission, including not more than six permanent positions	$29,291

Board of Standards.

2106-01	For the service of the board, including not more than seven permanent positions	$5,150

Board of Elevator Regulations.

2107-01	For the service of the board, including not more than seven permanent positions	$5,100

Board of Fire Prevention Regulations.

Item		
2108–01	For the service of the board, including not more than eight permanent positions	$5,300

Division of Subversive Activities.

2109–01	For the service of the division, including not more than five permanent positions	$34,022

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	$975

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
	Total, Department of Public Safety	$1,409,903

Department of Public Works.

Division of Waterways.

2202–03	For administration, including not more than sixty-five permanent positions	$394,880
2202–06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions	9,442
2202–07	For the operation and maintenance of the New Bedford state pier, including not more than three permanent positions	17,263
	Total	$421,585

Outdoor Advertising Division.

2230–01	For the service of the division, including not more than eleven permanent positions	$54,115
	Total, Department of Public Works	$475,700

Department of Public Utilities.

2301–01	For personal services of the commissioners, including not more than seven permanent positions	$77,000
2301–02	For administration, including not more than seventy-three permanent positions	536,989
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	12,600
	Total	$626,589

Commercial Motor Vehicle Division.

2304–01	For the service of the division, including not more than thirty-two permanent positions	$230,308

Securities Division.

2308–01	For the service of the division, including not more than nine permanent positions	$56,145
	Total, Department of Public Utilities	$913,042

Annuities and Payments.

Item		
2405-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	$18,200
	Total, Annuities and Payments	$18,200

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
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
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
	Total, Miscellaneous	$28,500

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, prior appropriation continued.

Boards and Commissions serving under Governor and Council.

Service of the State Housing Board.

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	$395,000
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	4,200,000
	Total	$4,595,000

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	$5,000,000
	Total, Boards and Commissions serving under Governor and Council	$9,595,000

Department of Agriculture.

Division of Livestock Disease Control.

Item		
2609-01	For the reimbursement of certain towns for compensation paid to inspectors of animals	$4,500
	Total, Department of Agriculture	$4,500

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
2610-06	For bounties on seals	200
	Total	$20,200
	Total, Department of Natural Resources	$20,200

Department of Corporations and Taxation.

Reimbursement for Loss of Taxes.

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-one, 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	$950,000
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	325,000
	Total	$1,275,000
	Total, Department of Corporations and Taxation	$1,275,000

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

Item		
2613-02	For the reimbursement of certain cities and towns for sight saving classes, as provided by law	$5,500
2613-03	For assisting small towns in providing themselves with school superintendents, as provided by law	170,000
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	6,400,000
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	5,200,000
2613-06	For reimbursement of certain cities and towns for adult English-speaking classes	118,000
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	145,000
2613-18	For expenses of regional public libraries with the approval of the board of library commissioners; provided, that the unexpended balance remaining in item 1316-02 of section three of chapter seven hundred and sixty of the acts of nineteen hundred and sixty is hereby reappropriated and made available for the purposes of this item.	
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	18,000
	Total	$12,061,500

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	$13,500,000

School Lunch and Commodity Distribution Program.

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	$1,950,000

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	$110,000

Teachers' Retirement Board.

2613-11	For reimbursement of certain cities and towns for pensions to retired teachers	$2,525,000
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

Item		
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	$13,800,000
	Total	$16,325,500

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	$13,000
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
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
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	265,000
	Total	$311,000
	Total, Department of Education	$44,258,000

Department of Public Welfare.

2619-01	For the payment of suitable aid to certain dependent children	$9,775,000
2619-02	For the burial by cities and towns of indigent persons who have no legal settlement	13,000
2619-03	For expenses in connection with smallpox and other diseases dangerous to the public health	270,000
2619-04	For the support of sick indigent persons who have no legal settlement	884,000
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	1,890,000
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	7,900,000
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-one	650,000
2619-08	For reimbursement to cities and towns for old age assistance, as provided by law	18,500,000
2619-10	For the reimbursement of cities and towns for medical assistance for the aged, as provided by chapter one hundred and eighteen A of the General Laws, to be in addition to the amount appropriated in item 2619-09 of section two of chapter seven hundred and eighty-six of the acts of nineteen hundred and sixty	13,500,000
	Total, Department of Public Welfare	$53,382,000

Department of Public Health.

Bureau of Tuberculosis and Institutions.

2620-01	For the payment of subsidies for tubercular patients in certain hospitals	$232,000
	Total, Department of Public Health	$232,000

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

Item		
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	$7,421,075
2820–00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2952–00, 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	30,187,000
	Total, Interest and Redemption of Debt . . .	$37,608,075
	TOTAL, GENERAL FUND	$358,842,618

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-two fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:

2900–01	For the salaries of the commissioner and the associate commissioners including not more than three permanent positions . .	$35,000
2900–02	For expenses of 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, prior appropriation continued	1,307,000
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 . . .	2,284,000
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 . .	3,000,000
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 works; 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 . .	560,000

Item

2900-20 For all personal services for all projects and activities relating to highways, except items 2900-01 and 2900-80, including not more than four thousand two hundred and nineteen permanent positions; provided, that the unexpended balances of sums appropriated for personal services and available for transfer to item 2900-20 of section two of chapter five hundred and seven of the acts of nineteen hundred and sixty shall be reserved and made available for the purposes of this item $26,587,297

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 in place, notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, prior appropriation continued 1,000,000

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; and, provided further, that an additional sum of forty thousand dollars may be expended from this item for the project authorized by chapter six hundred and thirty-nine of the acts of nineteen hundred and fifty-eight, prior appropriation continued.

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-three 30,000

2900-39 For certain research and investigational work in co-operation with the highway research board, prior appropriation continued . 1,000

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

2900-80 For the operation and maintenance of the public works building, including not more than eighty-three permanent positions . . . 489,347

Total, Department of Public Works $35,314,644

Registry of Motor Vehicles.

2924-01 For the service of the registry, including not more than one thousand and ten permanent positions; provided, that the position of legislative assistant, R.M.V., shall not be subject to the civil service laws and rules $6,182,468

Total, Registry of Motor Vehicles $6,182,468

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 $5,043,170

2926-11 For the compensation of state police officers formerly in the service of the commonwealth, now retired 26,000

The comptroller is hereby authorized to transfer to the Highway Fund the sum of seven hundred and sixty-one thousand six hundred and seventy-six dollars from the General Fund on account of the expenditures under the division of state police.

Total, Department of Public Safety $5,069,170

Metropolitan District Commission.

The following items are to be paid with the approval of the Metropolitan District Commission:

Item		
2931-01	For general administration, including not more than sixty-six 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	**$399,143**
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 payments to the state retirement system under the provisions of the General Laws, and including not more than one thousand and eighty-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	**9,525,375**
2931-74	For the purchase of certain highway maintenance equipment	**100,000**
	Total, Metropolitan District Commission	**$10,024,518**

LOCAL AID APPROPRIATIONS.

Department of Public Works.

Highway Activities.

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-two to enter into agreements with officials of cities and towns for projects to be constructed in the nineteen hundred and sixty-three fiscal year not exceeding in the aggregate seven million dollars	**$7,000,000**
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-two, 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**
	Total, Department of Public Works	**$9,600,000**

DEBT SERVICE APPROPRIATIONS.

Interest and Redemption of Debt.

Item		
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	$12,002,748
2952–00	For certain serial bonds maturing, to be in addition to the amount appropriated in item 2820–00, prior appropriation continued	29,852,000
	Total, Interest and Redemption of Debt	$41,854,748
	TOTAL, HIGHWAY FUND	$108,045,548

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	$161,057
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	501,001
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
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, prior appropriation continued	12,000
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	48,785
3304–51	For expenses of game farms and for wild life research and management, including not more than fifty-one permanent positions	421,995
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	146,597
	Total	$1,299,535

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	$4,615
3308–07	For the supervision of public fishing and hunting grounds	8,620
	Total	$13,235
	Total, Department of Natural Resources	$1,312,770
	TOTAL, INLAND FISHERIES AND GAME FUND.	$1,312,770

RECREATIONAL BOATING FUND.

STATE PURPOSES APPROPRIATION.

Registry of Motor Vehicles.

Division of Motorboats.

Item		
3401-01	For the service of the division, including not more than thirty-eight permanent positions	$200,000
	Total, Registry of Motor Vehicles	$200,000
	TOTAL, RECREATIONAL BOATING FUND	$200,000

AGRICULTURAL PURPOSES FUND.

STATE PURPOSES APPROPRIATION.

Department of Agriculture.

Division of Plant Pest Control and Fairs.

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 one hundred and ten thousand nine hundred and forty-nine dollars from the Agricultural Purposes Fund, prior appropriation continued	$206,400
	Total, Department of Agriculture	$206,400
	TOTAL, AGRICULTURAL PURPOSES FUND	$206,400

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-one	$134,747
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-one	107,242
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-one	103,155
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-one	81,534

Item		
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-one	$82,438
	Total	$509,116
	Total, Department of Agriculture	$509,116

STATE RECREATION AREAS FUND.

STATE PURPOSES APPROPRIATIONS.

Department of Natural Resources.

Division of Forests and Parks.

4010-01	For the service of the bureau of recreation, including not more than seventy-seven permanent positions	$814,561
	Total, Department of Natural Resources	$814,561

Department of Public Works.

Division of Waterways.

4050-01	For the administration of public beaches, including not more than four permanent positions	$27,485
4050-02	For the maintenance of Salisbury beach reservation, including not more than three permanent positions	106,482
4050-03	For the care and maintenance of the province lands, including the bath-house, and of the lands acquired and structures erected by the Provincetown tercentenary commission, including not more than five permanent positions	41,779
4050-05	For the maintenance of Horseneck beach, including not more than one permanent position	104,699
4050-06	For the maintenance of Scusset beach	32,850
	Total, Department of Public Works	$313,295

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	$98,748
4082-00	For certain serial bonds maturing, to be in addition to any amounts otherwise available for the purpose, prior appropriation continued	366,093
	Total, Interest and Redemption of Debt	$464,841

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.

Item		
8601-27	For certain payments for the use of facilities of the museum of science	$75,000
8601-29	For certain payments for the maintenance and use of the Trailside museum	40,000
8602-27	For the cost of suppressing the gypsy moth	5,000
8602-37	For the expenses of holding band concerts	35,000
	Total, Metropolitan Parks, General	$155,000

Metropolitan Sewerage District.

8701-00	For the maintenance and operation of a system of sewage disposal for the metropolitan sewerage district, including payments to the state retirement system under the provisions of the General Laws, and including not more than three hundred and twenty-one permanent positions	$2,605,222
8701-28	For the purchase and installation of comminutors, Nut Island, prior appropriation continued	20,000
8701-29	For certain repairs to the sewerage treatment plant, Nut Island	26,000
	Total, Metropolitan Sewerage District	$2,651,222

Metropolitan Water System.

8902-00	For the maintenance and operation of the metropolitan water system, including payments to the state retirement system under the provisions of the General Laws, and including not more than six hundred and ten permanent positions	$4,031,979
8902-22	For emergency repairs to water mains, prior appropriation continued	10,000
8902-34	For the construction of additions and improvements to certain supply and distribution mains, prior appropriation continued	500,000
8902-38	For the replacement of water meter registers	15,000
8902-83	For certain additional improvements to the Clinton sewerage treatment plant, prior appropriation continued	5,000
8902-88	For resurfacing access roads to water reservoirs	20,000
	Total, Metropolitan Water System	$4,581,979
	TOTAL, METROPOLITAN DISTRICT COMMISSION FUNDS	$7,388,201

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and sixty-two, certain balances of appropriations which otherwise would revert on June thirtieth, nineteen hundred and sixty-one, the unexpended balances of the items shown below are hereby reappropriated:

2931-04	8703-25	9018-01
2931-25	8902-36	9111-01
8329-00	8902-49	9204-06
8602-90	8902-85	9204-07
8702-25	9017-01	

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-two 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-two 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-two 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. 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 12. The surplus property agency in the department of education is hereby authorized to expend during the fiscal year nineteen hundred and sixty-two 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 13. 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 14. 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-two, 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 15. 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 16. Except as otherwise provided in section thirteen of chapter seventy-five of the General Laws, no agency of the common-

wealth 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 17. Passenger motor vehicles to be purchased from sums appropriated in section two of this act shall be authorized by the purchasing agent in accordance with schedules filed by the budget commissioner with the house and senate committees on ways and means prior to the passage of this act; provided, that the commission on administration and finance may authorize the replacement of other motor vehicles with similar models from available funds when it determines that the replacement is necessary because the cost of necessary repairs would not be economical; and, provided further, that said commission is hereby authorized to transfer a motor vehicle from one agency or department to another, when, in its opinion, such a transfer is for the best interest of the commonwealth.

SECTION 18. For the purpose of allocating charges for engineering services rendered during the fiscal year nineteen hundred and sixty-two 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 9204–06 and/or 9204–07 from the items listed below 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	9107–01	9107–33
8602–91	9107–02	9107–34
9103–01	9107–21	9107–35
9103–02	9107–22	9107–36
9103–03	9107–23	9107–39
9103–04	9107–25	9114–01
9204–03	9107–26	9017–01
9204–04	9107–31	9018–01
9204–05		

SECTION 19. 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-one. However, beginning June first, nineteen hundred and sixty-one, 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-one; 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-one. 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-one.

SECTION 20. 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 21. Sections one to eighteen of this act shall take effect July first, nineteen hundred and sixty-one; sections nineteen and twenty shall take effect upon the passage of this act.

Approved May 23, 1961.

Chap. 496. AN ACT PROVIDING FOR A LABOR REPRESENTATIVE ON LOCAL HOUSING AUTHORITIES AND REDEVELOPMENT AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 26L of chapter 121 of the General Laws, as most recently amended by section 1 of chapter 128 of the acts of 1955, is hereby further amended by adding at the end the following sentence: — In a city, one of the members of a housing authority shall be a representative of organized labor.

SECTION 2. The provisions of the last sentence of the first paragraph of section twenty-six L of chapter one hundred and twenty-one of the General Laws, added by section one of this act, shall first apply in a city upon the occurrence of a vacancy in the membership of a housing authority which is to be filled by the mayor of such city; provided, however, that any member appointed by a mayor may be reappointed upon the expiration of his term. *Approved May 23, 1961.*

Chap. 497. AN ACT INCREASING THE PENSIONS OF LABORERS, FOREMEN, MECHANICS, CRAFTSMEN AND CHAUFFEURS IN THE EMPLOY OF THE CITY OF LOWELL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 61 of the acts of 1930 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 243 of the acts of 1943, and inserting in place thereof the following section: — *Section 1.* Any laborer in the employ of the city of Lowell who has reached the age of sixty and has been in such employ for a period of not less than twenty-five years and has become physically or mentally incapacitated for labor, and any laborer in the employ of said city who has been in such employ for a period of 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 said city, may, at his request and with the approval of the manager and city coun-

cil, be retired from service; and if so retired he shall receive from said city for the remainder of his life an annual pension equal to one half the highest compensation paid since May first, nineteen hundred and thirty-one, for the grade held by him at the time of his retirement, 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. Any laborer in the employ of said city who has reached the age of sixty-five and has been in such employ for a period of not less than twenty-five years, including the time when incapacitated by reason of sickness, not exceeding two years in the aggregate, as certified by a physician in regular standing, shall be retired from service, and shall receive from said city an annual pension computed in the manner hereinbefore set forth. The word "laborer", as used in this section shall include foremen, mechanics, craftsmen and chauffeurs.

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

Approved May 23, 1961.

Chap. 498. AN ACT RELATIVE TO THE CONTROL OF ALGAE, WEEDS AND AQUATIC NUISANCES IN CERTAIN LAKES, PONDS, STREAMS AND OTHER BODIES OF WATER BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 5E, inserted by chapter 677 of the acts of 1960, the following section: — *Section 5F.* The department shall undertake the control of algae, weeds and other aquatic nuisances in such lakes, ponds, streams and other bodies of water within the commonwealth as it deems reasonable and proper. In selecting the waters in which to undertake such control, the department shall consider the general public advantage of the proposed work, the local interest therein as manifested by municipal or other contributions therefor, the importance to the public health and of the recreational, industrial, commercial or other interests to be especially served thereby, and any other material considerations affecting the feasibility, necessity or advantage of the proposed work or the expenditure therefor. No work authorized by this section shall be begun until after a public hearing has been held, a survey has been conducted, and an estimate of cost has been made.

SECTION 2. Section 5 of chapter 40 of the General Laws, as amended, is hereby further amended by inserting after clause (36A) the following clause: —

(36B) For the control of algae, weeds and other aquatic nuisances in lakes, ponds, streams and other bodies of water within a city or town. Such appropriations shall be expended under the direction of such department as may be designated by the town meeting in a town or the city council in a city, or the money so appropriated may be paid to the state treasurer and be expended by the department of public health for said purposes within the limits of the city or town.

Approved May 23, 1961.

Chap. 499. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE ADDITIONAL LAND IN THE VICINITY OF THE BOXFORD WILD LIFE RESERVATION, BOXFORD STATE FOREST AND HAROLD PARKER STATE FOREST.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of natural resources is hereby authorized and directed to acquire for the commonwealth by gift, purchase, lease or by eminent domain, such lands and rights in land as he may in his discretion deem valuable for conservation and recreational purposes in and around the Boxford wild life reservation, the Boxford state forest and Harold Parker state forest, enabling him, in part, to include Bald Hill in the Boxford state forest and to provide that certain swamp lands and uplands within and adjacent to said state reservation and said state forests be made part thereof.

SECTION 2. Acquisition of any lands described in section one of this act shall be subject to such appropriations as may be made for the purposes of section three of chapter one hundred and thirty-two A of the General Laws. *Approved May 23, 1961.*

Chap. 500. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND LOCATED IN THE TOWN OF HOPKINTON IN CONSIDERATION OF THE CONVEYANCE TO IT OF OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

In consideration of the conveyance to the commonwealth by Wendell V. Rice and Muriel S. Rice of a parcel of land, hereinafter described as Parcel A, located in the town of Hopkinton the commissioner of natural resources, on behalf of the commonwealth, is hereby authorized to convey to said Wendell V. Rice and Muriel S. Rice a parcel of land, hereinafter described as Parcel B, located in said town.

Parcel A. Beginning at a concrete bound on a line between land of the commonwealth and land of Wendell V. and Muriel S. Rice, thence bounded westerly by said Rice land and running N 10° 48′ 30″ E 217.99 feet; thence bounded northeasterly and southeasterly by land of the commonwealth and running S 28° 11′ 30″ E 173.60 feet and S 63° 33′ 30″ W 137.25 feet to the point of beginning.

Parcel B. Beginning at a granite bound on the southerly side of Wood Street, thence bounded northerly by said Wood Street and running S 76° 15′ 00″ E 43.52 feet and, on a line curving to the left with a radius of 1317.25 feet, 97.71 to a concrete bound; thence bounded easterly by land of the commonwealth and running S 10° 48′ 30″ W 170.59 feet; thence bounded southwesterly by land of Wendell V. and Muriel S. Rice and running N 28° 11′ 30″ W 224.28 feet to the point of beginning.

The deeds conveying the land described as Parcel A and Parcel B shall each be approved as to form by the attorney general.

Approved May 23, 1961.

Chap. 501. AN ACT RELATIVE TO THE RECORDING OF REAL ESTATE ATTACHMENTS IN THE REGISTRIES OF DEEDS.

Be it enacted, etc., as follows:

Section 65 of chapter 223 of the General Laws, as amended by section 1 of chapter 338 of the acts of 1953, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — He shall also enter in the indexes provided for in chapter thirty-six the name or names of each defendant whose land is attached as appears in said copy, the name of the plaintiff, and the court where the writ under which such attachment was made is returnable.

Approved May 23, 1961.

Chap. 502. AN ACT RELATIVE TO THE ACQUISITION OF ADDITIONAL WATER SUPPLY BY THE TOWN OF AMHERST AND AUTHORIZING THE TOWN OF AMHERST TO SELL WATER WITHIN THE TOWN OF BELCHERTOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purposes set forth in chapter one hundred and ninety-eight of the acts of nineteen hundred and three, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and forty-one, the town of Amherst may sell water within the town of Belchertown on such terms and conditions as may be agreed upon by the two towns.

SECTION 2. The town of Amherst may take the waters or any portion thereof and the water rights connected therewith of any pond, brook, spring or stream, or of any ground water sources by means of driven artesian or other wells or filter galleries, within an area of the town of Belchertown not more than one mile from the boundary between the towns of Amherst and Belchertown not already appropriated for purposes of public water supply on such terms and conditions as may be agreed upon by the two towns. *Approved May 23, 1961.*

Chap. 503. AN ACT INCREASING THE BENEFITS TO CERTAIN DEPENDENTS OF EMPLOYEES KILLED IN INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

Section 31 of chapter 152 of the General Laws is hereby amended by striking out the last paragraph, as most recently amended by section 5 of chapter 174 of the acts of 1955, and inserting in place thereof the following paragraph: —

In all other cases of total dependency, the insurer shall pay the dependents of the employee wholly dependent upon his earnings for support at the time of the injury, or at the time of his death, a weekly payment equal to two thirds of his average weekly wages, but not more than twenty dollars nor less than twelve dollars a week, for a period of five hundred weeks; but in no case shall the amount be more than eighty-five hundred dollars. If the employee leaves dependents only partially dependent upon his earnings for support at the time of his injury, or at the time of his death, the insurer shall pay such dependents a weekly compensation equal to the same proportion of the weekly payments for the benefit of persons wholly dependent as the amount con-

tributed by the employee to such partial dependents bears to the annual earnings of the deceased at the time of his injury. In the event of the parties agreeing or the division finding that a partial dependent is the next of kin of the deceased employee and has, during the year preceding the injury, received from such deceased employee contributions for his support independent of gifts and gratuities, such partial dependent shall be paid by the insurer a minimum weekly compensation of twelve dollars. When weekly payments have been made to an injured employee before his death, compensation under this paragraph to dependents shall begin from the date of the death of the employee, but shall not continue for more than five hundred weeks; but in no case of partial dependency shall the amount be more than eighty-five hundred dollars.

Approved May 23, 1961.

Chap. 504. AN ACT INCREASING THE MAXIMUM SALARY AUTHORIZED FOR THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF WESTFIELD.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 294 of the acts of 1920 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The council may, by a two thirds vote of all its members, taken by call of the yeas and nays, establish an annual salary for the president not to exceed one thousand dollars and an annual salary for each other member not to exceed seven hundred and fifty dollars. Such salary may be reduced, but no increase therein shall be made to take effect during the year in which the increase is voted.

SECTION 2. This act shall be submitted to the voters of the city of Westfield at the next regular municipal election 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-one, entitled 'An Act increasing the maximum salary authorized for the president and members of the city council of the city of Westfield', 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 May 23, 1961.*

Chap. 505. AN ACT PROVIDING FOR THE SUBSTITUTION OF THE CERTIFICATE OF NUMBER OF A MOTORBOAT FOR A MOTORBOAT PREVIOUSLY NUMBERED.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 3 of chapter 90B of the General Laws, as appearing in section 2 of chapter 275 of the acts of 1960, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — 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, a fee of three dollars for the renewal of such certificate of number, or a fee of one dollar and fifty cents for the substitution of a certificate of number of a motorboat for a motorboat previously numbered.

Approved May 23, 1961.

Chap. 506. AN ACT RELATIVE TO THE OPERATION OF SHELLFISH PURIFICATION PLANTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the operation and maintenance by the commonwealth of shellfish purification plants, 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. Chapter 130 of the General Laws is hereby amended by striking out section 76, as amended by chapter 365 of the acts of 1948, and inserting in place thereof the following section: —*Section 76.* The commissioner of natural resources, with the approval of the board of natural resources, may construct and operate shellfish purification plants for the treatment of shellfish taken from areas determined under section seventy-four or corresponding provisions of earlier laws, to be contaminated, and may operate such existing purification plants to serve such areas as he may deem necessary for these purposes. Said commissioner may acquire by purchase, gift, lease or otherwise, or take by eminent domain under chapter seventy-nine, such land and buildings thereon as may be necessary for the purposes of this section. Said commissioner or his designee shall have sole authority over the acceptance, treatment and discharge of shellfish at such plants, subject to rules and regulations, which the department of public health is hereby authorized and directed to adopt, relative to the protection of the public health in the consumption of such shellfish.

SECTION 2. Said chapter 130 is hereby further amended by striking out section 77, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following section: — *Section 77.* For the purpose of partially defraying the costs of the operation and maintenance of shellfish purification plants, the commissioner of natural resources, with the approval of the board of natural resources, shall charge the users of said service the sum of fifty cents per one-half bushel. Each city and town shall annually pay into the treasury of the commonwealth to meet the balance of the cost of plant operation and maintenance a sum of money which shall bear the same proportion to the whole of said balance as the number of bushels of such shellfish taken from such city or town and delivered to such plant for purification bears to the total number of bushels of such shellfish delivered to such plant for purification. The amount chargeable to each city and town shall be determined annually by the commissioner who shall notify the state treasurer who shall assess the cities and towns in accordance therewith and such assessments shall be included in and made a part of the sum charged to such cities and towns, and shall be paid by such cities and towns into the state treasury, as provided by section twenty of chapter fifty-nine.

SECTION 3. Sections seventy-eight and seventy-nine of said chapter one hundred and thirty, as so appearing, are hereby repealed.

SECTION 4. If the city of Newburyport enters into a lease, for a consideration of one dollar, with the department of natural resources, acting on behalf of the commonwealth, of the shellfish purification plant presently located in said city, said department shall operate and maintain the same in accordance with the provisions of sections seventy-

six and seventy-seven of chapter one hundred and thirty of the General Laws, as amended by sections one and two of this act. During the period of such lease, the four persons employed by said city at said plant on November twenty-third, nineteen hundred and sixty, shall be transferred to the department of natural resources and shall be employed at said plant 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. *Approved May 24, 1961.*

Chap. 507. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO DEFRAY THE EXPENSES OF REPRESENTATIVES OF THE TOWN IN A VISIT TO BARNSTAPLE, ENGLAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Barnstable is hereby authorized to appropriate and pay a sum of money to defray the expenses of such representative or representatives as may be chosen by said town, to represent the town in a visit to Barnstaple, England to repay the visit of the mayor, the mayoress and the town clerk of Barnstaple, England to the town of Barnstable in the year nineteen hundred and sixty-one.

SECTION 2. Any action taken at any town meeting by the town of Barnstable in the current year shall be as valid and effective as if 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 May 24, 1961.

Chap. 508. AN ACT DESIGNATING A CERTAIN DORMITORY AT THE STATE COLLEGE AT WESTFIELD AS THE EDWARD J. SCANLON DORMITORY.

Be it enacted, etc., as follows:

The unnamed dormitory at the state college at Westfield shall be designated and known as the Edward J. Scanlon Dormitory, in honor of Edward J. Scanlon, president of said college. A suitable tablet bearing said designation shall be erected at said dormitory by the department of education. *Approved May 24, 1961.*

Chap. 509. AN ACT PROVIDING THAT MANUFACTURERS OF HARMFUL DRUGS BE LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 187D the following section: — *Section 187E.* No person shall manufacture any harmful drug as defined in section one hundred and eighty-seven A without a license to do so from the department of public health. The fee for such license shall be twenty-five dollars annually. Whoever violates this section shall 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 six months, or by both such fine and imprisonment. *Approved May 24, 1961.*

Chap. 510. AN ACT REQUIRING THE PAYMENT OF OVERTIME TO CERTAIN CITY AND TOWN EMPLOYEES AT THE RATE OF ONE AND ONE-HALF TIMES THEIR REGULAR RATE OF COMPENSATION.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 33B the following section: — *Section 33C.* Notwithstanding any other provision of general or special law, any permanent employee of a city or town who is required to work in excess of his regular number of maximum hours per week as regulated by law, ordinance or by-law or rule shall be compensated for such additional hours of service at a rate of one and one-half times his regular hourly compensation. The provisions of sections thirty-three A and thirty-three B shall not apply in any city or town which accepts this section.

This section shall take effect upon its acceptance in a city having a Plan E charter, by the affirmative vote of two thirds of all the members of the city council, and, in any other city by vote of the city council, subject to the provisions of its charter, and in a town by majority vote at the annual town meeting. *Approved May 24, 1961.*

Chap. 511. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR MELVIN B. CLIFFORD, INCUMBENT OF THE OFFICE OF CITY CLERK OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Melvin B. Clifford, incumbent of the office of city clerk of the city of Brockton shall hold said office during good behavior until he reaches age seventy, unless incapacitated by physical or mental disability from performing the duties thereof, but 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 for acceptance to the voters of the city of Brockton at the regular city 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 current year, entitled 'An Act providing tenure of office until age seventy for Melvin B. Clifford, incumbent of the office of city clerk of the city of Brockton', 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 May 24, 1961.

Chap. 512. AN ACT RELATIVE TO THE MEMBERSHIP OF THE BOARD OF REGISTRATION IN NURSING.

Be it enacted, etc., as follows:

Section 13 of chapter 13 of the General Laws, as most recently amended by section 1 of chapter 693 of the acts of 1960, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence: — 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

actually 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 if said member's graduation shall have occurred after nineteen hundred and forty-two, shall at the time of said member's graduation, have been duly approved in accordance with chapter one hundred and twelve. *Approved May 24, 1961.*

Chap. 513. AN ACT PROVIDING FOR SCHOLARSHIPS AT THE BRADFORD DURFEE COLLEGE OF TECHNOLOGY AND THE NEW BEDFORD INSTITUTE OF TECHNOLOGY.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by inserting after section 46B the following section: — *Section 46C.* The Bradford Durfee College of Technology and the New Bedford Institute of Technology are hereby authorized and directed to grant certain scholarships, to be known as the Commonwealth Scholarships, subject to appropriations made for said purpose, based on marks received in entrance or other appropriate examination, to worthy students who are residents of the commonwealth, possess the requisite ability, and are in need of financial assistance. The board of trustees of said college and the board of trustees of said institute shall each appoint a committee on scholarships, the members of which shall serve for such terms as said trustees may determine. Each such committee shall recommend to the trustees by whom they are appointed those applicants to whom scholarships should be granted, and the trustees shall, if they approve such recommendation, grant such scholarships. The number of scholarships to be granted by the trustees shall be not more than five for the college and five for the institute in each of the four undergraduate years, and no individual scholarship shall exceed two hundred and fifty dollars in any year. A scholarship shall continue for such time as the recipient thereof remains a student in good standing at the college or the institute, but in no event shall any student receive such scholarship aid for more than four years. *Approved May 24, 1961.*

Chap. 514. AN ACT AUTHORIZING THE CITY OF BOSTON TO REPAIR AND REMODEL CERTAIN BUILDINGS OWNED BY SAID CITY AND PROVIDING FUNDS THEREFOR.

Be it enacted, etc., as follows:

The city of Boston may borrow from time to time, inside its limit of indebtedness as prescribed by section ten of said chapter forty-four, such sums as may be necessary, not exceeding, in the aggregate, five million dollars, for remodeling, reconstructing or making extraordinary improvements or repairs to buildings owned by said city, and may issue bonds or notes therefor. Such bonds or notes shall bear on their face the words, City of Boston, Extraordinary Repairs Loan, Act of 1961. Each authorized issue shall constitute a separate loan and shall be paid in not more than ten years from the date of issue. Debt incurred under this act shall, except as provided herein, be subject to the provisions of said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Approved May 24, 1961.

Chap. 515. AN ACT PROVIDING ADDITIONAL FUNDS TO COVER THE COST OF CERTAIN SEWERAGE PROJECTS AND WORKS WITHIN THE METROPOLITAN SEWERAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the sewerage projects and works authorized by section one of chapter seven hundred and five of the acts of nineteen hundred and forty-five, by section one of chapter six hundred and six of the acts of nineteen hundred and forty-nine and by section two of chapter six hundred and forty-five of the acts of nineteen hundred and fifty-one, and any acts in addition thereto and in amendment thereof, the metropolitan district commission, subject to all applicable provisions of said acts and to the conditions hereinafter provided, may expend the unexpended and uncommitted balance of the previously authorized amounts and, in addition thereto, sums not exceeding in the aggregate twenty-five million dollars. The commission shall annually, in January, file a progress report covering the previous calendar year in respect to all such projects with the governor and with the clerks of the house of representatives and the senate.

Engineering and administrative expenses incurred under this act shall be considered as part of the direct cost of the projects and works for which they are incurred.

In case federal funds or federal assistance are made available to the commonwealth for projects authorized by this act, such funds or assistance shall be in addition to the sums herein authorized; provided, that such funds when received shall be deposited in the state treasury and be available for expenditure subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2. No funds shall be expended under this act 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. 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. To meet the expenditures necessary in carrying out 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, 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-five million dollars. Such bonds shall be designated on their face, Metropolitan Sewerage Loan, Act of 1961, and shall be on the serial payment plan for such maximum term of years, not exceeding forty years, as may be recommended by the governor to the general court in accordance with 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. Such 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, two thousand and two. All interest payments and payments on account of the principal of such bonds shall be assessed and paid as provided in chapter ninety-two of the General Laws.

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

Approved May 25, 1961.

Chap. 516. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO EXTEND CERTAIN SEWERAGE WORKS IN THE TOWN OF DEDHAM AND THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct such additional main sewers, sewer connections and appurtenant works between the terminus of the new Wellesley extension relief sewer in the town of Dedham and the southern high level sewer, so called, in the city of Boston as it may deem necessary for carrying out the construction authorized by chapters five hundred and twenty-seven and five hundred and ninety-nine of the acts of nineteen hundred and fifty-one, and acts in amendment thereof and in addition thereto, and for the purpose of relieving overflow conditions resulting from surcharging in the old Neponset valley sewer, so called, and in other sewers tributary thereto. The location of said sewers and sewer connections shall be subject to the approval of the department of public health.

No funds shall be expended for projects authorized by this act 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. 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 2. To meet the expenditure necessary in carrying out the provisions of this act, the state treasurer shall, from time to time on the request of the metropolitan district commission and subject to the approval 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 not exceeding, in the aggregate, five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan District Sewerage Relief Loan, Act of 1961, shall be on the serial payment plan, and shall be issued for such maximum term of years, not exceeding forty 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, two thousand and two.

SECTION 3. The interest and serial bond requirements on account of the moneys expended in constructing the projects authorized by section one shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs, and shall be apportioned and assessed on the entire metropolitan sewerage district, notwithstanding the provisions of the first sentence of section five B of chapter ninety-two of the General Laws.

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

Approved May 25, 1961.

Chap. 517. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ENLARGE AND IMPROVE ITS RECREATIONAL AND OTHER RELATED FACILITIES.

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 metropolitan parks 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. To provide for a special program of construction, reconstruction, alteration and improvement of the various recreation and other facilities within the metropolitan parks district, 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 approval of the metropolitan district commission and to the provisions of law regulating the disbursement of public funds; provided, that projects constructed under this act shall not be subject to the provisions of section thirty A of chapter seven of the General Laws.

SECTION 2.

Metropolitan Parks Division.

Item		
9027-01	For the construction, reconstruction, alteration and improvement of recreational facilities at certain existing areas, including the cost of furnishings and equipment; and for the construction, enlargement and improvement of parking facilities in connection with said areas, including the project authorized by chapter five hundred and fifteen of the acts of nineteen hundred and sixty; provided, that of the amount made available under this item, the sum of five hundred thousand dollars shall be for the construction, reconstruction, alteration and improvement of Castle Island and the Marine park area	$3,900,000
9027-02	For the construction of a headquarters garage for the storage and repair of motorized equipment of the division, including the cost of necessary garage and repair equipment	350,000
9027-03	For the construction, reconstruction, alteration and improvement of the facilities at the Franklin park zoo in the Dorchester district of Boston and the Middlesex Fells zoo in Stoneham, including the cost of furnishings and equipment; and for the construction, enlargement and improvement of parking facilities in connection therewith	750,000

SECTION 3. Notwithstanding the provisions of section one of this act, no funds appropriated under section two shall be expended 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. 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 4. To meet the expenditure necessary in carrying out the provisions of section two 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 five million dollars. All bonds issued by the commonwealth as aforesaid, shall be designated on their face, Metropolitan District Park Loan, Act of 1961, 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-three.

All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

Approved May 25, 1961.

Chap. 518. AN ACT FURTHER REGULATING THE OPERATION OF BICYCLES ON THE HIGHWAYS OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to repeal upon its effective date a certain act enacted during the current year relative to the operation of motor vehicles, 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. Section 14 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, inserted by chapter 318 of the acts of 1961, and inserting in place thereof the following sentence: — In approaching or passing a person on a bicycle the person operating the motor vehicle shall slow down and in passing such person shall do so at a reasonable and proper speed.

SECTION 2. The first paragraph of section 11A of chapter 85 of the General Laws, as appearing in section 1 of chapter 710 of the acts of 1941, is hereby amended by striking out the next to the last sentence.

SECTION 3. Said section 11A of said chapter 85 is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph: —

Violation of any provision of this section shall be punished by a fine of one dollar, and in addition the police department of such city or town, or the selectmen of a town having no organized police department, may suspend the registration certificate of any registered bicycle operated in violation of any provision of section eleven B. No violation of any provision of this section relative to the registration of bicycles shall affect any civil right or liability, nor shall any such violation by a minor under the age of eighteen be considered a criminal offense.

SECTION 4. Said chapter 85 is hereby further amended by inserting after said section 11A the following section: — *Section 11B.* Operators of bicycles shall conform to traffic rules and regulations so far as they are obviously and reasonably applicable for their own safety, shall not ride other than upon or astride a permanent and regular seat attached thereto, and in groups of two or more shall always ride in single file except on paths or sections of the highway set aside for the exclusive use of bicycles. No operator of a bicycle upon any way as defined in section one of chapter ninety shall permit any person in excess of the number for which such bicycle is designed and equipped to ride thereon with him, and no operator of a bicycle shall permit it to be drawn by any other moving vehicle. Every bicycle shall be equipped with a red reflector visible from the rear and at least two inches in diameter. Violation of any provision of this section shall be punished by a fine of one dollar. Any such violation by a minor under the age of eighteen shall not be considered a criminal offense. If a minor under the age of eighteen operates a bicycle in violation of any such provision the police department, or, in a town which has no organized police department, the selectmen, may, with the consent of the parent or guardian of such minor, impound such bicycle for a period not exceeding fifteen days. This section shall apply only to a bicycle at least one wheel of which exceeds twenty inches in diameter. A violation of any provision of this section by a minor under the age of eighteen shall not affect any civil right or liability.

SECTION 5. This act shall take effect on July second, nineteen hundred and sixty-one. *Approved May 25, 1961.*

Chap. 519. AN ACT FURTHER PROVIDING FOR THE CONSTRUCTION OF CERTAIN DRAINAGE AND FLOOD CONTROL FACILITIES IN STONEHAM, WAKEFIELD, MELROSE, MALDEN, EVERETT, REVERE AND SAUGUS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the drainage and flood control works authorized by chapter five hundred and seventy-four of the acts of nineteen hundred and fifty-five, as amended by chapter three hundred and thirty-two of the acts of nineteen hundred and fifty-six, and chapter six hundred and fifty-three of the acts of nineteen hundred and fifty-seven, and for the purpose of constructing a flood control detention basin at a suitable location on the tidal marsh in the town of

Saugus and city of Revere to improve drainage and relieve flood conditions on the Town Line and Linden brooks and the Pines River, the metropolitan district commission may expend in addition to the amounts authorized by said chapter five hundred and seventy-four, as amended, a sum not exceeding one million dollars.

SECTION 2. Said commission, for the purpose of this act, may on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water courses, rights of way or easements, and shall have all the rights, powers and duties and be subject to the limitations of section thirty-two of chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The commission, however, shall, as provided in said section thirty-two, heed all reasonable requests of officials of said cities and towns to restore such public property to its present condition in so far as is practical.

SECTION 3. No funds shall be expended under this act 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. 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 4. To meet the expenditures necessary in carrying out 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, 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 one million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Drainage and Flood Control, Act of 1961, 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 practical 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-three.

SECTION 5. This act shall take effect upon its passage.

Approved May 25, 1961.

Chap. 520. AN ACT PROVIDING ADDITIONAL FUNDS FOR THE METROPOLITAN DISTRICT COMMISSION FOR THE CONSTRUCTION OF FLOOD CONTROL FACILITIES AND THE IMPROVEMENT OF THE CHARLES RIVER AND ITS TRIBUTARIES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the flood control work, the dredging and improving of the Charles river and its tributaries, as authorized by and subject to applicable provisions of chapter seven hundred and sixty-eight of the acts of nineteen hundred and fifty-five, the metropolitan district commission may expend, in addition to the amounts authorized by said chapter seven hundred and sixty-eight, a sum not exceeding one million five hundred thousand dollars.

SECTION 2. No funds shall be expended for projects authorized by this act for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title '03 Services — Non-employees' unless approved by the commission on administration and finance. 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. To meet the expenditure necessary in carrying out the provisions of section one, 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 one million five hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Charles River Flood Control, Act of 1961, 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. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

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

Approved May 25, 1961.

Chap. 521. AN ACT PROVIDING ADDITIONAL FUNDS FOR THE METROPOLITAN DISTRICT COMMISSION FOR THE IMPROVEMENT OF THE NEPONSET RIVER AND ITS TRIBUTARIES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of carrying out the flood control work, the dredging and otherwise improving the Neponset river channel and the tributaries of said Neponset river, including Mother brook, so called, to relieve flood conditions and permit the reclamation of the lands adjacent thereto in the city of Boston and in the towns of Dedham, Canton, Westwood, Norwood, Milton and Sharon, as authorized by and subject to all applicable provisions of chapter seven hundred and forty-three of the acts of nineteen hundred and fifty-five, the metropolitan district commission may expend, in addition to the amounts authorized by said chapter seven hundred and forty-three, a sum not exceeding two million dollars.

SECTION 2. No funds shall be expended for projects authorized by said chapter seven hundred and forty-three 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. 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. To meet the expenditure necessary in carrying out the provisions of section one, 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 two million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Neponset River Drainage and Flood Control, Act of 1961, 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. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

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

Approved May 25, 1961.

Chap. 522. AN ACT PROVIDING FOR THE CONSTRUCTION OF WORKS AND APPURTENANCES TO MEET THE NEEDS OF THE METROPOLITAN WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of extending the works authorized by chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, chapter five hundred and fifteen of the acts of nineteen hundred and forty-six, chapter six hundred and sixty of the acts of nineteen hundred and fifty, chapter six hundred and nineteen of the acts of nineteen hundred and fifty-two and chapter six hundred and eighty-five of the acts of nineteen hundred and fifty-six, the metropolitan district commission, hereinafter called the commission, is hereby authorized to construct an intake works and connections from its Wachusett reservoir, so called, to its Wachusett-Marlborough tunnel, so called, together with such other appurtenant connections, pipe lines, shafts and works from said tunnel to the existing works as may be deemed necessary or advisable; to construct pipe lines and make such appurtenant connections from Shafts 8 and 9 of its City Tunnel Extension, so called, as may be deemed necessary or advisable; and to construct a tunnel from a point at Shaft 7-B of its City Tunnel, so called, in the city of Boston to a suitable point in the Dorchester district of the city of Boston to improve distribution conditions in the southern area of the metropolitan water district, together with such shafts, appurtenant connections and other works as may be deemed necessary or desirable. The commission may, for the purposes aforesaid, acquire, install and operate such machinery, pumps, generators, waterwheels and other appurtenances as may from time to time be found necessary or desirable.

SECTION 2. For the purpose of carrying out the provisions of this act, and of the acts set forth in section one hereof, the commission is hereby authorized to expend the sum of ten million dollars, said sum to be in addition to sums previously authorized under the provisions of the acts mentioned in section one of this act.

SECTION 2A. No funds shall be expended for projects authorized by this act 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. 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. 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 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 three years from the date of the original issue. Notwithstanding any provision of this act, such notes shall be part of the debt of the metropolitan water district.

SECTION 4. To meet the expenditure necessary in carrying out the provisions of section one 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 ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Water District Additional Loan, Act of 1961, and shall be on the serial payment plan for such maximum term of years not exceeding fifty 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, two thousand and fifteen. All interest payments and payments on account of principal on such obligations shall be part of the debt and expenses of the metropolitan water district.

SECTION 5. This act shall take effect upon its passage.

Approved May 25, 1961.

Chap. 523. AN ACT RELATIVE TO THE GROSS WEIGHT LOAD OF CERTAIN MOTOR VEHICLES OPERATED ON THE HIGHWAYS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 19A of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 736 of the acts of 1955, and inserting in place thereof the following paragraph: — Any provision of section thirty of chapter eighty-five to the contrary notwithstanding, a motor vehicle having two axles, which vehicle with its load weighs not more than twenty-three tons, and a semi-trailer unit or a motor vehicle having three or more axles, which unit or vehicle with its load weighs not more than thirty-six and a half tons, may travel on a public way without a permit as required by said section thirty; provided, that no such motor vehicle or semi-trailer unit, the weight on any axle of which, measured at the ground, exceeds twenty-two thousand four hundred pounds, or, in case of axles spaced less than six feet apart, eighteen thousand pounds, shall so travel without such a

permit; and provided further that the gross weight of any such vehicle together with its load expressed in pounds shall not exceed that shown on the following table without such a permit: —

Distance in Feet between the First and Last Axles of a Motor Vehicle or Semi-Trailer Unit (L)	Maximum Gross Weight in Pounds (W)	Distance in Feet between the First and Last Axles of a Motor Vehicle or Semi-Trailer Unit (L)	Maximum Gross Weight in Pounds (W)
7	32,000	26	51,000
8	33,000	27	52,000
9	34,000	28	53,000
10	35,000	29	54,000
11	36,000	30	55,000
12	37,000	31	56,000
13	38,000	32	57,000
14	39,000	33	58,000
15	40,000	34	59,000
16	41,000	35	60,000
17	42,000	36	61,700
18	43,000	37	63,400
19	44,000	38	65,100
20	45,000	39	66,800
21	46,000	40	68,500
22	47,000	41	70,200
23	48,000	42	71,900
24	49,000	43 or over	73,000
25	50,000		

SECTION 2. The first sentence of the fourth paragraph of said section 19A of said chapter 90, as appearing in section 2 of chapter 389 of the acts of 1956, is hereby amended by striking out, in line 9, the word "thirty" and inserting in place thereof the words: — thirty-six and a half.

Approved May 25, 1961.

Chap. 524. AN ACT AUTHORIZING THE TOWING OF VEHICLES FROM STATE HIGHWAYS FOR PURPOSES OF PROMOTING PUBLIC SAFETY AND CONVENIENCE.

Be it enacted, etc., as follows:

Chapter 85 of the General Laws is hereby amended by inserting after section 2B the following section: — *Section 2C.* The department, for the purpose of promoting public safety and convenience, may authorize by any rule or regulation adopted under this section with such limitations, if any, as may be deemed proper, the officer in charge of the uniformed branch of the state police, the superintendent of the metropolitan district police, and the principal police official of the police department of a city or town, or such sergeants or officers of higher rank as said offi-

cers or officials may from time to time designate, to remove, to some convenient place, through the agency of a person or persons in the employ of said police or police force, or by an independent contractor selected on the basis of competitive bids, any vehicle, except a vehicle owned by the commonwealth or a political sub-division 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, parked or standing on any part of a state highway in such a manner as to impede in any way the removal or plowing of snow or ice or parked or standing in violation of any rule or regulation adopted under section two which prohibits the parking or standing of all vehicles on such highway or portion thereof at such time and recites that whoever violates it shall be liable to charge for the removal and storage of the vehicle as well as subject to punishment by fine. Liability may be imposed for the reasonable cost of such removal, and for the storage charges, if any, resulting therefrom, upon the owner of such vehicle. *Approved May 25, 1961.*

Chap. 525. AN ACT AUTHORIZING THE ESSEX COUNTY AGRICULTURAL SCHOOL TO GIVE CERTAIN COURSES TO HIGH SCHOOL GRADUATES AND TO AWARD ASSOCIATE DEGREES TO THOSE COMPLETING SUCH COURSES.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by inserting after section 35 the following section: — *Section 35A.* The board of trustees of the Essex county agricultural school may, with the approval of the commissioner, offer to qualified high school graduates technical courses in agriculture and related pursuits which are vocationally oriented and of less than college grade, and, subject to the approval of the board of collegiate authority, may grant associate degrees to persons satisfactorily completing such prescribed courses of instruction. Such course shall be of a maximum of two years duration and offer approximately thirty hours of instruction each week for full-time students.

Approved May 25, 1961.

Chap. 526. AN ACT REGULATING THE COMPENSATION OF TEMPORARY CLERKS AND TEMPORARY ASSISTANT CLERKS OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 218 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 604 of the acts of 1951, and inserting in place thereof the following sentence: — A temporary clerk shall be paid by the county for each day's service an amount equal to the rate by the day of the minimum compensation of the clerk of such court as established in the salary schedule set forth in section seventy-nine; but compensation so paid to a temporary clerk for service, in excess of thirty days in any one year, shall be deducted by the county treasurer from the salary of the

clerk; provided, however, that if a clerk is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made.

SECTION 2. Section 11 of said chapter 218 is hereby amended by striking out the second sentence, as appearing in section 2 of said chapter 604, and inserting in place thereof the following sentence: — A temporary assistant clerk shall be paid by the county for each day's service an amount equal to the rate by the day of the minimum compensation of such assistant clerk as established by section eighty; but compensation so paid to a temporary assistant clerk for service, in excess of thirty days in any one year, shall be deducted by the county treasurer from the salary of such assistant clerk; provided, however, that if an assistant clerk is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made.

SECTION 3. Notwithstanding the provisions of sections nine and eleven of chapter two hundred and eighteen of the General Laws, as amended by sections one and two of this act, a person appointed thereunder as temporary clerk or temporary assistant clerk shall not receive as compensation an amount in excess of the compensation payable to the person in whose place he serves. *Approved May 25, 1961.*

Chap. 527. AN ACT PROVIDING THAT ANY DEFENDANT FOUND GUILTY OF A MISDEMEANOR IN ANY DISTRICT COURT IN THE COUNTY OF WORCESTER MAY APPEAL AND CLAIM A JURY OF SIX IN THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Any defendant, in any district court of Worcester county, found guilty of a violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any other misdemeanor, except libel, may appeal and claim a jury of six in the central district court of Worcester. By claiming such appeal, the said claimant shall be deemed to have waived any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

The justice presiding at such session over a jury of six in said central district court of Worcester shall have and exercise all the powers and duties which a justice of the superior court has, and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has an interest.

Trials by such juries of six in said central district court of Worcester shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant, and the commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Worcester county. The first justice of the central district court of Worcester shall arrange jury sessions in his court and assign justices thereto, to the end

that there may be a speedy disposition of cases tried by a jury in said court. In the event of a trial by a jury of six in the central district court of Worcester, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court.

SECTION 2. The provisions of this act shall become inoperative on July first, nineteen hundred and sixty-four.

Approved May 25, 1961.

Chap. 528. AN ACT AUTHORIZING THE PARKING OF VEHICLES WHILE DELIVERING PERISHABLES ON CERTAIN STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Any rule or regulation, adopted under section two of chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, prohibiting or restricting the stopping or standing of motor vehicles on North Market, South Market, Fulton, Richmond, Chatham, John and Ferry streets, Merchants Row, Fulton Place, Commercial street beginning at State street and ending at Atlantic avenue, Fitzgerald Highway Under beginning at North street and ending at Milk street on both sides, and at Dock Square in front of Faneuil Hall Market shall provide that it shall not apply for a period of one hour to motor vehicles to or from which perishable foodstuffs or produce are being loaded or unloaded in the regular course of business.

Approved May 25, 1961.

Chap. 529. AN ACT PROVIDING ANNUAL STEP-RATE INCREASES FOR CERTAIN MUNICIPAL PUBLIC WELFARE EMPLOYEES.

Be it enacted, etc., as follows:

Section 47E of chapter 31 of the General Laws, inserted by chapter 537 of the acts of 1951, is hereby amended by striking out the second paragraph.

Approved May 25, 1961.

Chap. 530. AN ACT GRANTING PRIOR PAYMENT PROTECTION TO SUBCONTRACTORS AND SUPPLIERS ON ANY CONSTRUCTION WORK.

Be it enacted, etc., as follows:

Chapter 254 of the General Laws is hereby amended by adding after section 30, added by section 1 of chapter 405 of the acts of 1953, the following section: — *Section 31.* In the event that a general contractor or a subcontractor on any construction work is adjudged a bankrupt, or makes a general assignment for the benefit of creditors, or if a receiver is appointed on account of the insolvency of the general contractor or of a subcontractor, at a time when there are sums due or which later become due from the person contracting for the work on account of the work of such general contractor or when there are sums due or which later become due from the general contractor on account of the work of

such subcontractor, each person furnishing labor or labor and materials to such general contractor or such subcontractor shall have a lien each in proportion to the amount of his respective claim on all such sums due or which later become due in connection with the particular construction work, provided, that a lien on any such sums arising out of the recording or filing of a document or notice in accordance with the provisions of this chapter or in accordance with any other applicable provisions of the general laws shall have priority over any lien secured pursuant to this section, and provided further, that such lien shall not take effect unless written notice thereof is given to the person owing such sums. Proceedings to enforce a lien secured under this section shall be begun by a bill in equity filed in the superior court within one year after the adjudication of bankruptcy, or the assignment for the benefit of creditors or the appointment of a receiver, and the petitioner shall bring his bill in his own behalf and in behalf of all other persons in interest who shall become parties. All other parties in interest may appear and have their rights determined in such bill, and, at any time before final decree, upon the suggestion of any party in interest that any other person is or may be interested in the suit, or of its own motion, the court may issue a subpoena to such person, or a precept directing him to appear in said cause on or before a day certain or be forever barred from any rights thereunder. The court may in its discretion provide for notice to absent parties in interest. The other provisions of this chapter shall not apply to any such petition in equity or the proceedings to be taken thereunder. The provisions of this section shall not apply to any contract with the commonwealth or with any political subdivision thereof or any other public instrumentality. *Approved May 25, 1961.*

Chap. 531. AN ACT TO PROVIDE FOR APPEALS IN CONNECTION WITH MATTERS RELATING TO INSTALLATION OF WIRING AND FIXTURES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by inserting after section 32, under the heading BOARD OF ELECTRICIANS' APPEALS, the following section: — *Section 32A.* There shall be a board of electricians' appeals, whose membership shall consist of the members of the state examiners of electricians. The chairman of the state examiners of electricians shall be the chairman of said board. Said board may make such rules or regulations, not inconsistent with law, as it may deem necessary in the performance of its duties and may establish forms of appeals and petitions, and reasonable fees for the filing thereof. Said board shall hold such meetings as are required to perform its duties. Notice of all meetings, including the time and place, shall be required by rules or regulations. A majority of said board may transact business, but a lesser number may adjourn from time to time.

No member of said board shall act or vote as such on any matter in connection with which his private interest, as distinguished from the public interest, is immediately concerned.

The state examiners of electricians shall assign such clerical, technical and other assistance as may be required by the board of electricians' appeals.

SECTION 2. Section 3L of chapter 143 of the General Laws, as most recently amended by chapter 355 of the acts of 1959, is hereby further amended by adding at the end the following paragraph: —

Any person installing for hire electrical wiring or fixtures subject to this section shall notify the inspector of wires in writing upon the completion of the work. The inspector of wires shall, within five days of such notification, give written notice of his approval or disapproval of said work. A notice of disapproval shall contain specifications of the part of the work disapproved, together with a reference to the rule or regulation of the board of fire prevention regulations which has been violated.

SECTION 3. Said chapter 143 is hereby amended by inserting after section 3O the following section: — *Section 3P.* Whoever is aggrieved by a notice, interpretation, order, requirement or direction of an inspector of wires or other person charged with the enforcement of the rules and regulations of the board of fire prevention regulations, may, within ten days after the service of notice thereof, appeal therefrom, to the board of electricians' appeals. Said board shall, after such notice as it may direct, hold a public hearing on such appeal at a time and place to be fixed by it, but not later than thirty days after the entry of such appeal, unless such time shall be extended by agreement with the appellant. The appellant may appear in person or by agent or attorney at such hearing. Said board shall hear all pertinent evidence and determine the facts, and shall issue an appropriate decision or order reversing, affirming or modifying in whole or in part said notice, interpretation, order, requirement or direction. Such decision or order of the board shall be made within a reasonable time, and within forty-five days after such hearing, unless such time is extended by like agreement. The board shall forthwith send by registered mail a copy of its decision or order to the interested parties.

Any person aggrieved by a decision or order of the board of electricians' appeals, whether or not a party to the proceeding, or any municipal board or officer, may within thirty days after receipt of notice of such decision or order appeal to the superior court sitting in equity for the county in which the building or installation concerned is situated. Said court shall hear all pertinent evidence and determine the facts and may annul such decision if it is found to exceed the authority of said board, or may 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. Costs shall not be allowed against the board unless it appears to the court that said board acted with gross negligence or in bad faith or with malice in making the decision or order appealed from. Costs shall not be allowed against a party appealing from the decision or order of said board unless it appears to the court that said appellant acted in bad faith or with malice in making the appeal to the court.

Compliance with any notice, interpretation, order, requirement or direction of an inspector of wires or other person charged with the enforcement of the rules and regulations of the board of fire prevention regulations shall be excused pending the final determination of any appeal therefrom taken under this section. *Approved May 25, 1961.*

Chap. 532. AN ACT INCREASING THE SALARY OF THE CLERK OF THE SECOND DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

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 I* by striking out line 18, reading "second district court of Eastern Worcester,", — and in *Class II* by adding at the end the following line: — second district court of Eastern Worcester. *Approved May 25, 1961.*

Chap. 533. AN ACT AUTHORIZING THE INCLUSION IN CERTAIN REAL ESTATE NOTES OF PROVISIONS FOR PERIODIC PAYMENTS OF PREMIUMS FOR FIRE INSURANCE OR MORTGAGE CREDIT INSURANCE.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 57, inserted by chapter 465 of the acts of 1961, the following section: — *Section 58.* Any note or mortgage given to a bank in connection with a real estate loan may contain conditions requiring the periodic payment of estimated betterment assessments, taxes, and premiums for fire insurance or mortgage credit insurance which may be applicable to such loan; provided, however, that such mortgage credit insurance shall only be placed at the request of the mortgagor and shall not be authorized if the face amount of any such note is less than seventy-five per cent of the purchase price. *Approved May 25, 1961.*

Chap. 534. AN ACT ESTABLISHING THE COMPENSATION OF SPECIAL JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 52 of chapter 218 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 462 of the acts of 1949, and inserting in place thereof the following sentence: — His compensation shall be fifty dollars for each day's service; and, except when holding an additional session as above provided, the compensation for service in excess of thirty days in any one year which may be rendered to or for any one justice shall be deducted by the treasurer of Suffolk county from the salary of such justice.

Approved May 25, 1961.

Chap. 535. AN ACT EXTENDING THE TIME DURING WHICH CERTAIN DISTRICT COURT JUDGES MAY SIT IN THE SUPERIOR COURT ON MOTOR VEHICLE TORT ACTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 212 of the General Laws is hereby amended by striking out section 14B, as most recently amended by section 1 of chapter 472 of the acts of 1956, and inserting in place thereof the following section: — *Section 14B.* A justice of a district court, except the

municipal court of the city of Boston, shall, at the written request of the chief justice of the superior court, sit in the superior court at the trial or disposition with or without a jury in any part of the commonwealth of any violation of a by-law, order, ordinance, rule or regulation made by a city or town or public officer or of any misdemeanor except conspiracy or libel, and during the continuance of such request shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has an interest. No justice of a district court shall so sit in the superior court, as aforesaid, unless his name appears on a list submitted to the chief justice of the superior court for the purpose of this section by the administrative committee of the district courts.

In the event that by reason of his physical or mental disability, death, resignation, retirement, or removal any justice presiding at a trial pursuant to this section shall fail to sign or return exceptions taken at the trial, to make a report after he has reserved the case for report to the supreme judicial court, or otherwise to exercise any of the powers and duties granted to him by this section in the disposition of such case, the chief justice of the superior court may assign any other justice authorized to sit in the superior court pursuant to this section, or any justice of the superior court, to have and exercise such powers and duties.

SECTION 2. A justice of a district court, except the municipal court of the city of Boston, shall, at the written request of the chief justice of the superior court, sit in the superior court at the trial or disposition with or without a jury in any part of the commonwealth of any motor vehicle tort action, and during the continuance of such request shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has an interest. No justice of a district court shall so sit in the superior court, as aforesaid, unless his name appears on a list submitted to the chief justice of the superior court for the purpose of this section by the administrative committee of the district courts.

In the event that by reason of his physical or mental disability, death, resignation, retirement, or removal any justice presiding at a trial pursuant to this section shall fail to sign or return exceptions taken at the trial, to make a report after he has reserved the case for report to the supreme judicial court, to enter a verdict or finding after reserving leave, with the assent of the jury, to do so, to set aside the verdict and order a new trial, for a cause for which a new trial may by law be granted, or otherwise to exercise any of the powers and duties granted to him by this section in the disposition of such case, the chief justice of the superior court may assign any other justice authorized to sit in the superior court pursuant to this section, or any justice of the superior court, to have and exercise such powers and duties.

SECTION 3. The chief justice of the superior court may arrange for the holding of such sessions for the trial and disposition of cases under the provisions of section two and for the attendance of such number of jurors therefor as the interests of justice and the prompt disposition of

such cases may in his judgment require. Such sessions may be held simultaneously with other sessions of the superior court or at other times in the discretion of the chief justice.

SECTION 4. When a justice of a district court sits in the superior court as provided in section two, the fact of his holding court and the request of the chief justice of the superior court shall be entered upon the general records of the court but need not be stated in the record of any case heard by said district court justice.

SECTION 5. Justices of district courts when sitting in the superior court as provided in section two shall receive from the commonwealth, in addition to their regular salaries, upon certificate of the chief justice of the superior court, the amount of expense incurred by them in the discharge of their duties in connection with such sessions and also such compensation for each court day, while so sitting, as will, when added to the per diem rate of his regular salary, computed as provided in section eighty-four of chapter two hundred and eighteen, amount to fifty dollars a day. The compensation of a special justice for services in holding sessions of a district court in place of a justice of a district court while sitting in the superior court as provided in section two shall be paid by the county and shall not be deducted from the salary of the district court justice so sitting in the superior court, but shall be repaid to the county by the commonwealth.

SECTION 6. The provisions of sections two to five, inclusive, of this act shall not be operative after September first, nineteen hundred and sixty-six, except that any justice sitting in the superior court pursuant to section two at the trial of any case prior to such date, shall continue thereafter, upon assignment by the chief justice of the superior court, to have and exercise all the powers and duties granted to him by section two in the disposition of such case. *Approved May 25, 1961.*

Chap. 536. AN ACT AUTHORIZING THE TOWN OF SUTTON TO SELL AND CONVEY CERTAIN COMMON LAND TO THE FIRST CONGREGATIONAL CHURCH OF SUTTON.

Be it enacted, etc., as follows:

SECTION 1. The town of Sutton is hereby authorized to sell and convey to The First Congregational Church of Sutton the following described parcel of common land bounded and described as follows: —

Beginning at a point at land of Luella Gifford and being the southwesterly corner of other land of said First Congregational Church;

Thence S 74° 37′ 10″ W twenty-five and eight hundredths feet by land of said Gifford to a point at Church Circuit;

Thence N 15° 22′ 50″ W ninety-one and seventy-five hundredths feet by said Church Circuit to a point;

Thence N 00° 11′ 40″ E forty-two and thirty-five hundredths feet to a point on the southerly line of Boston Road;

Thence N 74° 57′ 10″ E thirty-three feet by the southerly line of Boston Road to a point at other land of the said First Congregational Church;

Thence southeasterly forty-nine and fifty hundredths feet by other land of said First Congregational Church to a point;

Thence southwesterly thirty-three feet by other land of said First Congregational Church to a point;

Thence southeasterly one hundred and thirty-five and three tenths feet, more or less, by other land of said First Congregational Church to the point of beginning.

SECTION 2. The action taken by the town of Sutton at its annual town meeting on February eighteenth of the current year under Article 21 of the warrant for said meeting in voting to sell and convey certain common land to the First Congregational Church, as authorized by section one of this act, is hereby validated and confirmed, and shall have the same force as though this act were in effect at the time of the posting of the warrant for such meeting. *Approved May 25, 1961.*

Chap. 537. AN ACT AUTHORIZING THE TOWN OF CARLISLE TO USE CERTAIN PARK LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Carlisle is hereby authorized to use for school purposes a certain parcel of land held for park purposes known as Spalding Park, being a portion of a parcel of land conveyed to said town by Oscar R. Spalding by deed dated April sixth, nineteen hundred and twenty-five and recorded with Middlesex North District Registry of Deeds, Book 722, Page 97 and bounded as follows: — Northerly by Church street; easterly by cemetery land of said town; southerly by land now or formerly of Leonard M. Green and land formerly of William Green and now of one Swanson; and westerly by land, formerly part of said Spalding Park, authorized to be used for school purposes by chapter seven hundred and nine of the acts of nineteen hundred and fifty-five; containing approximately fifteen acres.

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

Approved May 26, 1961.

Chap. 538. AN ACT TO PERMIT REVIEW OF DECISIONS INVOLVING QUESTIONS ARISING UNDER CONTRACTS FOR PUBLIC CONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30 of the General Laws is hereby amended by inserting after section 39I, inserted by section 1A of chapter 771 of the acts of 1960, the following section: — *Section 39J.* Notwithstanding any contrary provision of any contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or public works by the commonwealth, or by any county, city, town, district, board, commission or other public body, when the amount of the contract is more than five thousand dollars in the case of the commonwealth and more than two thousand dollars in the case of any county, city, town, district, board, commission or other public body, a decision, by the contracting body or by any administrative board, official or agency, or by any architect or engineer, on a dispute, whether of fact or of law, arising under said contract shall not be final or conclusive if such decision is made in bad faith, fraudulently, capriciously, or arbi-

trarily, is unsupported by substantial evidence, or is based upon error of law.

SECTION 2. The provisions of this act shall, so far as constitutionally permissible, be construed to apply, whether it was before, on or after the effective date of this act that the contract was entered into or the decision on the dispute arising thereunder made.

Approved May 26, 1961.

Chap. 539. AN ACT PROVIDING THAT CERTAIN PROPERTY USED FOR THE ABATEMENT OR PREVENTION OF AIR OR WATER POLLUTION SHALL BE EXEMPT FROM TAXATION.

Be it enacted, etc., as follows:

Section 5 of chapter 59 of the General Laws is hereby amended by inserting after clause Thirty-eighth the following clause: —

Thirty-ninth, Any equipment, facility or device installed on or attached to real property for the purpose of abating or preventing pollution of the atmosphere or pollution of any stream, pond, lake, tidal water or flats within the commonwealth. *Approved May 26, 1961.*

Chap. 540. AN ACT ESTABLISHING THE WESTERN SUBURBS TRANSPORTATION DISTRICT FOR THE PURPOSE OF SECURING A PUBLIC TRANSPORTATION SYSTEM BETWEEN CERTAIN CITIES AND TOWNS AND THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The territory within and the inhabitants of the following cities and towns to wit: Boston, Framingham, Natick, Newton and Wellesley, and the territory within and inhabitants of such other cities and towns as may hereafter be added by specific acts of the general court, are hereby made a body politic and corporate and a political subdivision of the commonwealth under the name of the Western Suburbs Transportation District, hereinafter in this act called the district, with the power to take real estate or any interest therein by eminent domain under chapter seventy-nine of the General Laws, to hold property, to sue and be sued in law and in equity, to prosecute and defend in all actions relating to its property and affairs, and to contract and do other necessary acts relative to its property and affairs; and the district shall be liable for its debts and obligations, but the property of the district shall not be subject to attachment nor levied upon by execution or otherwise. Process may be served upon the treasurer of the district or, in the absence of the treasurer, upon any member of the board appointed to administer the affairs of the district, as provided in section two.

SECTION 2. The affairs of the district shall be managed by a board of five members, hereinafter called the members, to be appointed as follows: one resident of the city of Boston by the mayor thereof; one resident of the city of Newton by the mayor thereof; one resident of the town of Wellesley by the selectmen thereof; one resident of the town of Natick by the selectmen thereof; and one resident of the town of Framingham 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 mayor of the city or the selectmen of the town of which he was a resident at the time of his appointment. Section three of chapter twelve of the General Laws shall not apply to the said members of the district.

SECTION 3. The members shall be sworn to the faithful performance of their official duties. The members 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 district hereunder beyond the extent to which funds shall have been provided under authority of this act.

SECTION 4. The members shall elect one of their own number as chairman. A majority of the members shall constitute a quorum for the transaction of any business, and the action of a majority of the membership shall be required for any action. The members shall also elect one of their own number as vice chairman. The members shall also elect a secretary-treasurer who need not be a member. The secretary-treasurer shall execute a surety bond in the penal sum of twenty-five 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.

SECTION 5. The members shall adopt a corporate seal for the district, and designate the custodian thereof. The members may from time to time appoint, and at their pleasure remove, a general manager in charge of operations, a clerk, and such other officers, agents, and employees of the district as they deem necessary, and may determine their duties and their compensation. The members shall cause, at all times, accurate accounts to be kept of all receipts and expenditures of the funds of the district, and they shall make an annual report, containing an abstract of such accounts to the governor, to the general court and to the municipalities which comprise the district.

The state auditor shall annually make an examination of the books of the district.

SECTION 6. The members shall have full power to represent the district, to have the care of its property and the management of its business and affairs, and to sell and convey any real estate or other property not needed for its business or affairs, by deed or other instrument sealed with the corporate seal signed and acknowledged by a majority of the members, or in like manner to authorize such sale and conveyance by any of its officers or agents.

SECTION 7. The real and personal property of the district shall be exempt from taxation by the cities and towns in which it is located.

SECTION 8. It shall be the general duty of the members to so exercise their powers under this act as to secure an adequate and efficient system of public transportation between the cities and towns within the district; provided that until the Boston and Albany Railroad Company

or the New York Central Railroad Company seeks by petition to the department of public utilities, or other appropriate regulatory agency, to reduce the passenger train service in effect at the time of the passage of this act between the cities and towns within the district, or seeks to discontinue such service completely, the members shall take no steps, other than to organize under section four, to establish a system of public transportation.

SECTION 9. The members, acting for the district, are hereby authorized and empowered to enter into an agreement with the Boston and Albany Railroad Company and the New York Central Railroad Company for the rental and use of two or more tracks of the main line and appurtenant facilities owned by the Boston and Albany Railroad Company and operated by the New York Central Railroad Company in the cities of Boston and Newton and the towns of Brookline, Framingham, Natick, Wellesley, and Weston. Such agreement shall include a provision for the joint use of the said facilities by the district or its operating agent and the railroad, and such joint use shall be subject to existing rules and regulations for safe operation as may be required by the department of public utilities.

SECTION 10. The members, acting for the district, are hereby authorized and empowered (1) to enter into an agreement with the Boston Terminal Corporation, or any successor thereto, for the rental and use of two or more tracks within the terminal company yard and for such additional facilities as the district may deem necessary for the storage and maintenance of equipment;

(2) to enter into agreements with any other public or private body for the lease of such facilities as the district may deem necessary for the safe and efficient operation of its public transportation system;

(3) to purchase or lease suitable equipment for the transportation of its passengers;

(4) to undertake projects to provide special facilities for the operation of passenger service or to reimburse the railroad if it agrees to provide such special facilities;

(5) to contract with any qualified corporation licensed to conduct business under the laws of the commonwealth to operate, as the agent of the district, a suburban passenger service utilizing the rights and equipment of the district on terms agreed upon by the district and the corporation.

SECTION 11. The operating agent of the district shall, with the approval of the district, determine the character and extent of the transportation service to be provided and shall in like manner determine the rate of fares to be charged the patrons of the system for the service furnished.

SECTION 12. The district shall be liable in tort to passengers, and to persons in the exercise of due care who are not passengers or in the employment of the district, for personal injury and for death and for damages to property in the same manner as though it were a railroad corporation as defined in section one of chapter one hundred and sixty of the General Laws.

SECTION 13. All persons employed by the corporation in the operation of the transportation service shall have the same rights to organize and bargain collectively with the corporation as though the corporation

was incorporated as a railroad corporation as defined in section one of chapter one hundred and sixty of the General Laws.

SECTION 14. If the district determines that it is impractical to contract with a private corporation for the operation of the transportation service, the district itself may undertake to operate such service for the benefit of the municipalities which comprise the district.

SECTION 15. If the district elects to operate the said transportation service, the district shall set such rates of fares and charges for service furnished as it shall deem necessary to insure the maximum passenger use and financial stability of the system. Fares shall be set by the district so as to cover at least all direct costs of operation excluding the costs incurred by the district under sections nine and ten and the interest charges incurred under sections sixteen and seventeen.

The fares established and the type and amount of service furnished shall not be subject to regulation or review by the department of public utilities or any other department of the commonwealth or any of its political subdivisions. At least sixty days prior to the effective date of any change in the rate of fares, the district shall publish the proposed changes in at least five newspapers published within the district and post such proposed changes in all stations serving the transportation operation.

SECTION 16. In order to obtain funds necessary for carrying out the purposes of this act, the district may, from time to time, issue bonds, debentures, notes or other evidences of indebtedness in an aggregate principal amount not to exceed three million five hundred thousand dollars, for terms not to exceed twenty years at such rate or rates as the district may determine without obtaining the consent of any commission, board, bureau or agency of the commonwealth or any city or town and without any other proceeding or the happening of any other conditions or things other than those which are specifically required in this act.

SECTION 17. (*a*) In order to meet the payments on the bonds, debentures, notes or other evidences of indebtedness authorized by section sixteen and the expenses authorized under section nine, the commonwealth shall pay to the district such amounts as certified by the district.

(*b*) 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 cities and towns except Boston which comprise the district, such sums of money as may be necessary to make such payments, and he shall repay any sums so borrowed as soon after said assessments are paid as is expedient, but in any event before the close of the year in which the same is borrowed.

(*c*) In case the commonwealth shall be called upon to pay the district any amount under this section, such amount with interest and other charges incurred in borrowing the money for the purpose shall be assessed by the treasurer upon the cities and towns except Boston which comprise the district on the basis of a passenger origin count, in which passengers not residents of a city or town in the district shall be excluded. The members shall take such passenger origin count or counts each calendar year and file a copy of such count as the members may approve with the state treasurer. Such city or town shall make provision for such payment in its next annual tax levy after notice of said amount to the city or town treasurer.

SECTION 18. In the event that the revenue exceeds the operating costs of the passenger service, the district shall distribute the surplus less normal working capital as determined by the district to the cities and towns which comprise the district upon the same basis as assessments are levied under section seventeen.

SECTION 19. Any person who has in fact lost his employment with the New York Central Railroad on account of the termination of passenger service on the main line of the Boston and Albany Railroad shall have the right, if exercised prior to ninety days from the date of actual operation by the district, to employment if qualified and required with the district or its operating agency subject to negotiations between the labor organizations involved and the district or its operating agency.

SECTION 20. In the event that the revenue of the district is not adequate to cover all direct costs of operation excluding the costs incurred by the district under sections nine and ten and the interest charges incurred under sections sixteen and seventeen, the district, on the written demand of any member filed with the board of members within twenty days after the revenues and said costs have been determined for any calendar year, shall be dissolved, its assets sold to the highest competitive bidder, its leases cancelled and its debts and obligations, if any, shall become the direct responsibility of the cities and towns which comprise the district, except the city of Boston, and the liabilities of the district shall be assumed upon the same basis as assessments are levied under section seventeen.

SECTION 21. At any time within one hundred and twenty days after the close of any calendar year, the district may be dissolved by a majority vote of the members, excluding the member appointed by the mayor of Boston.

SECTION 22. This act shall take effect upon its acceptance by the city of Newton by vote of the board of aldermen of said city in accordance with the provisions of its charter, and by all of the towns in the district by vote of each such town at a regular or special town meeting called for the purpose, but not otherwise. *Approved May 26, 1961.*

Chap. 541. AN ACT INCREASING BENEFITS TO WIDOWS AND CHILDREN OF EMPLOYEES KILLED IN INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

Section 31 of chapter 152 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by chapter 530 of the acts of 1959, and inserting in place thereof the following paragraph: —

To the widow or widower, so long as she or he remains unmarried, thirty-five dollars a week if and so long as there is no child of the employee, who is under the age of eighteen, or over said age and physically or mentally incapacitated from earning; to or for the use of the widow or widower and for the benefit of all children of the employee, forty-one dollars a week if and so long as there is one such child, and six dollars more a week for each such additional child; provided, that in case any such child is a child by a former wife or husband, the death benefit shall be divided between the surviving wife or husband and all living children of the deceased employee in equal shares, the surviving wife or husband

taking the same share as a child. If the widow or widower dies, such amount or amounts as would have been payable to or for her or his own use and for the benefit of all children of the employee shall be paid in equal shares to all the surviving children of the employee. If the widow or widower remarries, all payments under the foregoing provisions shall terminate and the insurer shall pay each week to each of such children of the employee twelve dollars a week. If there is no surviving wife or husband of the deceased employee, such amount or amounts as would have been payable under this section to or for the use of a widow or widower and for the benefit of all such children of the employee, shall be paid in equal shares to all such surviving children of the employee, but no individual shall receive an amount in excess of forty-one dollars a week. The total amount of payments and the period of payments in all cases under this section shall not be more than sixteen thousand dollars nor continue for more than four hundred weeks, except that payment to or for the benefit of children of the deceased employee under the age of eighteen shall not be discontinued prior to the age of eighteen, and except that after a dependent unremarried widow or physically or mentally incapacitated child over the age of eighteen has received the maximum payments, he or she shall continue to receive further payments, but only during such periods as he or she is in fact not fully self-supporting. Either party may request hearings at reasonable intervals before a board member on the question of granting such payments, or on the question of restoration of such payments, or on the question of the discontinuance of such payments. A member of the board may set a case for hearing on his own initiative, after due notice to both parties. *Approved May 26, 1961.*

Chap. 542. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN LAND TO THE CITY OF WOBURN AND THE TOWN OF WINCHESTER FOR RECREATIONAL AND PARK PURPOSES ONLY AND PROVIDING FOR THE WITHDRAWAL OF SAID CITY FROM THE METROPOLITAN DISTRICT COMMISSION PARKS DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission for and in behalf of the commonwealth is hereby authorized and directed to transfer and convey to the city of Woburn the following parcels of land to be used for recreational and park purposes only: —

Parcel One: — A certain parcel of land situated on Pleasant street and Water street in said city, containing four and sixty-one one hundredths (4.61) acres.

Parcel Two: — A certain parcel of land situated on Water street in said city and bordering Horn pond and containing twelve and two one hundredths (12.02) acres.

Parcel Three: — A certain parcel of land situated on what was formerly Cove street in said city, bounded southerly by the Woburn-Winchester line and containing one and sixty-three one hundredths (1.63) acres.

All of said parcels are shown on "Plans of Land — Woburn, Mass. belonging to Comm. of Mass. Met. Pks. Comm. drawn by George W.

Olson, City Engineer dated November 25, 1959 and Referring to Met. Pks. Comm. Plan #648, Sheets 1, 2, 3 and 4."

Parcel Four: — A certain parcel of land situated on Horn pond, north of Cove street in said city, containing four and thirty-eight one hundredths (4.38) acres, and being shown as a parcel of land on "Plans of Land — Woburn, Mass. belonging to the Comm. of Mass. Met. Pks. Comm. drawn by George W. Olson, City Engineer and Referring to Met. Pks. Comm. Plan #649, Sheet 1."

SECTION 2. The first paragraph of section 33 of chapter 92 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 7, the words ", Winthrop and Woburn" and inserting in place thereof the words: — and Winthrop.

SECTION 3. Section two of this act shall take effect when the metropolitan district commission transfers to the city of Woburn the land described in section one.

SECTION 4. Said commission is further authorized and directed to transfer and convey to the town of Winchester the following parcel of land to be used for recreational and park purposes only: —

That parcel of land located in said town known and referred to as the Woburn Parkway belonging to the commonwealth of Massachusetts and constituting part of the metropolitan parks district. Said town shall assume the care, custody, control and maintenance of said land.

Approved May 26, 1961.

Chap. 543. 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 four hundred and ninety-five of the acts of the current year for the fiscal year ending June thirtieth, nineteen hundred and sixty-two, 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 the 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	**$5,000**

House of Representatives.

Item

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

0102-52 For expenses of the committee on rules on the part of the house of representatives, prior appropriation continued . . . 5,000

Sergeant-at-Arms.

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 thirty-six permanent positions $635

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 . 3,000

Legislative Research Council.

0104-01 For expenses of the legislative research council, prior appropriation continued $2,000

Other Expenses.

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; for the year nineteen hundred and sixty-two and previous years $7,000

0110-84 For expenses of the joint special committee authorized by a joint order for the purpose of recommending a new division of the commonwealth into congressional districts 20,000

Special Investigations.

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

0262-01 For an investigation and study relative to the budgetary powers of the trustees of the University of Massachusetts and certain related matters, as authorized by chapter ninety-two of the resolves of the current year 7,500

Judiciary.

Superior Court.

0305-14 Item 0305-14 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by adding at the end thereof the following: — , for the year nineteen hundred and sixty-two and the previous year $11,925

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:

Norfolk:

0331-03 Item 0331-03 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by striking out the word "Three" and inserting in place thereof the word: — Four $8,100

Committee on Probation.

0370-01 For the office of the commissioner of probation, including not more than fifty-nine permanent positions $3,345

Executive.

Governor.

Item		
0401-02	For the salaries of officers and employees in the governor's office	**$13,500**

Extraordinary Expenses.

0405-02	For the commonwealth's share of preliminary plans for a program of participation of the nineteen hundred and sixty-four-sixty-five world's fair, to be expended in conjunction with other funds contributed by the New England states and the New England council with the approval of a special unpaid 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, and two persons to be appointed by the governor. Said commission shall investigate particularly with reference to exhibiting at said world's fair the arts, industries, institutions, resources, products and general development of the commonwealth and may expend for clerical and other assistance and expenses, including travel within and without the commonwealth, from the sums provided in this item an amount not exceeding ten thousand dollars. Said commission shall report to the general court on or before February 15, 1962 its plans for participation in conjunction with the other New England states; appropriation expires June 30, 1963	**$35,000**
0405-26	For the purpose of printing the official papers of a former governor; provided, that the amount encumbered for the purpose, appropriated in chapter three hundred and eighteen of the acts of nineteen hundred and sixty, is hereby reappropriated; appropriation expires June thirtieth, nineteen hundred and sixty-three.	

Military Division.

Adjutant General.

0421-18	For certain improvements to the Yankee Division memorial at Camp Edwards, as authorized by chapter four hundred and fifty-six of the acts of the current year	**$1,500**

Boards and Commissions serving under Governor and Council.

Commission on Administration and Finance.

0441-01	For the office of the commissioner of administration, including not more than thirteen permanent positions; provided, that the comptroller shall transfer to the General Fund the sum of seventy-eight thousand one hundred and twenty-two dollars from the Highway Fund	**$9,412**
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 twenty-two thousand six hundred and seventeen dollars from the Highway Fund	**12,348**
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, authorities 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	**102,000**

State Superintendent of Buildings.

Item

0450-01 Item 0450-01 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by adding at the end thereof the following: — ; for the year nineteen hundred and sixty-two and previous years **$9,450**

George Fingold Library.

0459-01 For the service of the library, including not more than thirty-one permanent positions **$10,000**

Alcoholic Beverages Control Commission.

0469-01 For the service of the commission, including not more than sixty-six permanent positions **$754**

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, prior appropriation continued.

Soldiers' Home in Holyoke.

0482-01 Item 0482-01 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by striking out, in line two, the word "twelve" and inserting in place thereof the word: — thirteen **$6,240**

State Housing Board.

0483-01 For the service of the board, including not more than thirty-six 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 **$3,696**

0484-01 For the service of the division of urban renewal, including not more than eleven permanent positions **94,000**

Commissioner of Veterans' Services.

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 **$2,500**

Secretary of the Commonwealth.

0501-02 For the office of the secretary, including not more than eighty-six permanent positions **$8,955**

Treasurer and Receiver-General.

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 fifty-eight thousand two hundred and fifty-four dollars from the Highway Fund **$21,234**

State Board of Retirement.

0604-01 Item 0604-01 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by adding at the end thereof the following: — ; for the year nineteen hundred and sixty-two and previous years **$52,676**

Department of the Attorney General.

Item

0801-02 For the office of the attorney general, including not more than forty-two permanent positions $4,729

Department of Natural Resources.

Division of Forests and Parks.

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 nineteen hundred and sixty, prior appropriation continued $20,000

1004-71 Item 1004-71 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

1004-71 For the operation of a shellfish treatment plant as authorized by chapter five hundred and six of the acts of the current year, prior appropriation continued . . 25,000

Department of Banking and Insurance.

Division of Insurance.

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 sixty permanent positions; provided, that the position of "area legal counsel" shall not be subject to the provisions of chapter thirty-one of the General Laws; and provided further, 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 three hundred twenty thousand three hundred and seventy-four dollars from the Highway Fund $1,352

Department of Corporations and Taxation.

1201-03 For expenses of the department except as otherwise provided; provided, that the comptroller shall transfer to the General Fund the sum of fifty thousand nine hundred dollars from the Highway Fund $28,000

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 . . . 8,537

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 $3,614

Department of Education.

Division of University Extension.

1313-01 For the university extension courses, including not more than fifty-five permanent positions; provided, that the division may, in addition to the sums appropriated for the purpose in this item, expend from receipts,

Item

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 $2,437

Division of Immigration and Americanization.

1315-01 For the service of the division, including not more than seventeen permanent positions $2,677

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 the positions approved for use at state colleges in position titles designated with the prefix "Commonwealth":

1330-01 State college at Bridgewater, including not more than one hundred and thirty-six permanent positions $10,000

1333-01 State college at Lowell, including not more than seventy-one permanent positions 3,943

1335-01 State college at Salem, including not more than one hundred and eleven permanent positions 10,000

1336-01 State college at Westfield, including not more than sixty-five permanent positions 9,361

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":

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-one; 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 $7,500

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-one; 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 $70,000

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 eighty-seven permanent positions; provided, that the trustees

Item

may, notwithstanding any other provision of law, employ, as members of the faculty, within the quota of permanent positions, not more than sixteen 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, 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, the trustees may, in addition to the sums appropriated, receive and expend as a University health services trust fund under said section five A, without appropriation, funds received for student health services in the infirmary building; and, provided further, that there shall be transferred from the receipts of said boarding halls the sum of one hundred and thirty thousand dollars to the General Fund 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 the comptroller, on the effective date of this act, shall transfer to the University health services trust fund, the sum of twenty-eight thousand seven hundred and fifty dollars from the General Fund to meet the commonwealth's share of the cost of health services, said sum being the estimated net cost to be paid by the commonwealth after deducting the cost of certain employee fringe benefits to be furnished by the commonwealth; and, provided further, that notwithstanding the provisions for said boarding hall operation and University health services, all present and future employees of said boarding hall and University health services trust fund 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 $30,000

1350–26 For the purchase of books 50,000

Massachusetts Board of Regional Community Colleges.

1361–00 Community college, metropolitan Boston, including not more than thirty-one permanent positions $12,500

1362–00 Northern Essex community college, including not more than eleven permanent positions 3,992

1363–00 Cape Cod community college, including not more than eleven permanent positions 3,992

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 $387

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 twenty 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-four dollars from the Highway Fund $1,352

Department of Labor and Industries.

1601–01 For general administration and for the division of employment of the aging, including not more than thirteen permanent positions . $754

1603–01 For the division of industrial inspection, including not more than sixty-eight permanent positions 3,186

1611–01 For the board of conciliation and arbitration, including not more than fifteen permanent positions 12,454

Item
1613-01 For the commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions . $2,507

Labor Relations Commission.

1630-01 For the service of the commission, including not more than twenty permanent positions $1,430

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-three permanent positions . . $19,448

Department of Mental Health.

1701-04 For a special program for the care, treatment and education of emotionally disturbed children, prior appropriation continued.

Department of Correction.

1801-02 For administration, including not more than sixty-eight 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 $10,000

Department of Public Welfare.

1901-03 For the office of the commissioner and expenses of the department, including the administration of a program for medical assistance for the aged as authorized by chapter one hundred and eighteen A of the General Laws, and including not more than five hundred and fifty-one permanent positions $23,601

Department of Public Health.

Bureau of Preventive Disease Control.

2003-01 Item 2003-01 of section two of chapter four hundred and ninety-five of the acts of the current year is hereby amended by adding at the end thereof the following: — ; provided, that a certain shortage for the fiscal year nineteen hundred and sixty-one amounting to twenty-three dollars and eighty-seven cents shall be allowed and paid from this item.

2003-21 For the continuation of a study by the department of public health, as authorized by chapter sixty-two of the resolves of the current year, prior appropriation continued $37,000

Bureau of Health Services.

2004-01 For the service of the bureau, including not more than sixty-one permanent positions $1,248

For the maintenance of and for certain improvements at the following institution under the control of the department of public health:

2023-00 North Reading state sanatorium, including not more than two hundred and one permanent positions, and for such payments for hospital care of tubercular children as may be contracted for by the commissioner of public health, prior appropriation continued . . . $451,200

Department of Public Safety.

Item

2101-02 For certain administrative expenses of the department, including not more than one hundred and one permanent positions . . . **$12,514**

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 **$2,000**

Department of Public Works.

Mass Transportation Commission.

2260-02 For expenses of the commission, as authorized by chapter four hundred and sixteen of the acts of nineteen hundred and fifty-nine, including not more than three permanent positions, to be in addition to any federal funds made available for the purpose, prior appropriation continued **$85,000**

Department of Public Utilities.

2301-02 For administration, including not more than seventy-three permanent positions **$3,125**

Commercial Motor Vehicle Division.

2304-01 For the service of the division, including not more than thirty-two permanent positions **$1,789**

2370-01 For the administration of the program to promulgate uniform rules and regulations to govern gas fitting in buildings throughout the commonwealth as authorized by chapter seven hundred and thirty-seven of the acts of nineteen hundred and sixty **1,500**

Miscellaneous.

2420-12 For the payment of certain claims, as authorized by chapters ninety-three and ninety-nine of the resolves of the current year . . . **$987**

2420-40 The unexpended balance remaining in the amount appropriated in section twelve of chapter four hundred and fifty-two of the acts of the current year for studies of public transportation is hereby reappropriated, appropriation expires June thirtieth, nineteen hundred and sixty-two.

2441-02 The unexpended balance remaining in the amount appropriated for the expense of the South Shore Transportation District in section twelve of chapter four hundred and fifty-two of the acts of the current year is hereby reappropriated, appropriation expires June thirtieth, nineteen hundred and sixty-two.

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 State Housing Board.

2604-04 For reimbursement to cities and towns of two annual payments of assistance authorized by the provisions of section twenty-six FFF of chapter one hundred and twenty-one of the General Laws; provided that, notwithstanding the provisions of said section, each such annual payment shall not exceed one-twentieth of the total liability of the commonwealth for its share of such projects **$750,000**

Item
2623-01 For reimbursing cities and towns as provided in section three of chapter four hundred and sixty-four of the acts of the current year for loss of taxes on account of tax exemptions granted as authorized in section one of said chapter four hundred and sixty-four . . . $2,700,000

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-two fiscal year in full to appropriations authorized under the heading of "Highway Activities" in this act:

2900-46 For certain payments to reimburse the Atlantic Refining Company for the real estate taxes paid by it for the years 1958, 1959 and 1960 on the locations which the commonwealth leased to it on limited access highways $246,184

Registry of Motor Vehicles.

2924-01 For the service of the registry, including not more than one thousand and ten permanent positions; provided that the position of legislative assistant, R. M. V., shall not be subject to the civil service laws and rules $22,229

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 $170,000

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

Approved May 27, 1961.

Chap. 544. 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 follow:

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

8262-01 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 8261-01 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty; provided, that the provisions of section thirty A of chapter seven of the General Laws shall not apply to expenditures made from this item **$175,000**

8262-31 For the acquisition of land for a site to replace the east armory located on East Newton street in Boston, by purchase or by eminent domain under chapter seventy-nine of the General Laws, and for the preparation of the site for construction; provided, that no payment shall be made for the purchase of said land until an independent appraisal of the value of the land has been made by a qualified, disinterested appraiser; and, provided further, that the East Newton street armory site shall thereupon be transferred to the department of mental health for the purpose of constructing a mental health center . . **30,000**

Commission on Administration and Finance.

8262-33 For a study and for the preparation of plans relative to the assignment of office space in the new state office building and the conversion of office space in the state house and public works building . . **$168,000**

State Superintendent of Buildings.

8262-02 For certain improvements to the electrical distribution system in the state house, including an auxiliary power unit, to be in addition to the amount appropriated in item 8260-02 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine **$105,000**

Massachusetts Aeronautics Commission.

8262-03 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-two and succeeding years, to be in addition to the amount appropriated in item 8261-25 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws **$300,000**

Department of Natural Resources.

8262-32 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 8261-31 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty; provided, that the comptroller shall include in the assessment made under section five of chapter one hundred and thirty-two A the sum of sixty-seven thousand five hundred dollars yearly for the years nineteen hundred and sixty-two to nineteen hundred and eighty-one, inclusive, and shall credit said amount to the General Fund **$1,000,000**

7663-02 The unexpended balance remaining in amounts authorized in chapter five hundred and nineteen of the acts of nineteen hundred and fifty-five for the acquisition and development of certain recreation facilities is hereby reappropriated and made available for the fiscal year nineteen hundred and sixty-two.

Department of Education.

Massachusetts Maritime Academy.

Item

8262-04 For the purchase and installation of a power conversion unit with ship-to-shore power connections $60,000

State College at Bridgewater.

8262-05 For the construction of a science classroom building, including the cost of furnishings and equipment and including certain improvements to the gymnasium building, to be in addition to the amount appropriated in item 8260-10 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine $2,380,000

State College at Lowell.

8262-06 For certain improvements to the athletic and parking facilities, to be in addition to the amount appropriated in item 8259-29 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight $15,000

State College at Worcester.

8262-07 For the construction of a classroom, laboratory building and auditorium, including the cost of furnishings and equipment and certain improvements to the boiler plant, to be in addition to the amount appropriated in item 8259-35 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight $2,854,000

Lowell Technological Institute of Massachusetts.

8262-08 For the acquisition of certain land by purchase or by eminent domain under chapter seventy-nine of the General Laws for physical education fields 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 $350,000

8262-09 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 8261-22 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty and to be in addition to any federal funds available for the purpose 2,800,000

8262-10 For certain improvements to the power plant and utility distribution systems, to be in addition to item 8261-35 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty 200,000

University of Massachusetts.

8262-11 For certain improvements and additions to the power plant and utility systems, to be in addition to the amount appropriated in item 8261-04 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty $500,000

8262-12 For the acquisition of certain land with buildings thereon for the development of the university in accordance with the master plan, 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 371,000

8262-13 For the construction of a classroom and office building for the school of business administration, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-56 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight 1,999,000

Item

8262-14 For the construction of a physical education building for men, including the cost of furnishings and equipment, and for the replacement of the main physical education field, to be in addition to the amount appropriated in item 8260-26 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine **$3,600,000**

8261-09 Item 8261-09 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty is hereby amended by inserting, in line one, after the word "center" the following: — and for certain related improvements in the public health building and the construction of a separate seismograph building.

Regional Community Colleges.

8262-15 For the establishment of a system of regional community colleges including colleges in the Worcester and Springfield areas, 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 8261-36 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty **$750,000**

Department of Mental Health.

8262-16 For the acquisition of certain land with buildings thereon in the city of Fall River for the establishment of a mental health center, by purchase or by eminent domain under chapter seventy-nine of the General Laws, and for improvements thereto; provided, that no payments 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 **$39,000**

Gardner State Hospital.

8262-17 For certain improvements to the heating systems in "A" and "B" buildings and for certain improvements to plumbing facilities in other buildings **$100,000**

Grafton State Hospital.

8261-37 Item 8261-37 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty is hereby amended by inserting, in line two, after the word "equipment" the following: — and the demolition of the existing storehouse.

Northampton State Hospital.

8262-30 For the preparation of plans for the replacement of the main group of buildings, to be in addition to the amount appropriated in item 8261-13 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty **$200,000**

Taunton State Hospital.

8262-18 For the construction of a male infirmary building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8259-71 of section two of chapter six hundred and fifty of the acts of nineteen hundred and fifty-eight **$2,835,000**

Worcester State Hospital.

8262-19 For the construction of a regional institution laundry, including the cost of equipment, to be in addition to the amount appropriated in item 8260-41 of section two of chapter six hundred and four of the acts of nineteen hundred and fifty-nine **$850,000**

Department of Correction.

Correctional Institution at Framingham.

Item

8262-20 For certain renovations to the boiler plant and utility distribution systems $85,000

Department of Public Health.

Tewksbury Hospital.

8262-21 For the construction of a new hospital building, including the cost of furnishings and equipment and a power plant and utility distribution systems, to be in addition to the amount appropriated in item 8260-57 of chapter six hundred and four of the acts of nineteen hundred and fifty-nine $11,000,000

Department of Public Works.

Division of Waterways.

8262-22 For projects for the improvement of rivers, harbors, tidewaters, foreshores and shores along a public beach, as authorized by section eleven of chapter ninety-one of the General Laws, and for construction, reconstruction or repair of drains, to be used in conjunction with any federal funds made available for the purpose; provided, that all expenditures, except the cost of surveys and the preparation of preliminary plans, for work undertaken hereunder, including the cost of engineering during construction, shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations or individuals except that, in the case of dredging channels for harbor improvements, at least twenty-five per cent of the cost shall be so covered $3,000,000

8262-23 For the commonwealth's share of a federal flood-control project on the east branch of the Neponset river in the town of Canton; provided, that the town of Canton shall contribute the sum of forty-five thousand dollars, to be in addition to the amount appropriated in this item 50,000

Division of Building Construction.

8262-27 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 including improvements to the electrical distribution systems, 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 $4,000,000

8262-28 For the preparation of preliminary plans and descriptive specifications, as authorized by section thirty H of chapter seven of the General Laws 200,000

8262-29 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 284,000

SECTION 3. To provide for a special construction and improvement program for properties under the control of the department of public

works and the metropolitan district commission, the sums set forth in the following items in this section are hereby appropriated from the Highway Fund and the Metropolitan District Commission 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-four.

HIGHWAY FUND.

Department of Public Works.

Item		
2900–46	For the acquisition of land for a site for a highway administration building in district two by purchase or by eminent domain under chapter seventy-nine of the General Laws, and for the construction of highway administration buildings in districts two and six; provided, that no payment shall be made for the purchase of land until an independent appraisal of the value of the land has been made by a qualified, disinterested appraiser; and provided, further, that this item shall not be subject to section thirty A of chapter seven of the General Laws	$1,100,000
2900–47	For the construction of five foremen's garages at various locations to be determined by the public works commission; provided, that this item shall not be subject to section thirty A of chapter seven of the General Laws	412,500

METROPOLITAN DISTRICT COMMISSION FUND.

Metropolitan Parks, Old Colony Division.

8602–94	For the construction of a police station and maintenance depot, including the cost of furnishings and equipment, the cost to be assessed upon the metropolitan parks district in accordance with methods fixed by law	$450,000
8260–81	Item 8260–81 of section two of chapter seven hundred and seventy-four of the acts of nineteen hundred and sixty is hereby amended by striking out the wording and inserting in place thereof the following: — For the construction of a pedestrian overpass on McGrath highway between Broadway and Pearl street in the city of Somerville.	

SECTION 4. No agency of the commonwealth authorized to make an expenditure under section two or three 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, 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 5. 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 not be later than June thirtieth, nineteen hundred and sixty-seven. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth.

SECTION 6. 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 five 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 forty million three hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on the face Capital Outlay Loan Act of 1961, 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-seven.

Approved May 27, 1961.

Chap. 545. AN ACT RELATIVE TO THE ESTABLISHMENT OF RATES TO BE PAID BY THE COMMONWEALTH OR ITS POLITICAL SUBDIVISIONS FOR REST HOME CARE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to immediately authorize the director of hospital costs and finances to establish certain rates for rest homes which shall take effect on July first in the current year, 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 7 of the General Laws is hereby amended by striking out section 30L, as most recently amended by chapter 600 of the acts of 1958, and inserting in place thereof the following section: — *Section 30L.* The director of hospital costs and finances shall, after hearing, determine at least as often as annually, the per diem rate or rates to be paid to convalescent or nursing homes and rest homes, as defined in section seventy-one of chapter one hundred and eleven, by the various departments, boards or commissions of the commonwealth, or by the various subdivisions of the commonwealth receiving reimburse-

ment therefor, in whole or in part, from the commonwealth and may establish fair and reasonable classification or classifications of such rate or rates. Such rates shall be adequate and reasonable and shall include a fair return on invested capital. The determination of the per diem rate or rates as provided in this section shall be deemed a "regulation" as defined in paragraph (5) of section one of chapter thirty A.

Each convalescent or nursing home and rest home shall file with the director, from time to time, on request, such data, statistics, schedules or information as he may reasonably require to enable him to determine the rate or rates. The director shall have the power to examine the books and accounts of any such convalescent or nursing home and rest home, if in his opinion such examination is necessary to determine such rates. Any person conducting such convalescent or nursing home and rest home, who fails to furnish any such data, statistics, schedules or information as requested, or who files fraudulent returns thereof, shall be punished by a fine of not more than fifty dollars. Upon notice from the director, no city or town shall thereafter purchase care in a convalescent or nursing home or rest home failing to file such data, statistics or information as requested with the director, until such time as the director advises such city or town that his order prohibiting the purchase of such care has been rescinded.

If a person conducting a convalescent or nursing home or rest home believes that the rate so established is inadequate, unreasonable, or does not include a fair return on invested capital in the case of such convalescent or nursing home and rest home in particular, he may, within sixty days after the date such rate was established, file an appeal with the director for a determination of a rate for such convalescent or nursing home or rest home. If the director does not determine a rate for such convalescent or nursing home or rest home the person conducting said home may file a further appeal for the determination of a rate for such home in accordance with the provisions of section fourteen of chapter thirty A.

SECTION 2. The rate required to be established for rest homes under the provisions of section thirty L of chapter seven of the General Laws, as amended by section one of this act, shall take effect as of July first, nineteen hundred and sixty-one; provided, however, that if the director of hospital costs and finances has not determined such rate in the manner required by said section thirty L on said date, he shall establish a temporary rate of four dollars and twenty-five cents per diem which shall continue until a rate is established as so required.

Approved May 27, 1961.

Chap. 546. AN ACT POSTPONING THE EFFECTIVE DATE OF AN ACT OF THE CURRENT YEAR REQUIRING INCREASED INSURANCE COVERAGE ON BUSES USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to postpone the effective date of an act of the current year requiring increased insurance coverage on buses used for the transportation of school children, 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 307 of the acts of 1961 is hereby amended by adding the following section: — *Section 2.* This act shall take effect on January first, nineteen hundred and sixty-two.

SECTION 2. This act shall take effect on the effective date of chapter three hundred and seven of the acts of nineteen hundred and sixty-one.

Approved May 27, 1961.

Chap. 547. AN ACT RELATIVE TO SURVIVOR BENEFITS OF WIDOWS OF MEMBERS OF A RETIREMENT SYSTEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make immediately available benefits to widows of members of 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 1. The last paragraph of option (*d*) of subdivision (2) of section 12 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 805 of the acts of 1960, is hereby further amended by adding at the end the following sentence: — Such eligible widow may in the alternative, in addition to any existing right of election under this option, elect to receive either the survivor benefits under this option or the allowances provided by section twelve B.

SECTION 2. This act shall take effect as of November thirtieth, nineteen hundred and sixty.

Approved May 27, 1961.

Chap. 548. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO ESTABLISH ENCROACHMENT LINES AND FLOOD PLAIN ZONES IN THE DRAINAGE AREAS OF THE ASSABET RIVER.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting the health, safety and property of persons in the event of floods, the water resources commission, hereinafter called the commission, is hereby authorized to establish and re-establish in accordance with sound engineering principles encroachment lines in such portions of the drainage areas of the Assabet river and its tributaries as are subject to seasonal or periodic floodings. The areas within such lines in the direction of the stream shall constitute flood plain zones.

The commission shall not issue any order establishing or re-establishing such lines until after it has held a public hearing thereon in each city and town in which such zones are proposed to be located. The commission shall give notice of the proposed establishment or re-establishment of such lines and the location of such zones and of the public hearing thereon to every owner of record and to every mortgagee of record of property within such proposed lines and zones by personal

service or by mail, postage prepaid, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known, and by publication for each of three successive weeks in a newspaper of general circulation in the city or town.

A certified copy of any order establishing or re-establishing such lines and flood plain zones indicating clearly the areas included within such zones, together with maps or plans when necessary, shall (1) be filed by the commission in the office of the secretary of state and in the office of each city or town clerk in the cities and towns within which such flood plain zones are located, and (2) be mailed by the commission forthwith upon such filing, postage prepaid, to each owner of record and mortgagee of record of property within such lines and zones as so established or re-established, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known. Such order shall take effect thirty days after such filing.

SECTION 2. Any person aggrieved by an order of the commission made under authority of this act may within thirty days after the filing of said order as provided in section one appeal to the superior court sitting in equity for the county in which any part of the land affected is located, and said court shall, after a hearing, confirm, alter, amend or revoke any such order. The service of notice of appeal shall be made by the appellant upon the chairman of the commission, or a person designated by him for the purpose.

Said court shall have jurisdiction in equity to enforce the provisions of this act, and may restrain any violation thereof.

SECTION 3. The commission may alter any lines established under the provisions of section two of chapter forty A of the General Laws by a city or town if it is deemed necessary by the commission to effectuate the purposes of this act.

SECTION 4. After the commission has established the encroachment lines for a particular section of the said river or its tributaries, no obstruction or encroachment shall be placed within the flood plain zone by any person or public body until granted a license to do so by the department of public works under chapter ninety-one of the General Laws. The department of public works, in considering the application for any such license, shall obtain and consider the recommendations of the commission, who shall be notified of the time and place of a hearing on said application by the department of public works.

Approved May 27, 1961.

Chap. 549. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID CLAIMS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Westfield is hereby authorized to appropriate the sum of six thousand nine hundred and eighty-one dollars and sixty cents and to pay the same to the following persons of said city in the sums set forth after their respective names: — George W. Stevens, Jr., four thousand two hundred and ninety-three dollars and seventy-five cents; Irving H.

Cady, one thousand and eighty dollars; Donald B. Kelso, eight hundred and ninety dollars and eighty-five cents; Earl R. Palmer, three hundred and ninety dollars and seventy-five cents; and Balthazar Pitoniak, three hundred and twenty-six dollars and twenty-five cents, for damages sustained by them in the loss of their cattle resulting from the use and application of certain pesticides by said city, its agents or employees, during the summer of nineteen hundred and sixty.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of the city of Westfield, subject to the provisions of its charter, but not otherwise. *Approved May 27, 1961.*

Chap. 550. AN ACT PROVIDING FOR THE FILING OF A REFERENDUM PETITION WITH THE CITY CLERK INSTEAD OF THE CITY COUNCIL OR SCHOOL COMMITTEE OF A CITY.

Be it enacted, etc., as follows:

Section 42 of chapter 43 of the General Laws, as amended by section 2 of chapter 68 of the acts of 1935, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — If, within twenty days after the final passage of any measure, except a revenue loan order, by the city council or by the school committee, a petition signed by registered voters of the city, equal in number to at least twelve per cent of the total number of registered voters, and addressed to the city council or to the school committee, as the case may be, protesting against such measure or any part thereof taking effect, is filed with the city clerk, the same shall thereupon and thereby be suspended from taking effect; and the city council or the school committee, as the case may be, shall immediately reconsider such measure or part thereof; and if such measure or part thereof is not entirely rescinded, the city council shall submit the same, by the method herein provided, to a vote of the registered voters of the city, either at the next regular city election, or at a special election which may, in its discretion, be called for the purpose, and such measure or part thereof shall forthwith become null and void unless a majority of the registered voters voting on the same at such election vote in favor thereof.

Approved May 27, 1961.

Chap. 551. AN ACT EXTENDING THE AUTHORITY OF THE DIRECTOR OF FISHERIES AND GAME RELATIVE TO ACQUIRING FISHING GROUNDS.

Be it enacted, etc., as follows:

Section 14 of chapter 131 of the General Laws is hereby amended by striking out, in line 20, as appearing in section 2 of chapter 599 of the acts of 1941, the words "other than a great pond", — so that the paragraph contained in lines 17 to 27, inclusive, will read as follows: —

For the purpose of providing public fishing grounds, acquire by gift and in his discretion acquire by lease or purchase, fishing rights and privileges in any brook or stream, or in any pond, in the commonwealth, or acquire by gift, lease or purchase lands necessary for such purposes,

except a brook, stream or pond which is the source of or a tributary to a public water supply, and also acquire by gift, lease or purchase lands necessary for such purposes, together with such rights of ingress to and egress from such a brook, stream or pond as may be necessary or proper;.

Approved May 27, 1961.

Chap. 552. AN ACT ESTABLISHING MINIMUM BENEFITS FOR WIDOWS OF DECEASED MEMBERS OF RETIREMENT SYSTEMS AND FOR WIDOWS OF CERTAIN EMPLOYEES KILLED IN THE PERFORMANCE OF THEIR DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The amount of any allowance payable under the provisions of option (*d*) of subdivision (2) of section twelve of chapter thirty-two of the General Laws to the widow of a deceased member, who at the time of his death had completed at least fifteen years of creditable service, shall be increased to fifteen hundred dollars; provided, that no such increase shall be made in the case of any allowance payable as the result of the death of any member which occurred subsequent to October second, nineteen hundred and fifty-eight.

SECTION 2. Any provision of law to the contrary notwithstanding, any widow now receiving less than fifteen hundred dollars per annum under the provisions of sections eighty-nine, eighty-nine A and eighty-nine B of chapter thirty-two of the General Laws shall have her annuity increased to fifteen hundred dollars per annum so long as she remains unmarried.

SECTION 3. The increases in the allowances and annuities granted under sections one and two of this act, with respect to allowances and annuities payable by the commonwealth shall take effect on October first, nineteen hundred and sixty-one, and with respect to allowances and 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 E or Plan D charter, by affirmative vote of a majority of all the members of the city council; in any other city by vote of the city council, subject to the provisions of its charter; in a town, by a majority vote at the annual town meeting; and in a district, by majority vote of its prudential committee.

Approved May 27, 1961.

Chap. 553. AN ACT RELATIVE TO THE USE OF CERTAIN TRAILERS OPERATED ON THE WAYS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The first paragraph of section 19 of chapter 90 of the General Laws, as appearing in chapter 573 of the acts of 1951, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Except as provided in this section, no trailer which with its load weighs more than three thousand pounds, other than a semi-trailer, a heavy duty platform trailer, a cable-reel trailer, a house trailer, or a trailer which is an apparatus or other object on wheels not

used to transport other things for delivery, shall be operated or drawn on any way without a permit so to operate from the department of public works. *Approved May 27, 1961.*

Chap. 554. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF LAND FOR THE CONANT BROOK FLOOD CONTROL RESERVOIR AND THE SO-CALLED THREE RIVERS CHANNEL IMPROVEMENT ON THE CHICOPEE RIVER WATERSHED, AND AUTHORIZING THE WATER RESOURCES COMMISSION TO ESTABLISH CERTAIN ENCROACHMENT LINES AND FLOOD PLAIN ZONES.

Be it enacted, etc., as follows:

SECTION 1. Consent is hereby given pursuant to the seventeenth clause of the eighth section of the first article of the constitution of the United States to the acquisition by the United States by purchase, condemnation or otherwise of any tract of land within the commonwealth required for use in connection with the construction, maintenance and operation of the projects authorized by Congress under the flood control acts of June twenty-second, nineteen hundred and thirty-six, June twenty-eighth, nineteen hundred and thirty-eight and December twenty-second, nineteen hundred and forty-four, the water supply act of nineteen hundred and fifty-eight and all other acts amendatory thereto for the benefit of navigation, conservation and recreation, and the control of destructive flood waters, with respect to the project hereinafter specified; provided, that a suitable plan of the tract of land so acquired has been or shall be filed in the office of the state secretary within one year after the acquisition thereof. The commonwealth shall retain concurrent jurisdiction with the United States in and over any such land to the extent that all civil and criminal processes lawfully issued under authority of the commonwealth may be executed thereon in the same way and manner as if this consent had not been given; and exclusive jurisdiction over any such tract or any part thereof shall revest in the commonwealth whenever it shall cease to be the property of the United States.

The project hereinbefore referred to is: — The Conant brook flood control reservoir and the so-called Three Rivers channel improvement on the Chicopee river watershed.

SECTION 2. For the purpose of protecting the health, safety and property of persons in the event of floods, the water resources commission, hereinafter called the commission, is hereby authorized to establish and re-establish in accordance with sound engineering principles encroachment lines within such areas along Conant brook and Chicopee brook in the town of Monson, and along the Chicopee river in the towns of Palmer, Belchertown, Wilbraham and Ludlow and the cities of Springfield and Chicopee and the tributaries of said brooks and river, as are subject to seasonal or periodic floodings. The areas within such lines in the direction of the stream shall constitute flood plain zones.

The commission shall not issue any order establishing or re-establishing such lines until after it has held a public hearing thereon in each city and town in which such zones are proposed to be located. The commission shall give notice of the proposed establishment or re-establishment

of such lines and the location of such zones and of the public hearing thereon to every owner of record and to every mortgagee of record of property within such proposed lines and zones by personal service or by mail, postage prepaid, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known, and by publication for each of three successive weeks in a newspaper of general circulation in the city or town.

A certified copy of any order establishing or re-establishing such lines and flood plain zones indicating clearly the areas included within such zones, together with maps or plans when necessary, shall (1) be filed by the commission in the office of the secretary of state and in the office of each city or town clerk in the cities and towns within which such flood plain zones are located, and (2) be mailed by the commission forthwith upon such filing, postage prepaid, to each owner of record and mortgagee of record of property within such lines and zones as so established or re-established, directed to his last and usual place of abode, if known, or to his last and usual place of business, if known. Such order shall take effect thirty days after such filing.

SECTION 3. Any person aggrieved by an order of the commission made under authority of this act may within thirty days after the filing of said order as provided in section two appeal to the superior court sitting in equity for the county in which any part of the land affected is located, and said court shall, after a hearing, confirm, alter, amend or revoke any such order. The service of notice of appeal shall be made by the appellant upon the chairman of the commission, or a person designated by him for the purpose.

Said court shall have jurisdiction in equity to enforce the provisions of sections two to five, inclusive, of this act, and may restrain any violation thereof.

SECTION 4. The commission may alter any lines established under the provisions of section two of chapter forty A of the General Laws by a city or town if it is deemed necessary by the commission to effectuate the purposes of sections two to five, inclusive, of this act.

SECTION 5. After the commission has established the encroachment lines for a particular section of the said river or its tributaries, no obstruction or encroachment shall be placed within the flood plain zone by any person or public body until granted a license to do so by the department of public works under chapter ninety-one of the General Laws. The department of public works, in considering the application for any such license, shall obtain and consider the recommendations of the commission, who shall be notified of the time and place of a hearing on said application by the department of public works.

Approved May 27, 1961.

Chap. 555. AN ACT RELATIVE TO THE ASSESSMENT OF INCOME TAX RETURNS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 62 of the General Laws is hereby amended by striking out section 35, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 35.* The tax upon the income reported by any person subject to taxation under this

chapter shall be deemed to be assessed at the time when the return is filed or at the time the return is required to be filed, whichever occurs later. The tax upon any additional income of such person reported in any amendment, correction or supplement to said return shall be deemed to be assessed at the time when said amendment, correction or supplement is filed.

SECTION 2. Said chapter 62 is hereby further amended by striking out section 37, as most recently amended by section 2 of chapter 509 of the acts of 1958, and inserting in place thereof the following section: — *Section 37.* If the commissioner finds from the verification of a return, or otherwise, that the income of any person subject to taxation under this chapter, or any portion thereof, has not been reported, he may, at any time within three years from the last day for filing the return required by this chapter, or from the day on which said return was actually filed, whichever is later, assess a tax or an additional tax, first giving notice to the person so to be assessed of his intention, and such person shall thereupon have an opportunity within ten days after such notification to confer with the commissioner in person or by counsel or other representative as to the proposed assessment. If, prior to the expiration of the time prescribed in this section for the assessment of any tax, both the commissioner and the taxpayer consent in writing to its assessment after such time, such tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. After the expiration of ten days from such notification the commissioner shall assess such tax or additional tax upon the income of such person subject to taxation, or any portion thereof, which he believes has not theretofore been reported, and he shall thereupon give notice as provided in section thirty-nine to the person so assessed.

In the case of an arithmetical or clerical error apparent upon the face of the return, the commissioner may make an additional assessment attributable to such error without giving notice to the person so to be assessed. In the case of a false or fraudulent return filed with intent to evade a tax or of a failure to file a return, the commissioner may make an assessment at any time. The provisions of this chapter in respect to the abatement and collection of taxes shall apply to a tax so assessed.

Whenever, in the course of a verification of the returns of a taxpayer pursuant to section thirty, the commissioner finds that an overpayment of the total amount of taxes due from such taxpayer has been made on any year's return subject to verification, the amount of the overpayment may, in the discretion of the commissioner, be refunded if it exceeds two dollars. In the case of such a refund, the state treasurer shall repay to the taxpayer the amount of the overpayment without interest. In the event that no such refund is made, the amount of such overpayment shall be deducted from the amount of any additional tax found to be due on any other year's return so verified, and only the net amount thus determined to be due, with interest as provided in section thirty-seven A, shall be assessed additionally.

SECTION 3. Said chapter 62 is hereby further amended by striking out section 37A, as most recently amended by chapter 69 of the acts of 1954, and inserting in place thereof the following section: — *Section 37A.* The tax imposed by this chapter shall be due and payable at the time

when the tax return is required to be filed. So much of said tax as is not paid at its due date shall bear interest from said date at the rate of one half of one per cent per month, or major fraction thereof, until it is paid. Taxes assessed under sections thirty-five, thirty-six and thirty-seven shall include interest as provided in this section to the date when the tax so assessed, or any unpaid balance thereof, is required to be paid, which shall be the thirtieth day following the date of the notice of the tax due.

SECTION 4. The first paragraph of section 4 of chapter 62A of the General Laws, as appearing in section 1 of chapter 692 of the acts of 1955, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — Any eligible individual who files on the form as prescribed by this section shall be deemed to have elected to report his income and have his income taxes and surtaxes determined in accordance with this chapter and to have waived the requirement of notification under the provisions of section thirty-seven of chapter sixty-two, and shall be excused from filing a return under chapter sixty-two.

SECTION 5. This act shall apply to returns for taxable years beginning after December thirty-first, nineteen hundred and sixty.

Approved May 27, 1961.

Chap. 556. AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A CULVERT IN THE CITY OF WALTHAM BETWEEN GROVE AND MASSASOIT STREETS.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to construct a culvert in the city of Waltham between Grove and Massasoit streets to alleviate flood conditions caused by Beaver brook in said city. For said purpose said commission may expend such sums as may be appropriated therefor. *Approved May 27, 1961.*

Chap. 557. AN ACT TO ESTABLISH THE LOWELL TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY.

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 Lowell Technological Institute 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 equip-

ment, 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 Lowell Technological Institute of Massachusetts, 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 A of the General Laws shall be given by law.

(*h*) The word "Institute" shall mean Lowell Technological Institute of Massachusetts.

SECTION 2. *Lowell Technological Institute Building Authority.* — There is hereby created and placed in the department of education a body politic and corporate to be known as the Lowell Technological Institute 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. At least three of such members shall be graduates of the Institute, and at least three of such members shall not be graduates of the Institute. The governor shall appoint three members of the Authority from the members of the board of 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-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, nineteen hundred and sixty-nine and nineteen hundred and seventy, 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 Institute, 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 Institute 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 city of Lowell;

(*d*) To sue and be sued in its own name, plead and be impleaded;

(*e*) Upon written request made by authority of the trustees specifying the character, location, and maximum cost to construct, equip and furnish dormitories, dining commons and other buildings and structures for the use of the Institute, its students, staff and their dependents, and upon written request of the trustees in each case, 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 Institute;

(*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 city of Lowell or grant easements, licenses or any other rights or privileges therein to the Authority, and the provisions of section twenty, but not the provisions of section twenty-one, of chapter seventy-five A 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 Institute and office space and facilities in the Institute 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 Institute 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 five 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 Institute 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, act-

ing 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 payable, 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 five 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 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 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 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 unconstitu-

tional 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 inserting after paragraph (*w*), inserted by section 26 of chapter 452 of the acts of 1961, the following paragraph: — (*x*) Bonds, notes or other evidences of indebtedness issued by the Lowell Technological Institute Building Authority. *Approved May 27, 1961.*

Chap. 558. AN ACT DESIGNATING A PORTION OF HIGHWAY ROUTE 202 IN THE TOWN OF SOUTH HADLEY AS PURPLE HEART DRIVE.

Be it enacted, etc., as follows:

That portion of the state highway known as route 202, located between Muller bridge and Granby road in the town of South Hadley, shall be designated and known as Purple Heart Drive. The department of public works is hereby authorized and directed to erect along said drive suitable markers bearing said designation.

Approved May 27, 1961.

Chap. 559. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY A SUM OF MONEY TO ROSEMARY C. MCGRATH IN LIEU OF SALARY LOST AS A RESULT OF INJURIES RECEIVED IN A FALL IN THE TAUNTON HIGH SCHOOL.

Be it enacted, etc., as follows:

For the purpose of promoting the public good, the city of Taunton is hereby authorized to appropriate and pay to Rosemary C. McGrath, a teacher in the public schools of said city who was injured in a fall in Taunton High School, the sum of fifteen hundred eighty-seven dollars and thirty-seven cents, being the amount of salary she would have received from October fifth to December thirty-first, nineteen hundred and sixty, if she had not been absent from her duties by reason of said injury. *Approved May 27, 1961.*

Chap. 560. AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY A CERTAIN SUM OF MONEY TO MILDRED LIPPER.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Brockton may appropriate and pay the sum of one thousand dollars to Mildred Lipper, city auditor of said city as reimbursement for legal expenses incurred by her in the years nineteen hundred and fifty-nine and nineteen hundred and sixty in defending against legal proceedings instituted by said city to remove her from the office of city auditor.

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 May 27, 1961.*

Chap. 561. AN ACT TO REQUIRE A PERSON WHO RECEIVES RAW MILK FROM A PRODUCER AT DAIRY FARMS TO BE LICENSED AS QUALIFIED TO MEASURE, SAMPLE AND ACCEPT MILK FOR INCLUSION IN A BULK TANK TRUCK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by inserting after section 27 the following section: — *Section 27A.* No person engaged in the receipt of raw milk from a producer, shall measure, sample or accept such milk at a dairy farm for inclusion in a bulk tank truck unless he is licensed by the director, or his duly designated deputy, as qualified to do such work.

SECTION 2. Said chapter 94 is hereby further amended by inserting after section 28 the following section: — *Section 28A.* Upon the payment of a fee of four dollars, the director or his duly designated deputy may issue a license to any person who applies therefor, if in his opinion such applicant is qualified to measure, sample and accept raw milk from a producer at a dairy farm for inclusion in a bulk tank truck. The director, or his deputy, may make and enforce rules governing applications for and the granting of such licenses and may make and enforce rules and regulations governing the proper measuring, sampling and accepting of raw milk from a producer and may revoke the license of any licensee who, in the opinion of the director, or his deputy, measures, samples or accepts such milk in violation of the prescribed rules and regulations. A person whose license has been so revoked shall not measure, sample or accept milk from a producer at any dairy farm for inclusion in a bulk tank truck.

SECTION 3. Section 30 of said chapter 94, as most recently amended by section 2 of chapter 447 of the acts of 1946, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The director shall enforce sections twenty-five to thirty-one, inclusive, and the rules and regulations made thereunder, and may prosecute or cause to be prosecuted any person violating any provision of said sections or of said rules and regulations, and the director of milk control or his designated assistant shall have concurrent authority with the director in prosecuting or causing to be prosecuted any person violating any provision of the rules and regulations established under sections twenty-eight A and twenty-nine A.

Approved May 27, 1961.

Chap. 562. AN ACT ESTABLISHING THE POWERS AND DUTIES OF THE COMMISSIONER OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 28 of the General Laws is hereby amended by striking out section 3, as most recently amended by section 23 of chapter 596 of the acts of 1941, and inserting in place thereof the following section: — *Section 3.* The commissioner shall devote his whole time during business hours to the work of the commission and shall be responsible for the performance of the departmental functions of the commission as specified by law. The commissioner shall be the executive and

administrative head of the commission and each division or section thereof shall be under his direction, control and supervision. The commissioner may appoint and remove, such officials and employees as the work of the commission may require, including officers and members of the police force, and one or more women as special police officers, and may from time to time assign to such officials and employees such duties as the work of the commission may require, subject to chapter thirty and thirty-one, except as provided by chapter five hundred and eighty-three of the acts of nineteen hundred and forty-seven. The commissioner may from time to time authorize the associate commissioners, or any one of them, to exercise in his name any power or to perform in his name any duty which is or shall be assigned to him by any provision of law, and may at any time revoke any such authority. The concurrence of the commissioner and of not less than two associate commissioners shall be required for the execution of contracts and of such other official actions of the commission as may be required by law.

SECTION 2. Said chapter 28 is hereby further amended by striking out section 4, as amended by section 2 of chapter 244 of the acts of 1936, and inserting in place thereof the following section: — *Section 4.* The commissioner with the approval of at least two associate commissioners may appoint a secretary who shall be exempt from chapter thirty-one.

Approved May 27, 1961.

Chap. 563. AN ACT PROVIDING LIFE TENURE FOR THE INCUMBENT OF THE OFFICE OF CITY AUDITOR IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of city auditor in the city of Pittsfield 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 be submitted to the voters of the city of Pittsfield at the municipal election to be held in said city in the current year in the form of the following question which shall be printed 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-one, entitled 'An Act providing life tenure for the incumbent of the office of city auditor in the city of Pittsfield', 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 May 27, 1961.*

Chap. 564. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO REBUILD THE FALLS POND DAM IN THE TOWN OF NORTH ATTLEBOROUGH.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to rebuild the Falls Pond dam in the town of North Attleborough and to expend for such purpose such sums as may be appropriated. No construction under the provisions of this act shall commence until after

the town has acquired all rights and title to the dam and acquired all flowage rights of same and in addition agrees to operate and maintain the dam upon completion and to assume liability for any property damage resulting from such construction. *Approved May 27, 1961.*

Chap. 565. AN ACT VALIDATING AND CONFIRMING THE LAYING OUT, ALTERATION, RELOCATION OR DISCONTINUANCE OF PUBLIC WAYS IN THE TOWN OF AGAWAM.

Be it enacted, etc., as follows:

SECTION 1. The laying out, alteration, relocation or discontinuance of all public ways in the town of Agawam previous to the year nineteen hundred and sixty-one by the selectmen of said town, in so far as such laying out, alteration, relocation or discontinuance 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, and any recording of the taking of registered land in connection with the acceptance of a street as a public way made within thirty days after the effective date of this act shall be valid. *Approved May 27, 1961.*

Chap. 566. AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL IN CERTAIN TIDEWATER IN THE CITY OF SALEM BE IRREVOCABLE.

Be it enacted, etc., as follows:

Any provision of general or special law to the contrary notwithstanding all licenses and authority to fill any areas included within the following described premises in the city of Salem: — two certain parcels of land, situated on the Northerly side of Bridge Street, the first being shown on a plan by Rowland H. Barnes & Co., Civil Engineers, dated September, 1957, filed in the Land Court in Registration Case No. 27885, and the other being shown on two plans by said Rowland H. Barnes & Co., Civil Engineers, one dated January, 1957, and one dated January 21, 1958, both filed in the Land Court with Registration Case No. 87886, as are above the line of private ownership of the tidal flats formerly making up part of said premises shall hereafter be deemed to be irrevocable. *Approved May 27, 1961.*

Chap. 567. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO SELL AND CONVEY CERTAIN FOREST LAND TO THE INDUSTRIAL COMMISSION OF THE TOWN OF BILLERICA.

Be it enacted, etc., as follows:

The commissioner of natural resources, in the name and on behalf of the commonwealth is hereby authorized to sell and convey, subject to the approval of the governor and council, to the Industrial Commission of the town of Billerica, for industrial purposes, the following parcels of

forest land, located in the state forest in the town of Billerica, and bounded and described as follows: —

Parcel No. 1. — Land lying on the westerly side of U. S. route 3 between station 453 and 460, beginning at a point near station 453 and running along U. S. route 3 in a northerly direction for 690 feet; then turning in a westerly direction and running for 520.98 feet; then turning in a southwesterly direction and running for 180 feet; then turning in a southerly direction and running for 150 feet; then turning in an easterly direction and running for 1,010 feet to point of beginning; and

Parcel No. 2. — Land lying on the westerly side of U. S. route 3 between station 476 and 500, beginning at a point near station 476 at the power line of the Lowell Electric Corporation and running along U. S. route 3 in a northerly direction for 2,332 feet, then turning in a southwesterly direction and running for 740 feet, then turning in a westerly direction and running for 678.5 feet to the Chelmsford town line, then turning in a southerly direction and running along the Chelmsford town line for 800 feet to the power line, then turning easterly along the power line and running for 2,495 feet to point of beginning.

The deed conveying said parcels of land shall be approved as to form by the attorney general. *Approved May 27, 1961.*

Chap. 568. AN ACT AUTHORIZING THE TRANSFEROR OF A MOTOR VEHICLE TO ATTACH HIS OLD NUMBER PLATES TO A NEWLY ACQUIRED VEHICLE FOR A CERTAIN PERIOD OF TIME AND PROVIDING FOR CONTINUED INSURANCE COVERAGE ON SUCH NEW VEHICLE FOR THE SAME PERIOD.

Be it enacted, etc., as follows:

SECTION 1. The fifth paragraph of section 2 of chapter 90 of the General Laws, as amended by chapter 59 of the acts of 1956, is hereby further amended by inserting after the first sentence the following sentence: — A person who transfers the ownership of a registered motor vehicle or trailer owned by him to another or who loses possession thereof and who intends to transfer the registration of such motor vehicle or trailer to a newly acquired vehicle may, subject to other provisions of this chapter, operate such newly acquired motor vehicle or trailer for a period beginning from the date of transfer until five o'clock post meridiem of the second registry business day following the date of transfer within the same calendar year; provided, that the number plates issued upon registration of the transferred motor vehicle or trailer are attached to the newly acquired vehicle.

SECTION 2. Section 113A of chapter 175 of the General Laws is hereby amended by inserting after provision (6) the following paragraph: — Notwithstanding the foregoing provisions, a policy covering a registered motor vehicle or trailer which is being transferred as provided in section two of chapter ninety shall continue in force and cover a newly acquired motor vehicle or trailer for a period beginning from the date of transfer of the registered motor vehicle or trailer until five o'clock post meridiem of the second registry business day following the date of transfer within the same calendar year; provided, that the number plates issued upon registration of the transferred motor vehicle or trailer are attached to the newly acquired vehicle.

SECTION 3. This act shall take effect at one minute past twelve o'clock ante meridiem on January first, nineteen hundred and sixty-two, and shall apply only to motor vehicle policies and bonds issued for the year nineteen hundred and sixty-two and subsequent years.

Approved May 27, 1961.

Chap. 569. AN ACT CHANGING THE TITLE OF THE EXECUTIVE OFFICER OF THE MALDEN POLICE DEPARTMENT FROM CAPTAIN OF POLICE TO CHIEF OF POLICE.

Be it enacted, etc., as follows:

SECTION 1. The title of the executive officer of the Malden police department is hereby changed from captain of police to chief of police. The present incumbent of the office of captain of police, John J. Buckley, shall hold the position of chief of police subject to the civil service laws and rules without further examination.

SECTION 2. Section 1 of chapter 67 of the acts of 1947 is hereby amended by striking out, in line 5, the word "captain" and inserting in place thereof the word: — chief.

SECTION 3. Section 2 of said chapter 67, as amended by section 1 of chapter 754 of the acts of 1957, is hereby further amended by striking out, in line 1, the word "captain" and inserting in place thereof the word: — chief.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Malden subject to the provisions of its charter.

Approved May 27, 1961.

Chap. 570. AN ACT AUTHORIZING A COMMISSIONER OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION TO SEEK INJUNCTIVE RELIEF AGAINST PERSONS ACCUSED OF UNLAWFUL DISCRIMINATION.

Be it enacted, etc., as follows:

The second paragraph of section 5 of chapter 151B of the General Laws, as most recently amended by section 4 of chapter 426 of the acts of 1957, is hereby further amended by inserting after the fourth sentence the following three sentences: — After a determination of probable cause hereunder such commissioner may also file a petition in equity in the superior court in any county in which the unlawful practice which is the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, or in Suffolk county, seeking appropriate injunctive relief against such respondent, including orders or decrees restraining and enjoining him from selling, renting or otherwise making unavailable to the complainant any housing accommodations with respect to which the complaint is made, pending the final determination of proceedings under this chapter; provided, however, that no such injunctive relief, order or decree shall be granted except after hearing, notice of which shall be given to the respondent at least three days prior thereto by the commissioner by registered mail directed to the respondents' last and usual place of abode, together with a copy

of such petition. An affidavit of such notice shall forthwith be filed in the clerk's office. The court shall have power to grant such temporary relief or restraining orders as it deems just and proper.

Approved May 27, 1961.

Chap. 571. AN ACT AUTHORIZING THE TOWN OF MEDFIELD TO FURNISH WATER TO THE DOVER-SHERBORN REGIONAL SCHOOL DISTRICT AND AUTHORIZING SAID DISTRICT TO LAY WATER PIPES WITHIN THE TOWNS OF DOVER AND MEDFIELD AND TO BORROW MONEY FOR THE COST THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The town of Medfield is authorized to furnish and to sell water to the Dover-Sherborn Regional School District for the exclusive purposes of such district. Such water may be furnished in such amounts, at such rates and in accordance with such other terms as may from time to time be agreed upon by the regional district school committee and the water and sewerage board of the town of Medfield. Any contract to furnish such water may be entered into for an initial term not exceeding twenty years and may provide for continuation upon the same terms from year to year thereafter; provided, that either party shall have the right to terminate such contract in any year after the expiration of the initial term thereof, upon such notice to the other party as may be prescribed by such contract.

SECTION 2. The Dover-Sherborn Regional School District, acting through the regional district school committee, is authorized from time to time, with the consent of the selectmen of the respective towns, to enter into a contract or contracts to lay water pipes within the limits of the towns of Dover and Medfield for the purpose of supplying such district with water, and such contract or contracts may be made before or after contracting for construction of any regional district school building. The Dover-Sherborn Regional School District is further authorized to enter into a contract or contracts with the town of Medfield and the town of Dover, or either of them, with respect to the maintenance, repair and replacement of such water pipes. The cost of laying and replacing such water pipes may be met from the proceeds of bonds or notes issued under the provisions of clause (*d*) of section sixteen of chapter seventy-one of the General Laws and may be apportioned among the member towns in the same manner as other capital costs of the district. The cost of repairing and maintaining such water pipes may be appropriated among the member towns in the same manner as other operating costs of the district.

SECTION 3. Any contract or action not inconsistent with the provisions of this act heretofore executed or taken by the Dover-Sherborn regional district school committee and the water and sewerage board of the town of Medfield shall be as valid and effective as if this act had been in effect since May first, nineteen hundred and sixty-one.

SECTION 4. This act shall take effect upon its acceptance by the town of Medfield at an annual or special town meeting called for the purpose.

Approved May 27, 1961.

Chap. 572. AN ACT PROVIDING THAT CERTAIN DIVIDENDS OR OTHER REFUNDS RECEIVED BY THE STATE EMPLOYEES' GROUP INSURANCE COMMISSION BE MAINTAINED IN A SEPARATE TRUST FUND AND THAT THE INVESTMENT OF SAID FUND BE SUPERVISED BY AN INVESTMENT COMMITTEE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32A of the General Laws is hereby amended by striking out section 9, as amended by section 1 of chapter 424 of the acts of 1958, and inserting in place thereof the following section: — *Section 9.* Any dividend, its equivalent or other refunds or rate credits, accepted by the commission from the carrier or carriers, shall be deposited by the commission with the state treasurer and shall be maintained in a separate fund to be known as the group insurance commission trust fund. Using the net premium paid to the carrier or carriers as a basis of computation, the commission shall determine the pro rata share of such dividend, other refunds or rate credits which shall be allocable (1) to the commonwealth's net share of the premium paid, and (2) to the federal or other funds contributed in the place of the commonwealth's gross share of the premium cost, after deducting the pro rata administrative cost. The commission shall compute the pro rata administrative cost by determining the total administrative cost to the commonwealth of the entire insurance program authorized by this chapter which is applicable to the period for which the dividend, other refunds or rate credits have been received, and by using the commonwealth's gross share of the premium cost as a basis, shall apply that portion of the total administrative cost which is applicable to federal or other funds contributed in place of the commonwealth's gross share of the premium cost.

If, after applying the above formula, it is determined that the administrative cost allocable to the commonwealth is greater than the dividend, other refund or rate credits received, the entire amount thus received shall, upon authorization by the commission, be paid by the state treasurer into the General Fund, and the commission shall charge those departments, divisions and political subdivisions which have federal or other funds allocated to them for this purpose with said excess administrative cost.

Whenever the pro rata share of the dividend allocable to the federal or other funds contributed in place of the commonwealth's gross share of the premium cost is in excess of the applicable administrative cost, the state treasurer, upon authorization by the commission, shall make payment to said funds of the amount of said excess dividend.

Whenever the pro rata share of the dividend allocable to the commonwealth's net share of the premium paid is in excess of the total administrative cost plus the excess dividend, computed on the ratio of the net premium paid by the commonwealth to the total net premium paid to the carrier or carriers such sum shall, upon authorization by the commission, be paid by the state treasurer into the General Fund. The balance of the excess dividend which is the ratio of the net premium paid by the insured employees to the total net premium paid to the carrier or carriers shall be retained in the group insurance commission trust fund to be invested on behalf of the insured employees as authorized by the investment committee established in section nine A or dis-

bursed on behalf of the insured employees as determined by the commission.

SECTION 2. Said chapter 32A is hereby further amended by inserting after section 9 the following section: — *Section 9A.* There shall be an unpaid investment committee which shall have general supervision of the investment of funds retained in the group insurance commission trust fund to be used on behalf of the insured employees. Such committee shall consist of the state treasurer, who shall be a member ex officio, the members of the state employees' group insurance commission who shall be members ex officio, and one other person who shall be chosen by the aforementioned members, for a term of three years and who shall be qualified by training and experience in the investment of funds as a result of having been principally employed in such occupation for a period of at least ten years. The chairman of the investment committee shall be chosen from among its members. Each member of such committee shall continue to hold office until the expiration of his term and until the qualification of his successor. The executive secretary of the commission shall perform the duties of secretary of the investment committee. The commission shall furnish such clerical assistants as may be required to carry on the work of the investment committee. Subject in each instance to the approval of the investment committee established under the provisions of this section, the state treasurer shall invest and reinvest such funds to the extent not required for current disbursements as authorized by section nine, in bonds which are legal for the investment of funds of savings banks under the laws of the commonwealth. The commission shall have power to expend such funds which in its discretion is in the best interests of the insured employees. The state treasurer shall make payment of such funds as authorized by the commission. A statement of all funds received, invested and expended on behalf of the insured employees shall be included in the annual report of the commission as required by section three.

Approved May 27, 1961.

Chap. 573. 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 542 of the acts of 1960, and by 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 one hundred and five 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 two million six hundred and twenty-five 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 to 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 five hundred and seventy-five thousand dollars, over and above the two million six hundred and twenty-five thousand dollars authorized under the first paragraph.

Approved May 27, 1961.

Chap. 574. AN ACT PROVIDING THAT A CERTAIN LICENSE GRANTED TO BUBIER REALTY TRUST COMPANY AND BUBIER REALTY TRUST BE DEEMED IRREVOCABLE.

Be it enacted, etc., as follows:

Any license issued, on the premises hereinafter described, pursuant to chapter ninety-one of the General Laws or under similar provisions of earlier law, by the department of public works or by any predecessor or successor authority affecting land now owned by Bubier Realty Trust and Bubier Realty Trust Company described in license No. 4166 of the department of public works shall be deemed to be irrevocable. Said parcel is more particularly described as follows: —

The land in the city of Lynn according to a plan entitled "Proposed Retaining Walls, Solid Fill and an Addition to an Existing Building in Lynn Harbor, Essex County, Lynn, Massachusetts, application by Bubier Realty Trust, September, 1958" recorded in Essex South District Deeds, Book 4515, Page 436, bounded and described as follows: —

Northeasterly by the property line on the flats of the licensee, five hundred and eighty (580) feet, more or less, from present mean high water line to mean low water line, according to said Plan;

Southeasterly by the mean low water line, two hundred and five (205) feet, more or less, according to said Plan;

Southwesterly by the property line on the flats of the licensee, four hundred and eighty (480) feet, more or less, from mean low water line to the mean high water line, according to said Plan; and

Northwesterly by the mean high water line, two hundred (200) feet, more or less, according to said Plan. *Approved May 27, 1961.*

Chap. 575. AN ACT EXTENDING THE PROVISIONS OF THE AID TO DEPENDENT CHILDREN PROGRAM TO PERSONS ELIGIBLE FOR AID UNDER AN AMENDMENT TO THE SOCIAL SECURITY ACT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable the commonwealth to avail itself of additional funds resulting from liberalized provisions of the Social Security Act, 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. In addition to aid granted on account of dependent children under the provisions of chapter one hundred and eighteen of the General Laws, assistance shall be available under said chapter to those persons eligible therefor under Title IV of the Social Security Act, as amended by an act of Congress, P. L. 87–31, approved May eighth in the current year. Such assistance shall be available for such time and to such extent as is provided by said amendment. The department of public welfare may make such rules and regulations, in accordance with the provisions of section five of said chapter one hundred and eighteen, as may be necessary in order to conform with the provisions of such amendment, including provisions for entering into such co-operative arrangements as may be necessary with the division of employment security and the division of vocational education.

SECTION 2. This act shall take effect as of May first, nineteen hundred and sixty-one. *Approved May 27, 1961.*

Chap. 576. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE MINIMUM RATES FOR HOURS WORKED IN EXCESS OF FORTY HOURS IN A WORK WEEK IN CERTAIN BUSINESSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide that a corrective change in a certain act enacted during the current year shall take effect on the same date as said corrected 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. Clause (11) of the second paragraph of section 1A of chapter 151 of the General Laws, as appearing in chapter 431 of the acts of 1961, is hereby amended by striking out the word "fifty-nine" and inserting in place thereof the words: — fifty-nine A.

SECTION 2. This act shall take effect on the effective date of chapter four hundred and thirty-one of the acts of nineteen hundred and sixty-one. *Approved May 27, 1961.*

Chap. 577. AN ACT VALIDATING AND CONFIRMING THE ACTION TAKEN BY THE TOWN OF ABINGTON IN REZONING PARTS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the town of Abington at its annual town meeting in the current year in voting to rezone parts of said town as described in articles thirty-four and thirty-five of the warrant for

said meeting is hereby validated and confirmed, notwithstanding the fact that notice of the public hearings on said articles before the planning board of said town was not published in each of two successive weeks, the first publication being at least twenty-one days prior to said hearing.

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

Approved May 27, 1961.

Chap. 578. AN ACT VALIDATING CERTAIN AMENDMENTS TO THE ZONING BY-LAWS OF THE TOWN OF BILLERICA.

Be it enacted, etc., as follows:

SECTION 1. The amendments to the zoning by-laws of the town of Billerica adopted during the current year and described in Articles 39, 40, 56 and 88 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 May 27, 1961.

Chap. 579. AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF CERTAIN AREAS IN THE SUDBURY AND CONCORD RIVER VALLEYS FOR THE PURPOSES OF THE MIGRATORY BIRD CONSERVATION ACT AND AUTHORIZING THE DIVISION OF FISHERIES AND GAME AND THE COMMISSIONER OF NATURAL RESOURCES TO ACQUIRE CERTAIN OTHER LANDS IN SAID AREAS.

Be it enacted, etc., as follows:

SECTION 1. The consent of the commonwealth is hereby given to the acquisition by the United States, by condemnation, purchase, gift, devise or lease, of the areas, hereinafter described, of land or water, or of land and water, in the commonwealth, for the establishment of migratory bird reservations in accordance with the federal Migratory Bird Conservation Act, reserving, however, to the commonwealth, full and complete jurisdiction and authority over all such areas not incompatible with the administration, maintenance, protection and control thereof by the United States under the terms of said Act.

Said areas are bounded and described as follows:

(1) Approximately three thousand two hundred acres of flood plain marsh situated at or below elevation one hundred and twenty feet above mean sea level, located in the towns of Sudbury, Wayland, Lincoln and Concord and extending from Stone Bridge road in the town of Wayland to South Great road in the town of Lincoln;

(2) Approximately one thousand three hundred acres of flood plain marsh situated at or below elevation one hundred and eighteen feet above mean sea level, located on either side of the Concord river within the towns of Concord, Carlisle, Bedford and Billerica, between the southern tip of Greenough pond in the town of Carlisle and the northern boundary of the Great Meadows National Wildlife Refuge in the town of Concord.

The consent of the commonwealth is hereby given also to the acquisition by the United States under said Migratory Bird Conservation Act of such contiguous areas of upland and wetland, within said towns and above such elevations, as may be necessary for the operation, maintenance and development of said areas for the purposes of said Migratory Bird Conservation Act; provided, however, that in the event it is proposed to acquire said lands above such elevations by condemnation, consent thereto shall be subject to the approval of the board of selectmen in any town in which the land proposed to be acquired is located. If such board fails to approve or disapprove within thirty days after receipt of written notice thereof from the United States or the appropriate agency thereof, such board shall be deemed to have approved thereof.

This section shall not be construed as granting the consent of the commonwealth to the acquisition by the United States, by condemnation, of any dwelling houses and structures accessory thereto, or of any lands used or under construction for use as a golf course or any municipal lands, provided said lands were so used, under construction, or owned on or before April first, nineteen hundred and sixty-one.

SECTION 2. For the purposes of fish and wildlife management, the division of fisheries and game in the department of natural resources is hereby authorized to acquire by purchase, gift or transfer from other agencies of the commonwealth, approximately five hundred acres of wetlands in the town of Sudbury, bounded by Lincoln road and North road, and contiguous to the Pantry brook management area under control of said division.

The director of the division of fisheries and game may make rules and regulations regarding the use of said area.

SECTION 3. The commissioner of natural resources, with the approval of the board of natural resources, is hereby authorized to acquire, under the provisions of section three of chapter one hundred and thirty-two A of the General Laws, approximately one thousand acres of flood plain marsh and land located between Route No. 117 in the towns of Lincoln and Concord and Route No. 2 in the town of Concord, consisting of such portion of the marsh and land at or below the one hundred and twenty foot contour interval above mean sea level on both sides of the Sudbury river as the commissioner may determine.

Said commissioner shall not acquire marsh or land described in this section until one year after the effective date of this act; nor shall said commissioner acquire any such marsh or land which has been conveyed in fee or encumbered by restrictive agreements, easements or other limitations which will limit the use of such marsh or land to uses which will, in so far as practicable, preserve the same in its natural state, in favor of the Concord land conservation trust, the Lincoln land conservation trust, the town in which such marsh or land lies, through its conservation commission, or the Secretary of the Interior of the United States, or encumbered by such restrictive agreements, easements or other limitations in favor of the commissioner of natural resources.

The consent of the commonwealth is hereby given to any such conveyance to or encumbrance in favor of said Secretary of the Interior of the United States in accordance with the provisions of this section.

SECTION 4. The division of fisheries and game is hereby authorized to expend such sums as may be appropriated for the purposes of section two.

Approved May 27, 1961.

Chap. 580. AN ACT AUTHORIZING THE BOARDS OF TRUSTEES OF THE SOLDIERS' HOMES TO LEASE LAND AT SAID HOMES FOR CONSTRUCTION OF CHAPELS THEREON.

Be it enacted, etc., as follows:

Chapter 115A of the General Laws is hereby amended by adding after section 7, inserted by section 1 of chapter 387 of the acts of 1960, the following section: — *Section 8.* The Soldiers' Homes, after a determination and approval of the trustees of the respective Homes, that it is in the best interest of the patients, may lease, upon such terms and conditions as may be stipulated by said trustees, sufficient land belonging to such Soldiers' Home for the purpose of constructing thereon chapels for the use of the patients or members of said Home. The lease shall remain in full force and effect so long as a chapel for said patients is maintained thereon and so long as it shall be maintained in a physical condition satisfactory to the superintendent and the trustees of said Home.

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

Nothing contained herein shall be construed to deprive any patient, regardless of his religious belief, of an equal opportunity to worship in accordance with said belief, and adequate facilities for such worship shall be made available to all patients by the superintendent.

Approved May 27, 1961.

Chap. 581. AN ACT RELATIVE TO THE INSPECTION PERIOD FOR MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 7A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 416 of the acts of 1951, and inserting in place thereof the following sentence: — The registrar shall include in the rules and regulations prepared by him under section thirty-one, rules and regulations providing for the periodic inspection of all motor vehicles and trailers between April first and May fifteenth and between September first and October fifteenth, all dates inclusive, in each year, for the purpose of determining whether they are provided with the following equipment maintained in good order, to wit: — brakes, lights, horn, muffler, steering gear, windshield, windshield cleaner and number plates, and rear windows, and also rules and regulations in respect to school buses, providing, in place of the periodic inspections hereinbefore referred to, for the inspection of those not subject to the jurisdiction of the department of public utilities, during the first week of the months of January, March, May, September and November in each year. *Approved May 27, 1961.*

Chap. 582. AN ACT RELATIVE TO QUALIFICATIONS OF CERTAIN ABSENTEE VOTERS IN PRESIDENTIAL ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 51 of the General Laws, as most recently amended by section 19 of chapter 627 of the acts of 1954, is hereby further amended by adding at the end the

following four sentences: — Each person who has been registered as a voter in any town in the commonwealth and has removed to another state shall retain his right to vote for electors of president and vice president of the United States, and not otherwise, in the town from which he has removed, for a period of twenty-four months after such removal, provided he shall not, during such period, have become a voter, in such other state or, because of an insufficient period of state residence, have become eligible to qualify and register as such. Such votes shall be cast by absentee ballot and the state secretary shall prepare, and cause to be printed and distributed to the town and city clerks a sufficient number of ballots to be used by the persons eligible to vote for the offices of presidential electors only as authorized herein. At the top of each such ballot shall appear the words "Absentee Presidential Elector Ballot" and no such ballot shall afford any opportunity to vote for any office or officer except presidential electors. Such ballots shall be distributed at the same time that other absentee ballots are delivered to such town or city clerks.

SECTION 2. Said chapter 51 is hereby further amended by inserting after section 1 the following four sections: — *Section 1A.* The state secretary shall cause to be printed and distributed to the several town and city clerks, at the same time the absentee ballots to be used by the persons authorized to vote for electors of president and vice president of the United States only are distributed to said officials, an equivalent number of each of the following:

(*a*) Form of affidavit substantially as follows:

STATE OF.....
COUNTY OF.....
I, ..., do solemnly swear that to the best of my knowledge and belief I was duly qualified and registered as a voter at ....., in Ward ....., (Street address)
Precinct ..... of the (City) (Town) of ....., Massachusetts, until I removed my residence and domicile from said state on the..... day of ....., 19....; that I am now a bona fide resident at ....., in Ward ....., (Street address)
Precinct ..... of the (City) (Town) of ..... County of ....., State of ....., and intend to remain at said residence and domicile; that I am not a qualified voter of the state in which I now reside nor am I eligible because of its required period of state residence to qualify and register as such on the date of this affidavit; that I make this affidavit in order to qualify to cast my vote for the offices of Electors of President and Vice President of the United States with the understanding that such vote shall be cast and counted in the manner prescribed by the laws of the Commonwealth of Massachusetts.

.....
Signature of Voter

Sworn to and subscribed before me on this ..... day of ....., 19 ....., at .....

.....
Notary Public or other officer empowered to administer oaths.

(*b*) An envelope on the face of which shall appear a certificate for execution by the registrar of voters or other appropriate registration official of the town, county or other political subdivision of the state to which the absentee voter has removed. Such certificate shall contain

the statement that the absentee voter is not qualified to vote in the place of residence to which he has removed and that he is not eligible to qualify and register to so vote due to lack of sufficient length of state residence.

(*c*) A smaller envelope which shall be labeled "Absentee Presidential Elector Ballot."

Section 1B. Any person authorized to vote for electors of president and vice president of the United States by the provisions of section one of chapter fifty-one who is a bona fide resident of another state may apply in writing, not more than two months before the day of the election, by mail, to the town or city clerk in which he was qualified to vote in this state, for an absentee ballot. Upon receipt of such written application, the town or city clerk shall immediately mail to the applicant an absentee presidential elector ballot and each of the items enumerated in clauses (*a*), (*b*) and (*c*) of section one A.

Section 1C. The applicant for such absentee presidential elector ballot shall execute the form of affidavit prescribed in section one A and shall take the oath prescribed in said form before an official authorized to administer oaths in the state to which he has removed, and shall secure the certificate of the registrar of voters or other appropriate official of the political subdivision of his residence, which certificate shall be executed on the face of the envelope provided by clause (*b*) of section one A. The absentee voter shall then proceed to mark his ballot in the manner prescribed by the laws of this state indicating his choice for the offices of electors of president and vice president of the United States after which such marked ballot shall be sealed in the smaller envelope labeled "Absentee Presidential Elector Ballot." Said envelope shall then be placed in the larger envelope on the face of which appears the certificate of said registrar of voters or other appropriate official. The larger envelope shall then be sealed and mailed to the town or city clerk in which the absentee voter was a qualified elector prior to his removal to another state, together with the affidavit executed by the absentee voter.

Section 1D. Upon receipt of the affidavit executed by the absentee voter and the envelope bearing the certification of the registrar or other appropriate official of the foreign state, the town or city clerk shall deliver such affidavit and envelope, together with any other absentee ballots received by him as provided by this chapter, in the manner prescribed by the laws of this commonwealth and, if the requirements of sections one A to one C, have been complied with, the absentee presidential elector ballot shall be counted in the manner prescribed for other absentee ballots. *Approved May 27, 1961.*

Chap. 583. AN ACT REVIVING SHOE CITY EXPRESS COMPANY.

Be it enacted, etc., as follows:

Shoe City Express Company, a corporation dissolved on September twenty-seventh, nineteen hundred and fifty, 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 May 27, 1961.*

Chap. 584. AN ACT AUTHORIZING THE TOWN OF BROOKFIELD TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookfield, 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, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words Town of Brookfield Sewerage Loan, Act of 1961. 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 North Brookfield, if there be any, and if not, then in some newspaper published in the county of Worcester, 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 May 27, 1961.

Chap. 585. AN ACT AUTHORIZING REPRESENTATIVES OF THE DIVISION OF INDUSTRIAL SAFETY IN THE DEPARTMENT OF LABOR AND INDUSTRIES TO ENTER CERTAIN BUILDINGS IN THE PERFORMANCE OF THEIR DUTIES.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 17, as amended by chapter 430 of the acts of 1945, and inserting in place thereof the following section: — *Section 17.* For the enforcement of the provisions of this chapter, the commissioner, the assistant commissioner and the associate commissioners, and the director, inspectors, and other representatives of the division of industrial safety may enter any places of employment and examine the methods of protection from accident, the means of escape from fire, the sanitary provisions, the lighting and means of ventilation, and make investigations as to the employment of women and minors and as to compliance with all provisions of this chapter, and shall have access to all records pertaining to wages, hours, and other conditions of employment which are found essential to such investigations. *Approved May 27, 1961.*

Chap. 586. AN ACT RELATIVE TO THE DETERMINATION OF PER DIEM CHARGES AND COSTS OF PROPRIETARY HOSPITALS.

Be it enacted, etc., as follows:

The second paragraph of section 30K of chapter 7 of the General Laws, as appearing in section 2 of chapter 636 of the acts of 1953, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The director shall make his determination as aforesaid in accordance with a uniform system of hospital accounting and cost analysis, and may in his discretion take into account individual services which are rendered for partial or no payment, but shall not include such factors as depreciation, amortization and grants in aid for which no services are rendered; provided, however, that he may include a fair return on invested capital for proprietary hospitals.

Approved May 27, 1961.

Chap. 587. AN ACT REPEALING THE LAW PROVIDING THAT THE CITY ENGINEER OF THE CITY OF BROCKTON SHALL BE, EX OFFICIO, CLERK OF THE BOARD OF COMMISSIONERS OF SEWERAGE CONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-five of the acts of eighteen hundred and ninety-four is hereby repealed.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Brockton, but not otherwise.

Approved May 27, 1961.

Chap. 588. AN ACT PROVIDING FOR THE CONVEYANCE TO THE TOWN OF PROVINCETOWN OF CERTAIN TIDELANDS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The department of public works, in the name and on behalf of the commonwealth, and subject to the approval of the governor and council, is hereby authorized to convey to the town of Provincetown for an off-street parking area, to be maintained by said town, a parcel of tidelands containing three and four-tenths acres, more or less, bounded by the mean high water line of 1939 and land of abutters thereto, the existing town pier and other land of the town of Provincetown, the southeasterly boundary of the existing water front bulkhead, and by the southwesterly boundary of said existing water front bulkhead, excluding therefrom an area one hundred feet by thirty-eight feet at the southwesterly corner thereof licensed by the commonwealth to Monument Fish Co., Inc., all as appears on a plan entitled "Plan accompanying petitions of town of Provincetown & Monument Fish Co. Inc. to maintain sheet steel bulkhead & fill in Provincetown Harbor at Provincetown, Mass. County of Barnstable March 1961", by Francis J. Alves, C.E.

Approved May 27, 1961.

Chap. 589. AN ACT PROVIDING TENURE FOR THE INCUMBENT OF THE OFFICE OF CHAIRMAN OF THE BOARD OF ASSESSORS OF THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of the incumbent of the office of chairman of the board of assessors in the city of Revere 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 the city manager and city council of the city of Revere, but not otherwise.

Approved May 27, 1961.

Chap. 590. 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-two, there is hereby authorized to be expended by the department of public works without further appropriation an amount not to exceed ninety million dollars, to be in addition to the amounts made available by chapter thirty-two of the acts of nineteen hundred and fifty-eight and chapter five hundred and twenty-eight of the acts of nineteen hundred and sixty; 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, excluding 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, and by section three of chapter five hundred and twenty-eight of the acts of nineteen hundred and sixty, 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.

SECTION 4. No money shall be expended under this act by the state department of public works for projects in the towns of Brookline or Saugus, or the cities of Boston, Cambridge, Lynn, Peabody, Revere, Somerville or Springfield until such projects have been approved and accepted by the selectmen of said towns, the city councils of the cities of Boston, Lynn, Peabody, Somerville and Springfield, subject to the provisions of the charters of said cities, or a majority of the members of the city councils of the cities of Cambridge and Revere, with the approval of the city managers of said cities. *Approved May 27, 1961.*

Chap. 591. 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 bonds which the state treasurer is authorized to issue under section three of chapter five hundred and fifteen of the acts of the current year, providing additional funds to cover the cost of certain sewerage projects and works within the metropolitan sewerage district, shall be issued for maximum terms of forty 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, two thousand and two, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, 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

two of chapter five hundred and sixteen, authorizing the metropolitan district commission to extend certain sewerage works in the town of Dedham and the city of Boston, shall be issued for maximum terms of forty 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, two thousand and two, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, 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 bonds which the state treasurer is authorized to issue under section four of chapter five hundred and seventeen of the acts of the current year, authorizing and directing the metropolitan district commission to enlarge and improve its recreational and other related facilities, 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-three, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, 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 bonds which the state treasurer is authorized to issue under section four of chapter five hundred and nineteen of the acts of the current year, further providing for the construction of certain drainage and flood control facilities in Stoneham, Wakefield, Melrose, Malden, Everett, Revere and Saugus, 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-three, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 5. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter five hundred and twenty of the acts of the current year, providing additional funds for the metropolitan district commission for the construction of flood control facilities and the improvement of the Charles river and its tributaries, 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 May twenty-seventh, nineteen hundred and sixty-one, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 6. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under section three of chapter five hundred and twenty-one of the acts of the current year, providing additional funds for the metropolitan district commission for the improvement of the Neponset river and its tributaries, 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 May twenty-seventh, nineteen hundred and sixty-one, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 7. 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-two of the acts of the current year, providing for the construction of works and appurtenances to meet the needs of the metropolitan water district, 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 three years from the date of the original issue, and the bonds which the state treasurer is authorized to issue under section four of said chapter five hundred and twenty-two, shall be issued for maximum terms of fifty 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, two thousand and fifteen, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 8. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under section five of chapter five hundred and forty-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-seven, and the bonds which the state treasurer is authorized to issue under section six of said chapter five hundred and forty-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-seven, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 9. 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 ninety 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-five, as recommended by the governor in a message to the general court, dated May twenty-seventh, nineteen hundred and sixty-one, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved May 27, 1961.

Chap. 592. AN ACT RELATIVE TO SUMMONSES FOR VIOLATIONS OF THE MOTOR VEHICLE LAWS, REQUIRING FILING OF COPIES THEREOF AND PROVIDING FOR AN AUDIT SYSTEM IN CONNECTION THEREWITH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide a system of summonses for violations of the motor vehicle laws, requiring filing of copies thereof and providing for an audit system in connection therewith, 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 90 of the General Laws is hereby amended by striking out section 27 and inserting in place thereof the following section: — *Section 27.* Whenever a person operating a motor vehicle is halted by a police officer or registry of motor vehicles supervisor, investigator or examiner for any violation of any statute, by-law, ordinance or regulation relating to the operation or control of motor vehicles other than violations of section twenty A, the police officer or registry of motor vehicles supervisor, investigator or examiner shall make out a notice of such violation and such notice shall be referred forthwith to the chief of police or chief administrative officers of the traffic enforcement agency who shall take one of the following actions:

1. Send a written warning.
2. Refer to the registrar of motor vehicles for action.
3. Apply for a summons to the district court having jurisdiction.

All copies of such notice shall be signed by the officer and endorsed by the head of the department or a person authorized by the head of the department. Upon the issuance of three warnings within a year it shall be mandatory for the registrar of motor vehicles to suspend the license for a period of thirty days.

Such notice shall be consecutively numbered and consist of four parts: (1) notice to the operator of the action to be taken; (2) copy to the district court having jurisdiction; (3) copy to the registrar of motor vehicles; (4) copy to be retained by the police department or registry of motor vehicles supervisor, investigator or examiner. Such notice shall be on a uniform traffic ticket, the form of which shall be approved by the administrative committee of the district courts, the chief justice of the Boston municipal court, the registrar of motor vehicles and a chief of police designated by the Governor. Such notice shall contain name and address of the offender, the number of his license, if any, to operate motor vehicles, his date of birth, the registration number of the vehicles involved, the time and place of such violation, and the specific offense charged.

At or before the completion of each tour of duty, the police officer, or registry of motor vehicles supervisor, investigator or examiner observing such violation, shall give to the chief of police or chief administrative officer of the traffic enforcement agency or division the copies of each notice of such violations.

When a summons is requested and issued, if any person fails to appear in accordance with the requirements of such summons, the clerk shall, in the case of a first or second offense committed by such person within

the jurisdiction of the court, but for no subsequent offense, send such person, by registered mail, return receipt requested, a notice that the complaint is pending, and if the person fails to appear within twenty-one days from the sending of such notice, a warrant for his arrest shall be issued, and the registrar of motor vehicles notified to suspend his right or license to operate motor vehicles. If any person fails to appear within twenty-one days from the sending of such notice, or in accordance with the summons issued, as the case may be, the court shall issue a warrant for his arrest, and the clerk shall notify the registrar, who shall forthwith suspend the right of such person to operate motor vehicles, or his license, if any, to operate the same, and shall not reinstate such right or license or issue a renewal thereof to such person until after notice from the clerk of the court having jurisdiction of such complaint that the same has been disposed of in accordance with law; and it shall be the duty of the clerk of the court having jurisdiction of such complaint to notify the registrar forthwith that such case has been disposed of.

Every district court and the Boston municipal court shall provide uniform traffic citations, meeting the requirements of this article, in books to the chief of police or chief administrative officers of the traffic agency and officers of every traffic enforcement agency serving the court district.

The chief of police or chief administrative officer of the traffic enforcement agency of every such traffic enforcement agency shall be responsible for the issuance of such books and shall maintain a record of every such book and each citation contained therein issued to individual members of the traffic enforcement agency and shall require and retain a receipt for every book so issued.

The chief of police or chief administrative officer of the traffic enforcement agency shall require the return to him of all copies of every citation which has been spoiled or upon which any entry has been made and not completed.

The chief of police or chief administrative officer of the traffic enforcement agency shall also maintain or cause to be maintained in connection with every traffic citation a record of the disposition of the charge.

Every record of traffic citations required of the chief of police or chief administrative officer of the traffic enforcement agency shall be audited quarterly by the court to which said summonses are returnable. Such audit shall contain information as to (1) tickets assigned, (2) tickets issued by police officers, (3) tickets disposed of, with disposition thereof, (4) tickets still pending, (5) void, mutilated or destroyed tickets. A summary of such audit and a summary of the disposition of traffic citations received by such court shall be reported quarterly to the administrative committee of the district courts, the chief justice of the Boston municipal court, and the registrar of motor vehicles on a form approved by the administrative committee of the district courts, the chief justice of the Boston municipal court, the registrar of motor vehicles and a chief of police designated by the governor.

The first judge of a district court and the chief justice of the municipal court of the city of Boston shall maintain or cause to be maintained a record of every such traffic violation notice deposited with or presented to said court, and shall maintain a record of every official action by said court in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment or acquittal, and amount

of fine or forfeiture resulting from every such traffic complaint deposited with or presented to said court.

Within ten days after the conviction or forfeiture of bail of a person upon a charge of such violation, such judge or clerk of such court shall prepare and immediately forward to the registry of motor vehicles the abstract of the record of said court covering the case in which said person was so convicted or forfeited bail, which abstract shall be certified by the person so required to prepare the same to be true and correct. Said abstract shall be made on the registry of motor vehicles copy of the complaint and shall include the name and address of the person charged, the number, if any, of his license to operate motor vehicles, his date of birth, the registration number of the vehicle involved, the specific offense, the date of the hearing, the plea, the judgment, or whether bail forfeited, and the amount of the fine or forfeiture, as the case may be.

Every court shall also forward a like report to the registry of motor vehicles of the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The registrar shall keep all abstracts received hereunder at his main office. Courts shall, upon their own initiative or upon the request of the registrar or his agents, furnish to the registrar the details of all particularly flagrant cases which may be heard before them, and they may make such recommendations to the registrar as to the suspension or revocation of the licenses and certificates of registration of the defendants in such cases as they may deem necessary.

It shall be unlawful and official misconduct to dispose of a traffic violation notice or copies thereof or of the record of the issuance of the same in a manner other than as required herein.

Any police officer or registry of motor vehicles supervisor, investigator or examiner who observes any motor vehicle in unsafe condition or not equipped with the following equipment maintained in good order, to wit: — brakes, lights, horn, muffler, steering gear, windshield, windshield cleaner, number plates, rear windows or such other equipment as may be specified by the registrar of motor vehicles, may give notice to the driver on a form provided by the registrar and shall send a copy to the registry of motor vehicles for such action as the registrar may deem necessary.

The procedure described herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for an offense of like grade.

Nothing in this act shall be construed to supersede the powers and duties of the registrar as provided in other sections of chapter 90.

SECTION 2. Section twenty-nine A of said chapter ninety is hereby repealed. *Approved May 31, 1961.*

Chap. 593. 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 Boston-Cape Cod Summer Passenger Service", May, 1961, 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 Boston 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 as provided 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 May 31, 1961.

Chap. 594. AN ACT INCREASING THE AMOUNT OF A CERTAIN BENEFIT WHICH MAY BE PAID BY THE WALTHAM POLICE RELIEF ASSOCIATION TO CERTAIN RETIRED MEMBERS OF THE WALTHAM POLICE DEPARTMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the Waltham Police Relief Association to increase the amount of a certain benefit to be paid to certain members upon their retirement from the Waltham police department, 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 of chapter 314 of the acts of 1959 is hereby amended by striking out, in line 5, the word "five" and inserting in place thereof the word: — fifteen, — so as to read as follows: — *Section 1.* The Waltham Police Relief Association, a corporation duly organized under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing from the police department of the city of Waltham, to pay such member such sum, not exceeding fifteen hundred dollars, as may be determined by vote of the board of directors of said corporation. Said association is hereby further authorized to pay to a member upon the death of his wife such sum, not exceeding five hundred dollars, as may be determined by said board.

Approved May 31, 1961.

Chap. 595. AN ACT PROVIDING THAT PROMISSORY NOTES EXECUTED IN CONNECTION WITH THE SALE OF CONSUMER GOODS ON CREDIT SHALL NOT BE NEGOTIABLE INSTRUMENTS.

Be it enacted, etc., as follows:

Chapter 255 of the General Laws is hereby amended by inserting after section 12B the following section: — *Section 12C.* If any contract for sale of consumer goods on credit entered into in the commonwealth

between a retail seller and a retail buyer requires or involves the execution of a promissory note, such note shall have printed on the face thereof the words "consumer note", and such a note with the words "consumer note" printed thereon shall not be a negotiable instrument within the meaning of the Uniform Commercial Code — Commercial Paper. For the purposes of this section "consumer goods" means tangible personal property used or bought for use primarily for personal, family or household purposes.

Whoever obtains a note in violation of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

If a note is obtained in violation of this section, no finance, delinquency, collection, repossession or refinancing charges may be recovered in any action or proceeding based on such contract for sale.

The provisions of this section shall not apply to any notes executed in connection with any financing which is insured under Federal Housing Administration regulations. *Approved May 31, 1961.*

Chap. 596. AN ACT RELATIVE TO THE SALARIES OF COURT OFFICERS IN ATTENDANCE UPON THE SUPERIOR COURT IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

Section 73 of chapter 221 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 792 of the acts of 1951, and inserting in place thereof the following sentence: — Each officer in attendance upon the superior court in Suffolk county who is appointed under section seventy shall receive from said county in full for all services performed by him a salary of six thousand nine hundred nineteen dollars and fifty cents, except that such officer designated to act as chief deputy sheriff shall receive a salary of eight thousand one hundred ninety-nine dollars and fifty cents; the officer designated as assistant chief deputy sheriff shall receive a salary of seven thousand nine hundred ninety-nine dollars and fifty cents; the officer in charge of jurors' assembly rooms shall receive a salary of seven thousand six hundred ninety-nine dollars and fifty cents; the assistant to the officer in charge of the jurors' assembly rooms shall receive a salary of seven thousand five hundred seventy-nine dollars and fifty cents; and the officer commissioned as deputy sheriff to supervise the work of other officers and perform other related matters in the disposition session of the criminal court shall receive a salary of seven thousand six hundred ninety-nine dollars and fifty cents. *Approved May 31, 1961.*

Chap. 597. AN ACT RELATIVE TO THE DISPOSITION OF THE MILITARY SERVICE CREDIT DEDUCTIONS OF MEMBERS AT THE TIME OF RETIREMENT, WITHDRAWAL, OR REINSTATEMENT UNDER THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of subdivision (4) of section 22 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 first sentence

and inserting in place thereof the following sentence: — In the event of the retirement of any member, or in the event a member-survivor benefit under the provisions of option (*d*) of subdivision (2) of section twelve becomes effective on account of any member whose last discharge or release from military service as set forth in said chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, and as may be further amended, was under honorable conditions as defined in defense department regulations, for whom a liability has been established in the special fund for military service credit, an amount equal to the value of the regular deductions credited to his account under the provisions of sections nine and nine A of said chapter seven hundred and eight for the period of his military leave of absence, together with regular interest thereon to the date his retirement allowance becomes effective, shall be transferred from his account in such fund to the annuity reserve fund of such system and shall be added to and merged with the amount of his accumulated regular deductions being transferred as of such date from the annuity savings fund of such system to the annuity reserve fund thereof.

SECTION 2. Paragraph (*c*) of said subdivision (4) of said section 22 of said chapter 32, as most recently amended by chapter 392 of the acts of 1952, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — In the event of the withdrawal from the system of any member, whose last discharge or release from military service as set forth in said chapter seven hundred and eight, as amended, and as may be further amended, was under honorable conditions as defined in defense department regulations, for whom a liability has been established in the special fund for military service credit, or in the event of his death before any retirement allowance becomes effective for him, and without a member-survivor benefit under the provisions of option (*d*) of subdivision (2) of section twelve or payment of allowances under the provisions of section twelve B becoming effective on account of the death of such member, any amount being held to the credit of his account in the special fund for military service credit shall be released and shall be used to reduce the amount of the next appropriation for the pension fund of the governmental unit or units which paid to establish the military service credit for him, in the proportions originally paid by each unit for that purpose; provided, that if such member shall later be reinstated in the system or become a member of another retirement system, and shall deposit in full the amount he withdrew with accumulated interest, said governmental unit or units shall add the amount of such reduction, with regular interest, to the amount of its or their next appropriation for the special fund for military service credit; and further provided, that if the person is a member of the teachers' retirement system, the whole or portion of the said amount, as the case may be, which was paid by a city or town shall be returned to the city or town with accumulated interest, and the portion, if any, of the said amount which was paid by the commonwealth shall be transferred to the pension fund of said system.

SECTION 3. Said subdivision (4) of said section 22 of said chapter 32 is hereby amended by striking out paragraph (*d*), as appearing in section 1 of said chapter 658 of the acts of 1945, and inserting in place thereof the following paragraph: —

(*d*) If any member, whose last discharge or release from military service as set forth in said chapter seven hundred and eight, as amended, and as may be further amended, was under honorable conditions as defined in defense department regulations, for whom a liability had previously been established in the special fund for military service credit of one system for any period of his military leave of absence while a member of such system, is retired while a member of a second system, an amount equal to the value of the regular deductions with which he was credited under the provisions of sections nine and nine A of said chapter seven hundred and eight for such period of his military leave of absence, together with regular interest thereon to the date his retirement allowance becomes effective, shall be paid from the pension fund of the first system at the date of his retirement and transferred to the special fund for military service credit of the second system to be credited to his account therein, and thereafter such account shall be handled in the manner set forth in paragraph (*b*) of this subdivision; provided, that such transfer shall be made and credit for such period of his military leave of absence allowed only if he has transferred his membership from the first system to the second system as provided for in paragraph (8) (*a*) of section three, or only if and only to the extent he has re-established credit for his former membership by paying into the annuity savings fund of the second system the make-up payments provided for in paragraph (8) (*b*) of such section.

SECTION 4. The third subparagraph of paragraph (*h*) of subdivision (1) of section 4 of said chapter 32, as most recently amended by section 2 of chapter 619 of the acts of 1960, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — 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 person referred to in section one of said chapter seven hundred and eight who is a member of any retirement system established under the provisions of this chapter whose last discharge or release from military service was under honorable conditions as defined in defense department regulations.

SECTION 5. Section 12B of said chapter 32 is hereby amended by striking out the third paragraph, as appearing in section 2 of chapter 515 of the acts of 1959, and inserting in place thereof the following paragraph: —

If allowances are granted under this section, any accumulated regular deductions of such member and the amount equal to the value of the regular deductions credited to his account in the special fund for military service credit, if any, together with regular interest thereon to the date of his death, shall be transferred to the pension fund, to be merged and to be used, on a basis that shall be determined by the actuary, for the exclusive purpose of defraying the payment of such allowances, and shall not be included in the factors that enter into the ordinary determination of the pension appropriation required by paragraph (*d*) of subdivision (3) of section twenty-two. *Approved May 31, 1961.*

Chap. 598. AN ACT AUTHORIZING THE ADDITION OF VITAMINS AND MINERALS TO MILK.

Be it enacted, etc., as follows:

SECTION 1. The last paragraph of section 19 of chapter 94 of the General Laws, as amended by section 3 of chapter 757 of the acts of 1955, is hereby further amended by striking out the last two sentences and inserting in place thereof the following three sentences: — Nothing in this section shall prevent the use of vitamins and minerals approved by the department of public health, in milk, non-fat milk, skimmed milk, fortified non-fat milk and fortified skimmed milk as defined in sections twelve and twelve A. Said department is hereby authorized to promulgate rules and regulations concerning the addition of vitamins and minerals to milk, non-fat milk, skimmed milk, fortified non-fat milk and fortified skimmed milk. Only sources of vitamin and minerals and methods approved by the commissioner of public health shall be used in increasing the vitamin and mineral content of milk, non-fat milk, skimmed milk, fortified non-fat milk and fortified skimmed milk, and notwithstanding any other provision of law to the contrary, the milk regulation board is hereby authorized to establish requirements for labeling milk containing vitamins and minerals as approved by the department of public health.

SECTION 2. Section 12A of chapter 94 of the General Laws, inserted by section 2 of chapter 757 of the acts of 1955, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: — "Fortified non-fat milk" and "fortified skimmed milk" shall be made from non-fat milk or skimmed milk which come from sources approved for sale in the commonwealth to which has been added not more than three per cent by weight of non-fat milk solids. Non-fat milk solids shall be milk solids derived from non-fat milk obtained from milk which comes from sources approved for sale in this commonwealth. The department of public health is hereby authorized to establish reasonable rules and regulations for sanitary standards, and notwithstanding any other provision of law to the contrary the milk regulation board is authorized to establish requirements for labeling of concentrated non-fat milk, non-fat dry milk solids, fortified non-fat milk and fortified skimmed milk and the milk control commission, in establishing minimum prices under section ten of chapter ninety-four A for milk to which vitamins or minerals have been added as herein authorized, shall limit the amount of increase of the minimum price of such milk above that of milk not containing such additions as is reasonable in view of the extra cost involved. *Approved May 31, 1961.*

Chap. 599. AN ACT PROVIDING THAT ANY DEFENDANT IN ANY CRIMINAL PROCEEDING IN THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX MAY CLAIM A JURY OF SIX.

Be it enacted, etc., as follows:

SECTION 1. Any defendant in any criminal proceeding in the third district court of eastern Middlesex may claim trial by a jury of six. Such defendant shall thereupon be deemed to have waived any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

The justice presiding at such session over a jury of six in said third district court of eastern Middlesex shall have and exercise all the powers and duties which a justice of the superior court has, and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has held an inquest or otherwise has an interest.

Trials by such juries of six in said third district court of eastern Middlesex shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant, and the commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for Middlesex county sitting at Cambridge. The first justice of the third district court of eastern Middlesex shall arrange jury sessions in his court and assign justices thereto, to the end that there may be a speedy disposition of cases tried by a jury in said court. In the event of a trial by a jury of six in the third district court of eastern Middlesex, review may be had directly by the supreme judicial court, by a bill of exceptions, appeal, report or otherwise in the same manner provided for trials by jury in the superior court.

SECTION 2. The provisions of this act shall become inoperative on July first, nineteen hundred and sixty-four. *Approved May 31, 1961.*

Chap. 600. AN ACT PROVIDING FOR THE REGULATION OF COSMETICS AND CERTAIN SURGICAL AND OTHER DEVICES.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four, section one of the General Laws as most recently amended is hereby further amended by inserting the following: —

1. After the definition of the word "Copy" the following definition: "Cosmetic", in sections one hundred and eighty-six to one hundred and ninety-five, inclusive, includes (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles except that such term shall not include soap.

2. After the definition of the words "Crude Protein" the following definition: —

"Device" means instruments, apparatus, surgical implants, sutures and contrivances, including their components, parts and accessories, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; or to affect the structure or any function of the body of man or other animals.

3. The definition of the word "Label" is hereby deleted and the following new definition inserted in place thereof: —

"Label" (a) in sections one hundred and eighty-six to one hundred and ninety-five inclusive means a display of written, printed or graphic matter upon the immediate container of any article. A requirement that any word, statement or other information appear on the label is

not complied with unless such word, statement or other information also appears on the outside container or wrapper of the retail package of such article, or is easily legible through the outside container or wrapper. (b) in sections two hundred and twenty-five to two hundred and thirty-five, inclusive, a printed label required by section two hundred and twenty-five, and in sections two hundred and fifty to two hundred and fifty-four, inclusive, and two hundred and fifty-six to two hundred and sixty-one, inclusive, a printed label required by section two hundred and fifty.

4. The following definition for the word "Labeling" shall follow the definition for the word "Label" as set forth above: —

"Labeling" means all labels and other written, printed or graphic matter upon any article or any of its containers or wrappers, or accompanying such article.

SECTION 2. Chapter ninety-four, section one hundred and eighty-six as most recently amended is hereby further amended by deleting the title and inserting in place thereof the following: — Adulteration of Drugs, Foods, Cosmetics and Devices Defined.

Section 186 is hereby further amended by inserting at the end thereof the following: —

In the case of a cosmetic: First, if it bears or contains any poisonous or deleterious substance which may render it injurious to users under the conditions of use prescribed in the label thereof, or under such conditions of use as are customary or usual; provided, that this provision shall not apply to coal-tar hair dye, the label of which bears the following legend conspicuously displayed thereon: "Caution — This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows: to do so may cause blindness", and the label of which bears adequate directions for such preliminary testing. For the purposes of this paragraph the word "label" shall include all written, printed or graphic matter upon any cosmetic article or any of its containers or wrappers or accompanying such article and, for the purposes of this paragraph and paragraph "Fifth" below, the words "hair dye" shall not include eyelash dyes or eyebrow dyes.

Second, if it consists in whole or in part of any filthy, putrid, or decomposed substance.

Third, if it has been produced, prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

Fourth, if its container is composed, in whole or in part, of any poisonous or deleterious substance, which may render the contents injurious to health.

Fifth, if it is not a hair dye and it bears or contains a color other than one which has been approved for such use under the authority of the federal food, drug and cosmetic act and amendments thereto, with such restrictions as the food and drug administration of the United States has placed upon such use.

In the case of a device: First, if it consists in whole or in part of any filthy, putrid or decomposed substance.

Second, if it is prepared or held under insanitary conditions whereby it may be contaminated with filth or rendered injurious to health.

Third, if it bears or contains for purposes of coloring a color additive other than one which has been listed and certified in accordance with amended FDC Act Sec. 706 (b).

Fourth, if it is packed under insanitary conditions whereby it may be contaminated with filth or rendered injurious to health.

Fifth, if the container thereof is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

SECTION 3. Chapter ninety-four, section one hundred and eighty-seven as most recently amended is hereby further amended by deleting the title thereof and inserting the following title: — "Misbranding" Term Defined when Applied to Drugs, Foods, Cosmetics and Devices; When Not to be Deemed Adulterated, etc.

Section one hundred and eighty-seven is hereby further amended by inserting at the end thereof the following: —

In the case of a cosmetic: First, if in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; provided, that under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established by regulations promulgated by the department of public health.

Second, if any word, statement, or other information required by or under authority of this chapter to appear on the label is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the label) 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.

Third, if its container is so made, formed, or filled as to be misleading.

The department of public health shall promulgate regulations exempting from any labeling requirement of this chapter cosmetics which are in accordance with the practices of the trade, to be processed, labeled, or repackaged in substantial quantities at establishments other than those where originally processed or packaged, on condition that such cosmetics are not adulterated or misbranded under the provisions of this chapter upon removal from such processing, labeling, or repackaging establishment.

In the case of a device: First, if it is dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended or suggested in the labeling thereof.

Second, if it is in package form and it does not bear a label containing the name and place of business of the manufacturer, packer or distributor.

Third, if it is in package form and it does not bear a label containing an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count. Reasonable variations shall be permitted, and exemptions as to small packages shall be established by regulations.

Fourth, if the labeling thereof does not bear adequate directions for use, provided that where the requirement as applied to any device is not necessary for the protection of the public health, the commissioner shall promulgate regulations exempting such drug or device from such requirement.

Fifth, if the labeling thereof does not bear such adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form as are necessary for the protection of users.

Sixth, if any word, statement or other information required to appear on the label or labeling thereof is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or devices, 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.

SECTION 4. Section one hundred and eighty-nine is hereby amended to read as follows: — *Section 189.* Examination of Samples, by Whom Made, etc.; Complaints. — Examination of samples of food, drugs, cosmetics and devices, in order to determine by analysis or test whether such articles are adulterated or misbranded within the meaning of section one hundred and eighty-six to one hundred and ninety-five, inclusive, shall be made under the direction and supervision of the department taking such samples as provided in the preceding section; and if it shall appear from such examination that any of the samples are so adulterated or misbranded, the commissioner of public health need not cause formal complaint to be entered at once, but shall in the case of misbranding, and may in the case of adulteration, cause reasonable notice thereof, together with a copy of the results of such analysis or test, to be given to the party from whom the sample was obtained or to the party believed to be responsible for the condition of the sample, to the guarantor, if any, and to the party, if any, whose name appears upon the label as manufacturer, packer, producer, wholesaler, retailer or other dealer. Before any formal complaint is entered, any person so notified shall be given an opportunity to be heard before any person designated by the commissioner of public health, under such rules and regulations as the department of public health prescribes. Such notice shall specify the date, hour and place of hearing, and the parties interested therein may appear in person or by attorney. If it is decided that the party whose name appears upon the label, or the guarantor, shall be notified, and such party or guarantor resides without the commonwealth, the notice shall be sent by mail to such address as, with due diligence, may be obtained. If after such opportunity to be heard it appears that any provision of sections one hundred and eighty-six to one hundred and ninety-five, inclusive, has been violated the commissioner of public health may make or authorize to be made a formal complaint to a court or justice having jurisdiction in such cases, but no evidence of the result of such analysis or test shall be received if the agent described in the preceding section has refused or neglected to seal and deliver the sample, or part thereof, if and as required in the preceding section. In the case of food, local boards of health shall have the same authority as the commissioner of public health.

SECTION 5. Section one hundred and eighty-nine A is hereby amended to read as follows: — *Section 189A.* Proceedings When Food, Drugs, Cosmetics or Devices Suspected of Being Adulterated or Misbranded; Penalty. — Whenever the commissioner of public health or his duly authorized agent finds or has probable cause to believe based upon inspection or chemical, bacteriological or physical examination, that any food,

drug, cosmetic or device is adulterated or misbranded, he shall affix or cause to be affixed to such article a tag or other appropriate marking, giving notice that such article is or is suspected of being adulterated or misbranded and has been detained or embargoed for a period of ten days in the case of food and for a period of fifteen days in the case of drugs, cosmetics or devices, and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by said commissioner, his agent, or the court; provided, any such article may at the discretion of the manufacturer or claimant be removed from public display but shall not be removed from the immediate premises. The claimant shall be authorized to destroy the article so detained if such article is destroyed under the supervision of an agent of said commissioner. When an article detained or embargoed has been found to be adulterated or misbranded, the commissioner or said agent shall within five days thereafter file a petition in any district or municipal court within whose jurisdiction the article is detained or embargoed for a libel of condemnation of such article. When such agent has found that an article so detained or embargoed is not adulterated or misbranded he shall remove the tag or other marking, thereby permitting its release. If the court finds that a detained or embargoed article is adulterated or misbranded, such article shall after entry of the decree be destroyed at the expense of the claimant thereof under the supervision of such agent; provided, that when the adulteration or misbranding can be corrected by proper labeling or processing of the article, the court after entry of the decree and a good and sufficient bond conditioned that such articles shall be so labeled or processed has been executed by the claimant, may by order direct that such article be delivered to the claimant thereof for such labeling or processing under the supervision of an agent of said commissioner. Such bond shall be returned to the claimant of the article on representation to the court by the commissioner of public health that the article is no longer in violation of the law. Whoever removes or disposes of an article of food, drug, cosmetic or device, which has been detained or embargoed as provided herein without permission for such removal or disposal by said commissioner, his agent or the court shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for not more than six months.

SECTION 6. Section one hundred and ninety is hereby amended to read as follows: — *Section 190.* Penalty on Manufacturer, etc. — Whoever manufactures any article of food, any drug, cosmetic or device which is adulterated or misbranded within the meaning of sections one hundred and eighty-six and one hundred and eighty-seven, or any article of food, any drug or device, which does not comply with the rules, regulations and standards or any cosmetic which does not comply with the rules and regulations provided in sections one hundred and eighty-six to one hundred and ninety-five, inclusive, shall be punished by a fine of not less than fifteen nor more than five hundred dollars or by imprisonment for not more than six months.

SECTION 7. Section one hundred and ninety-one is amended to read as follows: — *Section 191.* Penalty for Delivery, etc., of Adulterated, etc., Food, Drugs, Cosmetics, or Devices. — Except as otherwise provided in sections one hundred and eighty-six to one hundred and ninety-five, inclusive, whoever for pay or otherwise delivers or offers to deliver to

any person any article of food, drug, cosmetic or device adulterated or misbranded, or any article of food, drug or device, which does not comply with the rules, regulations and standards or any cosmetic which does not comply with the rules and regulations provided for in sections one hundred and eighty-six to one hundred and ninety-five, inclusive, shall in the case of misbranding or noncompliance with said rules, regulations and standards be punished by a fine of not more than two hundred dollars, and shall in the case of adulteration be punished by a fine of not less than twenty-five nor more than two hundred dollars; but no article shall be deemed misbranded or adulterated under sections one hundred and eighty-six to one hundred and ninety-five, inclusive, or not to comply with the rules, regulations and standards provided for in said sections, if it is intended for export to any foreign country and is prepared or packed according to the specifications or directions of the foreign purchaser; provided, that no substance is used in the preparation or packing thereof in violation of the laws of the foreign country to which the article is intended to be shipped; but if the article is sold or offered for sale for domestic use or consumption then it shall not be exempt from said sections.

SECTION 8. Section one hundred and ninety-two is hereby amended to read as follows: — *Section 192.* Rules and Regulations. — The department of public health shall enforce sections one hundred and eighty-six to one hundred and ninety-five, inclusive. Local boards of health shall enforce only sections one hundred and eighty-six to one hundred and ninety-five, inclusive, as they pertain to food. Said department, after a public hearing, shall adopt and promulgate rules and regulations consistent with said sections, and, except as to standards fixed by law, may adopt standards, tolerances and definitions of purity or quality or identity for articles of food, drugs or devices, and may adopt rules and regulations consistent with said section for cosmetics. Such standards, tolerances and definitions shall conform to the standards, tolerances and definitions, if any, of purity or quality or identity adopted or that may hereafter be adopted for the enforcement of the federal food, drug and cosmetic act, approved June twenty-fifth, nineteen hundred and thirty-eight (Title 21, USC 301 et seq., 52 Stat. 1040 et seq.), or now or hereafter adopted for the enforcement of federal law.

SECTION 9. Section one hundred and ninety-three is hereby amended to read as follows: — *Section 193.* Prosecutions in Certain Cases Forbidden; Guaranty for Protection; Rules and Regulations. — Except as provided in section one hundred and ninety-four, no dealer shall be prosecuted under sections one hundred and eighty-six to one hundred and ninety-five, inclusive, for selling or offering for sale any article of food, drug, cosmetic or device, in the original, unbroken package in which it was received by him if he can establish a guaranty by the wholesaler, jobber, manufacturer or other person residing in the commonwealth from whom he purchased the article to the effect that the same is not adulterated or misbranded within the meaning of the laws of this commonwealth or the Federal Food, Drug and Cosmetic Act, or by the wholesaler, jobber, manufacturer or other person residing without the commonwealth to the effect that the same is not adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetic Act. Such guaranty, to afford protection, shall contain the name and address of the person making the sale of this article to the dealer, and in

that case such person shall be amenable to the prosecutions, fines and other penalties which would attach in due course to the dealer under sections one hundred and eighty-six to one hundred and ninety-five, inclusive. If it shall appear that any provision of said sections has been violated, and the party giving said guaranty is without the commonwealth, no action shall be brought except as is provided therein, but the department of public health or the local board taking the sample shall present the facts to the proper national authorities for their action. The provisions of this section shall not apply in the case of a food, drug, cosmetic or device, subject to deterioration if the court finds that the adulteration has occurred after delivery to, and has resulted from negligence on the part of, the dealer.

Under the authority given by section one hundred and ninety-two the department of public health shall adopt rules and regulations which shall be observed by the said department and by local boards of health in ascertaining whether there is such a guaranty which may be relied upon by the dealer.

SECTION 10. Section one hundred and ninety-four is hereby amended to read as follows: — *Section 194.* Dealer Establishing Guaranty May Be Prosecuted, When. — After a sample of an article of food, drug, cosmetic or device, which is adulterated or misbranded has been taken from a person who establishes a guaranty, as provided in the preceding section, and the guarantor resides without the commonwealth, the dealer may nevertheless be prosecuted for a subsequent sale of such adulterated or misbranded articles; provided, that the department of public health or local board which took the sample has presented the facts to the proper national authorities for their action, that the person from whom the sample was taken has been notified by said department or board that the facts have so been presented, and that such person continues to sell such articles after he has been notified by said department or board as to the particulars of the adulteration or misbranding and warned to desist from further sales or distribution of the article. Upon conviction in any such case the penalties provided in section one hundred and ninety-one may be imposed.

In case of adulteration, if the department of public health or a board of health in a city having a population exceeding one hundred thousand, finds that the same when analyzed is plainly a gross violation of any of sections one hundred and eighty-six to one hundred and ninety-five, inclusive, or that the article is distinctly injurious to the health of the community, even though the case has not as yet been adjudicated, said department may cause notice of these facts to be published in its monthly bulletin and in such other ways as it establishes by rules and regulations; provided, that the guarantor has been notified and has been afforded an opportunity to be heard as provided in section one hundred and eighty-nine. Said notice shall contain a warning to all dealers to desist from further sale or distribution of such article. Whoever sells such article after said notice and warning shall be amenable, for each subsequent sale, to the penalties provided in section one hundred and ninety-one.

SECTION 11. Section three hundred and four is hereby amended to read as follows: — *Section 304.* Vendor to Furnish Sample for Analysis, When; Penalty. — Whoever offers or exposes for sale or delivers to a purchaser any drug, cosmetic or device, or article of food, shall, upon application of an inspector, analyst or other officer or agent of the department of public health and upon tender of the value thereof, furnish

a sample sufficient for the analysis of any such drug, cosmetic, device or article of food which is in his possession. Violation of this section shall be punished by a fine of not less than twenty-five nor more than five hundred dollars. *Approved May 31, 1961.*

Chap. 601 AN ACT PROVIDING FOR THE CONSTRUCTION OF A RAMP FROM THE SOUTHEAST EXPRESSWAY TO FREEPORT STREET IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct, subject to the approval of the Federal Bureau of Public Roads, a ramp leading from the Southeast Expressway to Freeport street in the Dorchester district of the city of Boston. For said purpose said department may expend such sums as may be appropriated therefor. *Approved May 31, 1961.*

Chap. 602. AN ACT ESTABLISHING FIFTY DOLLARS AS THE MAXIMUM WEEKLY BENEFIT UNDER THE WORKMEN'S COMPENSATION ACT FOR INCAPACITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 1 of chapter 566 of the acts of 1959, and inserting in place thereof the following section: — *Section 34.* While the incapacity for work resulting from the injury is total, the insurer shall pay the injured employee a weekly compensation equal to two thirds of his average weekly wages, but not more than fifty dollars nor less than twenty dollars a week, unless the weekly wages of the injured employees are less than twenty dollars, in which case said weekly compensation shall be equal to his average weekly wages, but not less than ten dollars where the number of normal working hours of the injured employee in a week are fifteen or more; provided, that the amount does not exceed sixteen thousand dollars, except that if the injured employee has received compensation for the same injury under section thirty-five the combined amount of compensation payable under this section and section thirty-five shall not exceed the maximum amount as set forth in section thirty-five.

SECTION 2. Section 34A of said chapter 152 is hereby amended by striking out the first sentence, as most recently amended by section 2 of said chapter 566, and inserting in place thereof the following sentence: — While the incapacity for work resulting from the injury is both permanent and total, the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them, a weekly compensation equal to two thirds of the average weekly wage but not more than fifty dollars per week and not less than twenty dollars a week during the continuance of such permanent and total incapacity.

SECTION 3. Said chapter 152 is hereby further amended by striking out section 35, as most recently amended, by section 3 of said chapter 566, and inserting in place thereof the following section: — *Section 35.*

While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than fifty dollars per week; and the amount of such compensation shall not be more than eighteen thousand dollars, nor shall the combined amount of compensation payable under this section and section thirty-four be more than eighteen thousand dollars. *Approved May 31, 1961.*

Chap. 603. AN ACT FURTHER REGULATING THE SHIPMENT OF HARMFUL DRUGS INTO THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 187E the following section: — *Section 187F.* A manufacturer, wholesaler, jobber, dealer or compounder in drugs or druggist located outside the commonwealth who ships any harmful drugs, as defined in section one hundred and eighty-seven A, into the commonwealth shall first obtain a license from the department. Such license shall apply only to one place of business of each such person outside the commonwealth, and shall expire one year from the date of issue. The fee for each such license and for each renewal thereof shall be twenty-five dollars. The department may revoke, suspend or refuse to renew the license of any such person for violation of any provision of this section or of any rule or regulation made by the department in connection herewith. No person within the commonwealth shall receive any such harmful drugs from a manufacturer, wholesaler, jobber, dealer or compounder in drugs or druggist located outside the commonwealth, who is not licensed under the provisions of this section. Any person within the commonwealth who violates any provision of this section shall be punished by a fine of not more than two thousand dollars or by imprisonment in a house of correction for not more than six months, or both.

Approved May 31, 1961.

Chap. 604. AN ACT FURTHER REGULATING THE BIDDING ON, AND AWARD OF, CONTRACTS FOR THE CONSTRUCTION, RECONSTRUCTION, ALTERATIONS, REMODELING, REPAIR OR DEMOLITION OF BUILDINGS BY THE COMMONWEALTH AND GOVERNMENTAL UNITS THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Subsection (2) 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, in lines 16 to 18, inclusive, the words "provided that, in case of death, disability or other unforeseen circumstances affecting the general bidder, his bid deposit may be returned to him" and inserting in place thereof the words: — provided that, the amount of the bid deposit which becomes the property of the commonwealth or the governmental unit thereof shall not, in any event, exceed the difference between his bid price and the bid price of the next lowest responsible and eligible bidder; and provided further that, in case of death, disability, bona fide clerical or mechanical error of a

substantial nature, or other unforeseen circumstances affecting the general bidder, his bid deposit shall be returned to him.

SECTION 2. The second sentence of subsection (3) of said section 44B of said chapter 149, as amended by section 2 of chapter 771 of the acts of 1960, is hereby further amended by striking out, in lines 13 to 15, inclusive, the words "provided, that, in case of death, disability or other unforeseen circumstances affecting any such sub-bidder, his bid deposit may be returned to him" and inserting in place thereof the words: — provided that, the amount of the bid deposit which becomes the property of the commonwealth or the governmental unit thereof shall not, in any event, exceed the difference between his sub-bid price and the sub-bid price of the next lowest responsible and eligible sub-bidder; and provided further that, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other unforeseen circumstances affecting any such sub-bidder, his bid deposit shall be returned to him.

SECTION 3. Section 44C of said chapter 149, is hereby amended by adding at the end the following paragraph: —

Each separate section of the specifications required by the provisions of this section shall contain a paragraph describing by class of work and by reference to paragraph numbers in that section, each class of work, if any, requiring labor and materials which, in the opinion of the awarding authority, based upon an investigation of the work involved, is customarily performed in that sub-trade under subcontract with a sub-bidder for that sub-trade, and which is estimated by the awarding authority to cost in excess of one thousand dollars, and only each class of work so described shall be a class of work for which a sub-bidder for that sub-trade must list the information required in paragraph E of the "Form For Sub-Bid".

SECTION 4. Section 44D of said chapter 149, as appearing in said section 1 of chapter 679 of the acts of 1956, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — In inviting sub-bids in connection with such a contract, the awarding authority shall reserve the right to reject any sub-bid on any sub-trade, if it determines that such sub-bid does not represent the sub-bid of a person competent to perform the work as specified or that less than three such sub-bids were received and that the prices are not reasonable for acceptance without further competition.

SECTION 5. Section 44F of said chapter 149, as amended by section 3 of chapter 771 of the acts of 1960, is hereby further amended by adding at the end the following paragraph: —

The general bid price shall be the price set forth in paragraph C of the "Form For General Bid". No general bid shall be rejected (1) because the sum of the prices set forth in Item 1 and Item 2 does not equal the general bid price set forth in said paragraph C or (2) because of error in setting forth the name, the sub-bid price of a sub-bidder, or the total of Item 2 as long as the sub-bidder or sub-bidders designated are clearly identifiable, or (3) because the plans and specifications do not accompany the bid or are not submitted with the bid.

SECTION 6. The "Form For Sub-Bid" in section 44G of said chapter 149 is hereby amended by striking out paragraph E, as appearing in section 1 of chapter 679 of the acts of 1956, and inserting in place thereof the following paragraph: —

E. The names of all persons, firms and corporations furnishing to the undersigned labor or labor and materials for the class or classes or part thereof of work for which the provisions of the section of the specifications for this sub-trade require a listing in this paragraph, the name of each such class of work or part thereof and the bid price for each such class of work or part thereof as follows:

NAME	CLASS OF WORK	BID PRICE
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

SECTION 7. Section 44H of said chapter 149, as most recently amended by section 6 of said chapter 771 of the acts of 1960, is hereby further amended by adding at the end the following paragraph: —

Each sub-bidder shall list in paragraph E of the "Form For Sub-Bid" the name and bid price of each person, firm or corporation performing each class of work or part thereof for which the section of the specifications for that sub-trade requires such listing; provided that, in the absence of a contrary provision in the specifications, any sub-bidder may, without listing any bid price, list his own name in said paragraph E for any such class of work or part thereof and perform that work with persons on his own payroll, if such sub-bidder, after sub-bid opening, shows to the satisfaction of the awarding authority, that he does customarily perform such class of work or the part thereof with persons on his own payroll and is qualified so to do.

SECTION 8. 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 May 31, 1961.

Chap. 605. AN ACT AUTHORIZING THE COMMISSIONER OF CORRECTION TO SELL CERTAIN LAND IN THE TOWN OF FRAMINGHAM TO ANCHOR MOTOR FREIGHT, N. Y. CORP.

Be it enacted, etc., as follows:

The commissioner of correction, in the name and on behalf of the commonwealth is hereby authorized to sell and convey, subject to the approval of the governor and council, to Anchor Motor Freight, N. Y. Corp., all the right, title and interest of the commonwealth in and to the following parcels of land located in the town of Framingham: —

Parcel No. 1. — A parcel of land located on the westerly side of Loring Drive, containing 3.19 acres and bounded and described as follows: Beginning at the most southeasterly corner thereof at a point on the westerly line of Loring Drive at land of the Anchor Motor Freight; thence southwesterly by land of the Anchor Motor Freight, 123.03 feet

to a point at land now or formerly of the Framingham National Bank; thence northwesterly by land of the Framingham National Bank, 483.41 feet to a point at land now or formerly of Mulry; thence northeasterly by land now or formerly of Mulry, Siarez, Laframes, Orser and Geoghegan, 383.62 feet to an angle point; thence northwesterly by land now or formerly of Geoghegan, 100.00 feet to a point on the southerly location line of Aaron Street; thence northeasterly by the southerly location line of Aaron Street, 138.93 feet along the southerly location line of Aaron Street to a stone bound at a point of curvature; thence northeasterly on a curve to the right 24.41 feet to a stone bound located on the westerly location line of Loring Drive; thence southwesterly by the westerly location line of Loring Drive, 257.92 feet to a stone bound at a point of curvature; thence continuing southwesterly on the curve to the left, 488.40 feet by the westerly location line of Loring Drive to the point of beginning.

Parcel No. 2. — A parcel of land located on the westerly side of Loring Drive, containing 4.96 acres and bounded and described as follows: Beginning at a point on the northerly location line of Aaron Street, at land now or formerly of Romaniecki; thence northwesterly by land now or formerly of Romaniecki and Barnicle and the Framingham National Bank, 278.09 feet to an angle point; thence northeasterly by land of the Framingham National Bank and land now or formerly of MaGuire, 381.75 feet to an angle point; thence more northeasterly by land of Howe & Company, Inc., 336.41 feet to an angle point; thence northwesterly by land of Howe & Company, Inc., 91.00 feet to land of the N. Y., N. H. & H. Railroad Company; thence northeasterly on a curve to the right 129.06 feet by last mentioned land to the westerly location line of Loring Drive; thence southwesterly by the westerly location line of Loring Drive, 751.00 feet more or less to a stone bound at a point of curvature; thence southwesterly on a curve to the right 47.40 feet to a stone bound located on the northerly location line of Aaron Street; thence southwesterly by the northerly location line of Aaron Street, 176.55 feet to the point of beginning.

Said parcels are shown as Parcels 1 and 2 on an Assessor Plan of the Town of Framingham, Sheet 189, Block 412.

The sale of said land shall be subject to such conditions and restrictions for the benefit of the Massachusetts Correctional Institution, Framingham, as may seem advisable to the commissioner.

The deed conveying said parcels of land shall be approved as to form by the attorney general. *Approved May 31, 1961.*

Chap. 606. AN ACT PROVIDING THAT DOMESTIC STOCK LIFE INSURANCE COMPANIES AND CERTAIN OTHER DOMESTIC STOCK INSURANCE COMPANIES MAY BE CONVERTED INTO MUTUAL COMPANIES.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 19C the following section: — *Section 19D.* Any domestic stock life insurance company or any domestic stock insurance company transacting business solely under subdivisions (*a*) and (*d*) of clause Sixth of section forty-seven, may become a mutual insurance company,

and to that end may formulate and carry out a plan for the acquisition by it of its outstanding capital stock, as follows: —

(1) Such plan shall have been adopted by a vote of a majority of the directors of such company;

(2) Such plan shall have been submitted to the commissioner and shall have been approved by him as conforming to the requirements of this chapter and as not prejudicial to the policyholders of such company or to the insuring public;

(3) Such plan shall have been approved by a vote of the stockholders of such company owning at least two thirds of the outstanding capital stock of such company, at a special meeting of the stockholders called for that purpose;

(4) Such plan shall have been approved by the vote of a majority of the policyholders of such company who are eligible to vote and who do vote at a meeting called for that purpose. A policyholder may vote in person, by proxy or by mail, and his eligibility shall be determined by the provisions of section ninety-four as if he were a mutual policyholder. Notice of the meeting shall be given by mailing such notice from the home office of the company at least thirty days prior to such meeting in a sealed envelope, postage prepaid, addressed to each policyholder eligible to vote at his last known post office address. The meeting shall be conducted in such manner as may be provided for in the plan with the approval of the commissioner. The commissioner shall supervise and direct the methods and procedure of said meeting and shall appoint an adequate number of inspectors to conduct the voting at said meeting, who shall have power to determine all questions concerning the verification of the ballots, the ascertaining of the validity thereof, the qualifications of the voters and the canvass of the vote. Such inspectors, or any one thereof designated by the commissioner, shall certify to the commissioner and to such company the result of such vote, and with respect thereto shall act under such rules as shall be prescribed by the commissioner. All necessary expenses for such meeting incurred by the commissioner or incurred with his approval by the inspectors appointed by him shall be paid by such company upon the certificate of the commissioner;

(5) Such plan shall specify the method of acquisition and mode of payment for shares of its capital stock, whether immediate or deferred, and may specify the purchase price to be paid for such shares in which case the price specified shall be adhered to. If such plan does not specify the price to be paid for such shares, such company shall first obtain the approval of the commissioner for every payment made for the acquisition of any shares of its capital stock. Neither such plan nor any such payment shall be approved by the commissioner unless he shall find that at the time of such approvals, respectively, the company, after deducting the aggregate sum appropriated by such plan for the acquisition of any part or all of its capital stock and, after deducting any payment not fixed by such plan and subject to separate approval by the commissioner, shall be possessed of admitted assets in an amount not less than the entire liabilities of the company, including the net values of its outstanding contracts computed in accordance with the provisions of this chapter, and including all liability funds, contingent reserves and surplus, except for such surplus as has been appropriated or paid under such plan;

(6) In pursuance of such plan such company shall have power, and shall be privileged to acquire any shares of its capital stock by gift, bequest or purchase. Until all of the shares of its outstanding capital stock are acquired, any shares so acquired shall be held in trust for all the policyholders of such company, as hereinafter provided, and shall be assigned and transferred on the books of the company to not less than three and not more than five trustees, who shall be qualified directors of the company and named in such plan. Such trustees shall continue in office until the purpose of the trust is accomplished or abandoned unless they cease to be directors or are removed for cause by the commissioner. Such plan shall provide for the method of filling vacancies occurring among such trustees, and any trustee named, before undertaking any duties of his appointment, shall file with the commissioner a verified acceptance of his appointment. All shares held by such trustees shall be deemed admitted assets of such company at their par value. Such trustees shall have power to vote any shares so acquired at all corporate meetings at which stockholders have the right to vote, until all of the outstanding capital stock of such company shall have been acquired, or until the maximum period provided in accordance with subparagraph (8) of this section shall have expired, whichever is earlier, at which time the entire capital stock of such company shall be retired and cancelled and thereupon such company shall be and become a mutual insurance company without capital stock and without any right of assessment on its policyholders. All dividends and other sums received by such trustees on the shares of stock so acquired by them, shall, after paying the necessary expenses of executing the trust, be immediately repaid to the company for the benefit of all who are or may become policyholders of such company and entitled to participate in the profits thereof, and shall be added to and become a part of the surplus earned by such company;

(7) If a stockholder of the company files with such company prior to or at the meeting of stockholders at which such plan is submitted to a vote, a written objection to such plan and does not vote in favor thereof, such stockholder may, within thirty days after such plan is approved by said meeting, make a written demand on the company for payment of the fair cash value of his shares as of the day prior to the date on which such plan was approved by the stockholders, excluding from said fair cash value any appreciation or depreciation in consequence of such mutualization. If the company and the stockholders cannot agree upon the value of the stock on such date within a period of sixty days from the date of the stockholder's demand, such value shall be ascertained by appraisers appointed and acting in the same manner as provided in section forty-six of chapter one hundred and fifty-six. Upon payment by the company to the stockholder of the agreed or awarded price of his stock, the stockholder shall forthwith transfer and assign the stock certificates held by him to the trustees provided for in subparagraph (6) of this section. Any stockholder who fails to make such objection or having objected fails to make demand within the thirty day period shall be conclusively presumed to have consented to the terms of said plan. No demand for payment of such fair cash value may be withdrawn by the stockholder making the demand unless the company, by its board of directors, consents to such withdrawal;

(8) Such plan shall specify a maximum period following its approval by the policyholders as above provided, within which all stockholders of the company shall surrender their stock for cancellation pursuant to the plan, and upon any stockholder's failing or neglecting to so surrender his stock within such period, all of his rights, powers and privileges as such stockholder shall nevertheless terminate and be extinguished, excepting only his right to receive payment for his stock as provided in such plan, or in accordance with the provisions of subparagraph (7) of this section;

(9) The company may by a majority vote of the directors and of the stockholders abandon such plan at any time before a vote of the policyholders approving such plan. Upon such abandonment, the rights of any stockholders to be paid for their stock in accordance with the plan, and the rights of any dissenting stockholders to be paid the fair cash value of their stock as provided in subparagraph (7) of this section shall terminate, and the company shall continue to conduct its business as a domestic stock insurance company as though no such plan had ever been adopted;

(10) Any refusal by the commissioner to give any approval required by this section shall be subject to judicial review;

(11) Neither the retirement of the company's capital stock nor the amendment of its articles of incorporation shall affect existing suits, rights or contracts of such company. When the capital stock of such company has been retired and cancelled and the company has become a mutual company, the officers and directors of the stock company shall remain as the officers and directors of the mutual company until the expiration of their terms of office in accordance with the terms of the by-laws of the stock company. *Approved May 31, 1961.*

Chap. 607. AN ACT RELATIVE TO THE SALE OF NEGOTIABLE CHECKS, DRAFTS AND MONEY ORDERS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by adding after section 58, added by chapter 533 of the acts of 1961, the following section: — *Section 59.* Any bank as defined in section one, a national banking association or savings and loan association authorized to do business in the commonwealth, may engage directly in the business of selling, issuing or registering checks or money orders, except that trust companies and national banks may engage in such business through agents who shall not be deemed to be branches of such banks. No person, other than the foregoing, shall engage in such business directly or indirectly unless he files on or before January fifteenth in each year a sworn statement setting forth his name and address, the names and business addresses of his agents, other than a bank as defined in section one, a national banking association or savings and loan association, authorized to receive money and transact such business on his behalf, and stating that his net worth is at least two hundred thousand dollars. In lieu of the sworn statement as to his net worth, such person shall deposit and maintain with the state treasurer a surety bond, cash or securities, in a sum of not less than twenty-five thousand dollars nor more

than one hundred thousand dollars as the commissioner shall deem to be necessary for the protection of the public. Any such bond or deposit shall be held as security for the payment of checks or money orders sold by such person or his agents, and the commissioner may make such rules and regulations as may be necessary for the enforcement of this section, including an investigation relative to reputation, integrity and net worth, the cost of which investigation shall be chargeable to such person.

Each person to whom a certificate to engage in such business has been issued shall on or before the fifteenth day of April, July and October of each year notify the commissioner of any change in the list of agents contained in the annual statement, and shall file with him the name of any additional agent appointed or of any agent whose authority has been revoked.

There shall be a fee of one hundred dollars for the filing of such annual statement payable to the commissioner and three dollars for each agent listed in the annual statement or in any addition thereto, provided, however, that the total annual fee shall not exceed three hundred dollars.

The commissioner may issue a certificate to engage in such business to any person who in his judgment has complied with the provisions of this section, but he may at any time revoke such certificate for failure to comply with the provisions of this section, or of any rule or regulation promulgated by him, or for failure to pay any check or money order upon presentation for payment.

Whoever violates any provision of this section or any rule or regulation established hereunder shall be punished by a fine of not more than one hundred dollars for each day during which such violation continues.

Approved May 31, 1961.

Chap. 608. AN ACT PROVIDING FOR REORGANIZATION OF TUBERCULOSIS CARE, TREATMENT AND CONTROL IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Sections sixty-six, sixty-six A, seventy-six, eighty-five B, eighty-five C, eighty-eight B, eighty-nine, ninety, ninety-one A, and ninety-one B of chapter one hundred and eleven of the General Laws are hereby repealed.

SECTION 2. Said chapter 111 is hereby further amended by striking out sections 77, 78, 79, 80, 81, 82, 83 and 83A and inserting in place thereof the following nine sections: —

Section 77. The department shall have responsibility for providing hospital care and treatment for all persons resident in the commonwealth suffering from tuberculosis and who need such hospital care. Such care and treatment may be made available in hospitals within the department or under a contract basis in other public or private hospitals or sanatoria licensed for such care under section seventy-one. Contracts for such care may be made by the department under such arrangements as are determined reasonable and adequate by the department except in the case of county hospitals where contracts shall be made in accord with section seventy-eight.

Section 78. Where county institutions are utilized for providing such care and treatment, the department is authorized to enter into a con-

tract with the county commissioners of the respective counties upon terms satisfactory to the contracting parties under which the county institutions will admit tuberculous patients and give them care and treatment in compliance with the terms of the contract and the regulations of the department in regard thereto. Such contracts shall be made for periods of not longer than two years and may be renewed upon such terms as are satisfactory to the parties. Should the department determine that a particular county institution will no longer be utilized for such tuberculosis care and treatment, it must give written notice of such intention to the county commissioners at least one year in advance of such discontinuance. If such notice is given and would take effect after the expiration of an existing contract, the terms of the existing contract shall remain in effect until the end of the notice period unless a new contract is entered into by the parties. Under the terms of contracts entered into under this section the department shall pay to the institutions so utilized a reasonable per diem rate for each patient so cared for under the contract. The per diem rate shall be determined by the parties under the contract not to exceed actual cost to the institution taking into consideration operating expenses, repair costs, and a reasonable charge for depreciation of capital expenses necessary to the care and treatment of such patients.

The department is hereby authorized to adopt regulations concerning the care and treatment of tuberculous patients in hospitals under such contract arrangements. If a hospital or sanatorium is not in compliance with these regulations the department may refuse to utilize it for such contract care.

Section 79. The department shall have supervision and control of all admissions, transfers, and discharges of tuberculous patients in hospitals within the department or in other hospitals under contract with the department under sections seventy-seven and seventy-eight. The department may adopt regulations concerning such admissions, transfers, and discharges as it deems necessary. The per diem rate to be paid hospitals caring for tuberculous patients under contract with the department shall be based on all such patients admitted under the department's supervision and no per diem shall be paid on any patient not approved for admission by the department. In the case of hospitals under such contracts patients may be admitted who are reasonably suspected of having tuberculosis, but a final diagnosis must be made within sixty days of admission or such longer period as specifically authorized in writing by the department.

Section 80. Each city and town shall pay to the commonwealth as its share of the cost of providing care and treatment for tuberculous patients a sum equal to one half of the per diem cost for the care of any residents of such city or town hospitalized under sections seventy-eight and seventy-nine of this chapter. The per diem rate charged the cities and towns shall be established by the department on a yearly basis and shall be based on one half of the average of all per diem costs for tuberculous patients in hospitals within the department and in hospitals under contract with the department under section seventy-eight. If a patient is able to pay or if a third party payor is responsible, the department shall collect from the patient or the payor such charges as are established by the department. Fifty per cent of the amount so received on ac-

count of any patient shall be credited against the payment charged to a city or town on account of such patient as authorized in this section.

For the purposes of this section, the term "resident" means any person having his principal living quarters in such city or town and having no present intention to move to another city or town; provided, however, that any tuberculous patient determined to be a chronically non-resident person and a special problem for tuberculosis disease control shall not be charged as a resident of any city or town and shall be the financial responsibility of the state. For purposes of this section the term "chronically non-resident" means a person who evidences by his past conduct an inability or unwillingness to establish and maintain a residency with any degree of permanency and whose instability and general living standards in exposing himself and others to infection makes him a special problem for tuberculosis disease control in the commonwealth. If a city or town requests that a patient be classified as chronically non-resident as indicated in this section, the division of sanatoria and tuberculosis may so classify him. If on such a request, the division does not agree to so classify the patient, the city or town may appeal this decision to a three-member board made up as follows: The public health council shall appoint the members of the board who shall serve without compensation. In the first appointments, one member shall be appointed for three years, one for two, and one for one year with all appointments thereafter being for three years. One member of the board shall be a medical director of a municipal health department, one member shall be a non-medical public health administrator or agent of a municipal health department, and one member shall be a person experienced in social work on a municipal or state level. On any such appeal the board shall hold a hearing and may affirm or reverse such decision. The decision of the board shall be final.

Patients who are receiving or are eligible to receive public assistance shall have their responsibility to pay such charges to their city or town of residence fixed in accordance with the provisions of the particular category of public assistance applicable to them.

Section 81. The department shall have responsibility for conducting programs aimed at controlling and eradicating tuberculosis in the commonwealth. It may establish, foster, and give such aid and assistance as it deems necessary for the establishment and maintenance of out-patient and diagnostic facilities for tuberculosis within tuberculosis hospitals, in other institutions, or in collaboration with local boards of health. It shall provide co-ordination and consultation to local boards of health in gathering and disseminating information on a state-wide basis regarding the prevalence of tuberculosis in the commonwealth.

Section 82. The county commissioners or in the case of Bristol county the trustees of the Bristol County Tuberculosis Hospital may operate and maintain a hospital for purposes as indicated in this section. Where the county commissioners or trustees of such hospital determine that they will provide care and treatment for tuberculous patients and they enter into a contract with the department for such care under section seventy-eight they may so operate such a hospital or portion of a hospital under the terms of such contract and the provisions of this chapter. Where a county has maintained a tuberculosis hospital or sanatorium and such institution is not to be included in the contractual arrangements for care of tuberculous patients under section seventy-eight, or,

where after a passage of time, contractual arrangements under section seventy-eight are not continued, the commissioners or trustees may after being licensed under section seventy-one convert such hospital into a chronic disease hospital, or a home for the care and treatment of aging persons, or the institution may be discontinued and the property liquidated in accordance with law. The county commissioners or trustees may with the approval of the department adopt such rules and regulations concerning the operation of their institutions as chronic disease hospitals or homes for the aging and concerning admission of patients thereto as deemed necessary by them, provided, however, that patient charges shall be at least equal to the all-inclusive per diem cost of care in said hospital for public ward accommodations or their equivalent for such patients as determined by the director of the division of hospital costs and finances under section thirty K of chapter seven. The county commissioners or trustees may, however, continue to operate out-patient facilities for tuberculosis as long as such services are deemed by them to be necessary or advisable.

Section 83. Where a county or municipal institution is operating for the care and treatment of tuberculous patients and the county commissioners or officers in charge of the municipal institution determine that it is no longer feasible to continue the institution as a county or municipal responsibility or to liquidate it, the commissioners or other authorized officers may with the approval of the commissioner of public health convey to the commonwealth the institution and so much of the estate on which it is situated as is used for the purposes of the institution and also the personal property owned by the county or municipality and held or used for the purposes of the institution. The commissioner of public health is hereby authorized to accept, subject to appropriation, such conveyance in the name and behalf of the commonwealth if at the time such offer of conveyance is made he determines that it is in the best interests of the commonwealth to accept such conveyance.

Section 83A. The county commissioners of any county, acting as trustees of a hospital established therein under section eighty-two may effect insurance providing indemnity for or protection to the officers and employees of such hospital against loss by reason of their liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, or for damage to property, caused by the operation, within the scope of their official duties or employment, of motor or other vehicles owned by the institution to an amount not exceeding forty thousand dollars on account of the injury to or death of one person, or not exceeding one hundred thousand dollars for any one accident, and not exceeding one thousand dollars on account of damage to property. The expense of such insurance shall be included as a part of the cost of maintenance of such hospital.

Section 83B. County commissioners in carrying out their responsibilities as trustees of county institutions under section eighty-two shall raise and expend such sums of money for acquiring land and constructing and equipping buildings including out-patient and diagnostic facilities and for the alteration and enlargement of existing buildings, for care, maintenance, and repair of all facilities, and for all other purposes as authorized by the general court, except for such temporary financing as provided in section eight-five A. They may borrow, on the credit of the county, when so authorized by the general court, the said sums, and

issue notes of the county therefor, with such interest as may be fixed under section thirty-nine of chapter thirty-five, payable semi-annually, or without interest, in which case they may sell such notes at such discount as they deem proper. The notes shall be signed by the county treasurer and countersigned by the county commissioners. The county may sell the said securities, at public or private sale, on terms and conditions deemed proper, but the proceeds shall be used only for the purposes for which such securities are issued. Said notes may be renewed from time to time without specific authorization from the general court until all the cities and towns liable have paid to the county treasurer the amounts assessed against them. Any amount of interest paid or due on said notes and renewals thereof may be similarly borrowed. All reimbursement from cities and towns on such assessments shall be applied to the payment of temporary debt incurred under this section. Such assessments shall be made against the cities and towns in the county in accordance with their valuation used in assessing county taxes and shall be paid in such manner and such installments as the commissioner shall by special order direct. If any city or town shall neglect or refuse to pay its proportion as required by said order, the county commissioners shall, after notice to the city or town and unless sufficient cause is shown to the contrary, issue a warrant against it for the sum which it was ordered to pay, with interest, and the costs of the notice and warrant; and the same shall be collected and paid into the county treasury, to be applied in payment of the expenses aforesaid.

SECTION 3. Said chapter 111 is hereby further amended by striking out section 85, as most recently amended by section 7 of chapter 270 of the acts of 1952, and inserting in place thereof the following section: — *Section 85.* The county commissioners shall provide for the maintenance, operation, and repair of institutions under section eighty-two provided that the expenditure of money for the purposes of this section shall be limited to such amounts as may be authorized by the general court. The commissioners shall annually in January apportion the balance of the cost of maintenance, operation, and repair of such hospitals, including interest paid or due on temporary notes issued therefor, for the previous year to the cities and towns in the county in accord with their evaluation as used in assessing the county taxes; and shall issue their warrants against such cities and towns for the amount for which they are assessed. The county may, thirty days after a written demand for payment, recover in contract against any city or town the amount for which it is liable under this section.

SECTION 4. Said chapter 111 is hereby further amended by striking out section 85A, as most recently amended by chapter 223 of the acts of 1959, and inserting in place thereof the following section: — *Section 85A.* To provide such funds as may be necessary to meet the cost of the care, maintenance and repair of a county institution in compliance with section eighty-five, the county commissioners may in any year borrow money on the credit of the county by temporary loans without specific authorization by the general court, and for such purposes the county treasurer may, with the approval of the county commissioners, issue notes of the county therefor, maturing in not more than twelve months from their dates, and may from time to time renew the same, until all the cities and towns liable to assessment under said section eighty-five have paid to the county treasurer the sums so assessed

against them for the aforesaid cost for said year. Receipts of such institutions shall be paid to the county treasurer at such times as the county commissioners may determine. Receipts for said year and payments to the county of the assessments made under section eighty-five to meet the aforesaid cost for said year shall be applied to the payment of the cost of maintenance or to the payment of such temporary loans.

Notwithstanding the limitations imposed by section thirty-seven A of chapter thirty-five, expenditures for the cost in any year of the care, maintenance and repair of county institutions under section eighty-five may be made from any cash balance remaining in the treasury of any such institution at the end of the preceding fiscal year resulting from loans issued under the authority of this section.

SECTION 5. Said chapter 111 is hereby further amended by striking out section 86, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 86.* Subject to section eighty-four, county commissioners may purchase, lease, or take by eminent domain under chapter seventy-nine, such land, not exceeding five hundred acres, as they may deem necessary or convenient for the purposes set forth in section seventy-eight.

SECTION 6. Said chapter 111 is hereby further amended by striking out section 87, as amended by section 1 of chapter 398 of the acts of 1945, and inserting in place thereof the following section: — *Section 87.* Except as otherwise provided for Bristol county, the county commissioners shall be trustees of the institutions operated under section eighty-two. Such commissioners shall make suitable regulations for the operation of such institutions and shall appoint superintendents and other officers and employees necessary for the proper operation of the institutions. Appointment of superintendents and other physicians to the staff of such institutions shall be subject to the approval of the department.

SECTION 7. Said chapter 111 is hereby further amended by striking out section 87A, inserted by section 2 of said chapter 398 of the acts of 1945, and inserting in place thereof the following section: — *Section 87A.* The trustees of the Bristol county hospital shall be appointed by the governor, with the advice and consent of the council, for terms of three years each, from residents of the county served by said hospital; provided, that at no time shall more than one trustee of such hospital be a resident of any one city or town in said county. Said trustees shall make suitable regulations for the government of such hospital and shall appoint a superintendent and such other officers and employees as are necessary for the proper conduct thereof. The superintendent and other physicians employed shall be appointed subject to the approval of the department. All pertinent provisions of law relative to county commissioners as trustees of such hospitals shall, in the case of the hospital within the county of Bristol, apply to the trustees thereof.

SECTION 8. Said chapter 111 is hereby further amended by striking out section 88, as most recently amended by section 8 of chapter 270 of the acts of 1952, and inserting in place thereof the following section: — *Section 88.* Where, at the time this section goes into effect, a city or town is maintaining a tuberculosis hospital and such hospital is not utilized by the commonwealth for the care and treatment of tuberculosis patients under contractual arrangements under section seventy-seven, and where such hospital is deemed by the board or officer in charge as

no longer necessary for the care of tuberculous patients, the hospital may after being licensed under section seventy-one be converted into a chronic disease hospital or home for the care and treatment of aging persons, or the institution may be liquidated in accordance with law. The board or officer in charge of such institution may adopt such rules and regulations concerning the operation of the institution as a chronic disease hospital or home for the aging and concerning admission of patients thereto as deemed necessary, provided, however, that patient charges shall be at least equal to the all-inclusive per diem cost of care in said hospital for public ward accommodations or their equivalent for such patients as determined by the director of the division of hospital costs and finances under section thirty K of chapter seven.

SECTION 9. Said chapter 111 is hereby further amended by striking out section 92, as amended by section 2 of chapter 559 of the acts of 1955, and inserting in place thereof the following section: — *Section 92.* Each city shall, and each town may, and upon request of the department shall, establish and maintain constantly within its limits one or more hospitals for the reception of persons having smallpox, diphtheria, scarlet fever, or other diseases dangerous to the public health except tuberculosis as defined by the department unless there already exists therein a hospital satisfactory to the department for the reception of persons ill with such diseases, or unless some arrangement satisfactory to the department is made for the care of such persons. All such hospitals established and maintained by cities and towns shall be subject to the orders and regulations of the boards of health thereof. Plans for construction of such hospitals shall be approved by the department before they are constructed, and the district health officers shall annually make such examination of said hospitals, and of all other hospitals, sanatoria, asylums, homes, prisons and dispensaries, both public and private, caring for diseases dangerous to the public health, as in the opinion of the department may be necessary, and report as to their condition and needs to those responsible for their management. A city or town which, upon the request of the department, refuses or neglects to establish and maintain such a hospital shall forfeit not more than five hundred dollars; provided, that if, in the opinion of the boards of health of two or more adjoining municipalities, such hospitals can advantageously be established and maintained in common, the authorities of the said cities or towns may, subject to the approval of the department, enter into any agreements deemed necessary to establish and maintain the same.

SECTION 10. Said chapter 111 is hereby further amended by striking out section 94E, as appearing in section 1 of chapter 615 of the acts of 1956, and inserting in place thereof the following section: — *Section 94E.* The full financial responsibility for the care and treatment of patients hospitalized at the state sanatorium treatment center shall be on the commonwealth. The placing of such financial responsibility on the commonwealth for the patients shall in no way affect the place of settlement or other matters concerning the family or dependents of the patients.

SECTION 11. Section 116 of said chapter 111 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Reasonable expenses incurred by boards of health or by the commonwealth in making the provision required by law for persons

infected with smallpox or other disease dangerous to the public health other than tuberculosis shall be paid by such person or his parents, if he or they be able to pay, otherwise by the town where he has a legal settlement upon the approval of the bill by the board of health of such town or by the department of public welfare; but such expenses shall not be recovered from a town liable therefor, unless proceedings to recover same are commenced within two years after the cause of action arises.

SECTION 12. During the interval between enactment and the effective date of this act the department is hereby authorized to enter into negotiations and to make contractual arrangements with such hospitals as it determines for the care and treatment of tuberculous patients as authorized under this act, such contracts to become effective and binding on the parties on the effective date of this act. Also during the interval between enactment and the effective date of this act, counties or municipalities providing care and treatment for tuberculous patients in institutions with whom the department does not make contracts for the care and treatment of such patients after the effective date of this act shall co-operate with the department in taking the necessary steps to discontinue the care of tuberculous patients in such institutions on or before the effective date of this legislation. To provide for such discontinuance, such municipalities and counties may during such interval make contracts under the existing law in chapter one hundred and eleven of the General Laws for the care and treatment of their tuberculous patients with state tuberculosis hospitals or with such other tuberculosis hospitals as will continue to function as tuberculosis hospitals under contract with the department after the effective date of this act. After having made arrangements for their tuberculous patients, such municipal or county institutions may convert to chronic disease hospitals or homes for the care and treatment of aging persons as provided in the existing provisions of said chapter one hundred and eleven. On the effective date of this act any such counties or municipalities have failed to make such arrangements for the care and treatment of their tuberculosis patients, all tuberculous patients remaining in such hospitals or sanatoria shall become subject to the same financial responsibility as is provided under this act under the amended section eighty of said chapter one hundred and eleven. Within six months after the effective date of this act, all such patients remaining in such hospitals or sanatoria shall be transferred by order of the department to state tuberculosis hospitals or other hospitals continuing to function as tuberculosis hospitals under contracts with the department and before the time such patients can be transferred the department shall pay such municipalities or counties the sum of sixty dollars per week for the care and treatment of such patients.

SECTION 13. Upon the effective date of the transfer of any city or county sanatorium to the department of public health, the officers and employees serving therein shall, subject to appropriation, become employees of the department of public health and shall not be discharged, removed, suspended, laid off or transferred from the latest office or employment held by them without their consent, lowered in rank or compensation, nor shall their office or positions be abolished, except for just cause and in the manner provided for in sections forty-three and forty-five of chapter thirty-one, and upon the effective date of such transfer said officers and employees who are members of the county, municipal or the State-Boston Retirement System and any amounts credited to

their accounts shall be transferred to the annuity savings fund of the State Retirement System. Any such employee so transferred shall retain his civil service, tenure, retirement, seniority, vacation, holiday or sick leave rights, if any, which may have accrued to him at the time of such transfer. If any such employee, except an employee who is unable to perform the duties of his office or position because of service in the military or naval forces of the United States, shall refuse, or neglect, within thirty days after his right to transfer under this act accrues, to transfer to the service of the department of public health he shall thereupon be retired by said city with the same rights and allowances as if he had voluntarily retired at the expiration of such thirty days.

Notwithstanding the above provisions, the director of personnel and standardization shall arrange for the inclusion into the classified service of the commonwealth of all persons affected by this section, after first determining the duties actually performed by such persons at said sanatorium while in the employ of said city or county immediately prior to the effective date of this act, in a position of like duties or substantially the same irrespective of whether or not the title is the same as that held by him at the said sanatorium. Such person shall be allocated in the general salary schedule, in force as of March first, nineteen hundred and sixty, in the step-in-range of the job group to which such allocated position has been assigned which will give to such transferred person a salary at least equal to the salary he was receiving on March first, nineteen hundred and sixty-one, irrespective of the years of service in the position held by him. If any person affected is already receiving a larger salary than that provided in the job group to which his position has been allocated, then such person shall be allocated in the job group he would have been allocated, but for this reason, at the maximum step-in-grade but his salary shall be the same as it was immediately prior to transfer. The provisions of this section shall not apply to any person employed at said sanatorium whose employment commenced after March first, nineteen hundred and sixty-one.

SECTION 14. Section eighty-one of chapter one hundred and eleven of the General Laws, as appearing in section two of this act, shall be effective on the date of the passage of this act and all other sections shall become effective on January first, nineteen hundred and sixty-three.

Approved May 31, 1961.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 2, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 608 of the Acts of 1961, entitled "An Act Providing For Reorganization of Tuberculosis Care, Treatment and Control in the Commonwealth" and the enactment of which received my approval on May 31, 1961, 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 programs aimed at controlling and eradicating tuberculosis in the commonwealth through the maintenance of out-patient and diagnostic facilities and to the gathering and dissemination of information on a state-wide basis regarding the prevalence of tuberculosis in the commonwealth.

Respectfully submitted,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 2, 1961.

I, Kevin H. White, 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 twenty 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 eight of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 609. AN ACT AUTHORIZING THE FORMATION OF REGIONAL INCINERATOR DISTRICTS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 44 the following nine sections: —

Section 44A. Two or more contiguous cities or towns, by vote of the council in the case of a city and by vote of a town meeting in the case of a town, may create a special unpaid committee to be known as a regional incinerator planning committee consisting of three persons to be appointed by the moderator in a town and by the mayor in a city.

Section 44B. Regional incinerator planning committees from any two or more contiguous cities or towns may join together to form a regional incinerator planning board. Said regional incinerator planning board shall study the advisability of establishing a regional incinerator district, its organization, operation and control, and of constructing, maintaining and operating an incinerator to serve the needs of the district, and shall estimate construction and operating costs and study methods of financing such district. Each city or town comprising said board may appropriate a sum not in excess of three thousand dollars for the purpose of meeting the expenses of the board.

Section 44C. The regional incinerator planning board, consisting only of the regional incinerator planning committees which vote in favor of the establishment of a regional incinerator district, shall draw up a proposed agreement. The said agreement shall contain provisions describing the sharing of construction and operating costs, the number, method of selection and terms of office of the members of the regional incinerator district committee, the general area in which the incinerator

shall be constructed, the terms by which another city or town may be admitted to the district, the method by which the agreement may be amended, the procedure for the preparation and adoption of the annual budget and any other matters, not incompatible with law, which the said board may deem advisable; provided, however, that all such plans shall be subject to the approval of the state department of public health.

Section 44D. The regional incinerator planning board shall report its findings and recommendations to the board of selectmen and the mayor, as the case may be, of each city or town comprising the board. If the board recommends that a regional incinerator district be established, a copy of the proposed agreement shall accompany the report to each such city or town.

Section 44E. The selectmen of each of the several towns, upon receipt of a recommendation that a regional incinerator district be established, shall cause the question of accepting such plan to be placed on the official ballot for the election of officers at the next annual town election. The mayors of the several cities, upon receipt of a recommendation that a regional incinerator district be established, shall submit the question of accepting such plan to the city council within sixty days after receipt of the recommendation. In the case of either a town or a city, the question to be voted on shall be: — "Shall the city (town) accept the provisions of sections 44A to 44I, inclusive, of chapter forty of the General Laws providing for the establishment of a regional incinerator district, together with the towns of _____ and the cities of _____, and the construction, maintenance and operation of a regional incinerator by said district in accordance with the provisions of a proposed agreement filed with the selectmen or the mayor?"

If a majority of the members of each city council voting on the question and a majority of the voters in each town voting on the question shall vote in the affirmative, the proposed regional incinerator district shall be deemed to be established forthwith in accordance with the terms of the proposed agreement.

Section 44F. A regional incinerator district established under the provisions of section forty-four E, shall be a body politic and corporate with the following 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 be sued.

(*c*) To purchase, or take by eminent domain under chapter seventy-nine land within the cities and towns which have accepted the provisions of sections forty-four A to forty-four I, inclusive, for the purposes of the district and to construct and equip an incinerator for the benefit of said cities and towns, and to make any necessary contracts in relation thereto.

(*d*) To incur debt for the purpose of acquiring land and constructing, reconstructing and equipping an incinerator for a term not exceeding twenty 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 each city, and to the board of selectmen of each town, 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 regional incinerator planning 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 cities and towns.

(*h*) To assess member cities and towns for any expenses of the district.

(*i*) To receive any grants or gifts for the purposes of the regional district.

(*j*) To engage legal counsel.

(*k*) To submit an annual report to each of the member cities and towns, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each city and town were computed.

(*l*) To employ an executive director and such other employees as it deems necessary to operate such district.

(*m*) To adopt an annual operating budget, not later than December first.

(*n*) To enter into contracts for incineration with non-member cities and towns as well as other bodies politic, the United States of America and other persons.

Section 44G. The powers, duties and liabilities of a regional incinerator district shall be vested in and exercised by a regional district incinerator 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 44H. The regional district incinerator committee shall annually determine the amounts necessary to be raised to maintain and operate the district 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 member cities and towns in accordance with the terms of the agreement. The amounts so apportioned for each city or town shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several cities and

towns. Each city and town shall appropriate the amounts so certified and the city or town treasurer shall pay the amount so appropriated to said district.

Section 44I. 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 incinerator 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 said district committee, and a copy thereof shall be sent to the mayor and to the chairman of the board of selectmen, respectively, of each city and town which is a member of said district. The director shall apportion the cost among the several cities and towns which are members of the district on the basis provided by section forty-four C, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the cities and towns 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. *Approved May 31, 1961.*

Chap. 610. AN ACT ESTABLISHING A CODE OF ETHICS TO GUIDE EMPLOYEES AND OFFICIALS OF THE COMMONWEALTH IN THE PERFORMANCE OF THEIR DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 268 the following chapter: —

CHAPTER 268A.

CODE OF ETHICS.

Section 1. Declaration of intent. A continuing problem of a free government is the maintenance among its public servants of moral and ethical standards which are worthy and warrant the confidence of the people. The people are entitled to expect from their public servants a set of standards above the morals of the market place. A public official of a free government is entrusted with the welfare, prosperity, security and safety of the people he serves. In return for this trust, the people are entitled to know that no substantial conflict between private interests and official duties exists in those who serve them.

Government is and should be representative of all the people who elect it, and some conflict of interest is inherent in any representative form of government. Some conflicts of material interests which are improper for public officials may be prohibited by legislation. Others may arise in so many different forms and under such a variety of circumstances, that it would be unwise and unjust to proscribe them by statute with inflexible and penal sanctions which would limit public service to the very wealthy or the very poor. For matters of such complexity and close distinctions, the legislature finds that a code of ethics is desirable to set forth for the guidance of public officers and employees the general standards of conduct to be reasonably expected of them.

Section 2. Definitions. In this chapter the following words, unless a different meaning is required by the context or is specifically prescribed, shall have the following meanings: —

"Agency", any department, division, branch, commission, bureau, board, political subdivision, body politic, or office of the commonwealth, including the executive, legislative and judicial branches thereof.

"Officer or employee", a person performing services for, or holding an office, position or employment in, an agency (including independent consultants who receive compensation for such services).

Section 3. Rule with respect to conflicts of interest. No officer or employee of an agency should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

Section 4. Standards:

(*a*) No officer or employee of an agency should accept other employment which will impair his independence of judgment in the exercise of his official duties.

(*b*) No officer or employee of an agency should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

(*c*) No officer or employee of an agency should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

(*d*) No officer or employee of an agency should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

(*e*) No officer or employee of an agency should engage in any transaction as representative or agent of an agency with any business entity in which he, his spouse, any of his children, or any spouse of any of his children, has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

(*f*) An officer or employee of an agency should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is unduly affected by the kinship, rank, position or influence of any party or person.

(*g*) An officer or employee of an agency should abstain from making personal investments, in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.

(*h*) An officer or employee of an agency should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

(*i*) No officer or employee of an agency employed on a full-time basis, nor any firm or association of which such an officer or employee is a member, nor corporation, a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee or by his spouse, any of his children, or any spouse of any of his children,

should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

(*j*) If any officer or employee of the commonwealth, a member of the legislature, legislative employee, or his spouse, any of his children, or any spouse of any of his children shall have a financial interest, direct or indirect, having a value of ten thousand dollars or more in any activity which is subject to the jurisdiction of a regulatory agency or in any business entity which does business with the commonwealth, he shall file with the state secretary, within ninety days after the effective date of this act, and thereafter within thirty days after such interest comes into being, a written statement that he has such a financial interest in such activity which statement shall be open to public inspection. If any such officer or employee shall fail to file any such written statement required hereby, he shall be punished after conviction by a fine of not more than one thousand dollars.

SECTION 2. 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, ten persons to be appointed by the governor, four of whom shall be representatives from law schools in the commonwealth, one of whom shall be a priest, one of whom shall be a minister, and one of whom shall be a rabbi, the attorney general who shall be the chairman, one person to be appointed by the president of the Boston Bar Association and one person to be appointed by the president of the Massachusetts Bar Association, is hereby established for the purpose of making an investigation and study of the subject matter of this act, and all other existing laws related to conflict of interests and ethics in government, and the need, if any, of further amendments thereto or consolidation thereof that the commission may deem necessary in order to insure the efficient operation of the act and the protection of the public interest. Said 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, clerical and other assistance 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 from time to time, and by filing its final report not later than January first, nineteen hundred and sixty-two.

Approved May 31, 1961.

Chap. 611. AN ACT INCREASING THE TERMS AND SALARIES OF THE MEMBERS OF THE INDUSTRIAL ACCIDENT BOARD, AND FURTHER ESTABLISHING THE POWERS AND DUTIES OF THE CHAIRMAN AND OTHER MEMBERS OF SAID BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 23 of the General Laws is hereby amended by striking out section 15, as most recently amended by chapter 719 of the acts of 1957, and inserting in place thereof the following section: — *Section 15.* The industrial accident board shall consist of twelve mem-

bers, at least one of whom shall be a woman, at such salaries not exceeding fourteen thousand dollars each, as the governor and council determine, except that the chairman shall receive such salary, not exceeding fifteen thousand dollars, as the governor and council determine.

Upon the expiration of the term of office of a member his successor shall be appointed for a term of twelve years, by the governor, with the advice and consent of the council. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the unexpired portion of said term.

The governor shall designate one of the members as chairman of the board, who shall, subject to his term as a member of the board, serve as chairman for a term of five years.

The members of the board shall devote their whole time to the work of the board and shall not engage in any profession, practice or business. Not more than six members of the board shall be members of the same political party.

SECTION 2. Said chapter 23 is hereby further amended by striking out section 16, as amended by chapter 703 of the acts of 1955, and inserting in place thereof the following section: — *Section 16.* The division shall be under the supervision and control of the chairman of the board, who shall be its executive and administrative head. During the temporary absence or disability of the chairman, he may designate a member of the board as acting chairman. During the temporary absence or disability of the supervisor of workmen's compensation agents, the chairman or acting chairman may designate an official or employee of the division as acting supervisor of workmen's compensation agents.

Said supervisor of workmen's compensation agents or acting supervisor shall, as a director under the chairman, perform the duties of assisting in the prevention of personal injuries arising out of and in the course of employment to public employees in order to reduce the cost of such injuries to the commonwealth, in co-operation with the department of administration and finance and all employing units. He shall expedite payments due under the law, in co-operation with the department of the attorney general under sections sixty-nine A and sixty-nine B of chapter one hundred and fifty-two and with all workmen's compensation agents of each division, department, commission and institution of the commonwealth. He shall perform all of the duties required to be performed by him under sections sixty-nine B and seventy-five of said chapter one hundred and fifty-two, and such other duties as may be assigned to him by the chairman.

The chairman shall have all the powers of a member of the industrial accident board, but he shall not sit as a single member at hearings under section eight of chapter one hundred and fifty-two except when he deems it necessary for the efficient administration of the board. The chairman as the executive and administrative head of the division, shall, in the name of the division, enforce all the provisions of chapter one hundred and fifty-two, and may make administrative regulations and orders providing for the receipt and indexing of all notices, claims and reports, for the giving of notice of hearings and of decisions, for certifying of records, and for the fixing of the times and places for the hearing of claims in accordance with the provisions of said chapter. The chairman shall direct and supervise the activities of all members of the industrial accident board, and shall establish the necessary hearing and

conference calendars and shall assign the members of the board to hearings and conferences. The chairman shall cause a list to be maintained of all claims heard or conferred upon by each board member and at the end of each month, shall cause said list to be published forthwith and made available for inspection by the public.

SECTION 3. Said chapter 23 is hereby further amended by striking out sections 19 and 20, as appearing in section 1 of chapter 314 of the acts of 1953, and inserting in place thereof the following two sections: —

Section 19. There shall be in the division and under its supervision and control an office of self-insurance under a director, who shall have charge of said office. The chairman, with the approval of the governor and council, shall appoint said director and, with like approval, may remove him at any time for cause. Said office shall perform such functions of the division in relation to the administration and enforcement of the provisions of chapter one hundred and fifty-two relating to self-insurance as the chairman may from time to time determine. The chairman may employ such employees to serve in said office as may be necessary.

Section 20. The salaries and expenses of the division shall be paid by the commonwealth. The chairman may appoint and remove a secretary. The division shall also be allowed such sums as may annually be appropriated by the general court for clerical service and traveling and other necessary expenses. Its records shall be kept in its office.

SECTION 4. Section 21 of said chapter 23, as so appearing, is hereby amended by striking out, in line 1, the word "division" and inserting in place thereof the word: — chairman.

SECTION 5. Section 22 of said chapter 23, as so appearing, is hereby amended by striking out, in lines 2 and 6, the word "division" and inserting in place thereof, in each instance, the word: — chairman.

SECTION 6. Section 23 of said chapter 23, as so appearing, is hereby amended by striking out, in line 1, the word "division" and inserting in place thereof the word: — chairman.

SECTION 7. Chapter 152 of the General Laws is hereby amended by striking out section 4, as most recently amended by section 5 of said chapter 314 of the acts of 1953, and inserting in place thereof the following section: — *Section 4.* The chairman of the division shall on or before April first make an annual report to the governor and general court covering the work of the division for the preceding calendar year.

SECTION 8. Said chapter 152 is hereby further amended by striking out section 8, as amended by section 6 of said chapter 314 of the acts of 1953, and inserting in place thereof the following section: — *Section 8.* Such member shall make such inquiries and investigations as shall be deemed necessary. The hearing shall be held in the town where the accident occurred or in such other place as the chairman may designate, and the decision of the member, together with a statement of the evidence, his findings of fact, rulings of law, and other matters pertinent to questions arising before him, shall be filed with the division within forty-five days of the close of the hearing, unless further extension is authorized by the chairman. The evidence at the hearing shall be taken, with or without the aid of electronic recording, and shall be transcribed verbatim but only on the request of the member; however, if a claim of review is filed and a party requests it, a verbatim transcript shall be forwarded to all parties without charge. Unless a claim for review is

filed by either party within seven days, the decision shall be enforceable under section eleven.

SECTION 9. Notwithstanding the provisions of section fifteen of chapter twenty-three of the General Laws, as amended by section one of this act, the governor shall, with the advice and consent of the council, upon the expiration of the three terms ending in the year nineteen hundred and sixty-one, appoint three members to the industrial accident board for terms of five, seven and eight years; upon the expiration of the five terms ending in nineteen hundred and sixty-two, five members for terms of five, eight, nine, ten and twelve years; upon the expiration of the term ending in nineteen hundred and sixty-three, one member for a term of twelve years; and upon the expiration of the two terms ending in nineteen hundred and sixty-five, two members for terms of eleven and twelve years. In the year nineteen hundred and sixty-four no member of said board shall be appointed, other than to fill a vacancy. Upon the completion of the term of any member of the board appointed under this section, his successor shall be appointed for the term and in the manner provided by said section fifteen of said chapter twenty-three.

SECTION 10. Notwithstanding the provisions of section twenty-two of chapter twenty-three of the General Laws, as amended by section five of this act, the chairman of the industrial accident board shall promote forthwith two permanent employees of the division, subject to the provisions of chapter thirty-one of the General Laws, to the positions of assistant directors of workmen's compensation agents.

Approved June 1, 1961.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 2, 1961.

The Honorable KEVIN H. WHITE, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY: — I, John A. Volpe, 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 611 of the Acts of 1961, entitled "An Act Increasing the Terms and Salaries of the Members of the Industrial Accident Board, and Further Establishing the Powers and Duties of the Chairman and Other Members of Said Board" and the enactment of which received my approval on June 1, 1961, 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 the purpose which is to give much needed service in adjudicating claims before the department. This service is in the interest of both the employer and employees in our industries and a sizeable backlog of cases has built up which must be reduced.

Respectfully submitted,

JOHN A. VOLPE,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 2, 1961.

I, Kevin H. White, 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 twenty 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 eleven of the acts of nineteen hundred and sixty-one.

KEVIN H. WHITE,
Secretary of the Commonwealth.

Chap. 612. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE FIRST DISTRICT COURT OF SOUTHERN WORCESTER AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS JUDICIAL DUTIES, AND INCREASING THE SALARY OF THE CLERK OF SAID COURT.

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: — first 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 10, reading "first district court of southern Worcester,".

SECTION 3. Paragraph (1) of section 79 of said chapter 218, as appearing in section 1 of chapter 609 of the acts of 1959, is hereby amended in *Class III* by striking out the last two lines and inserting in place thereof the following line: —

"first district court of northern Worcester", —

and in *Class IV* by striking out the line reading "district court of Somerville" and inserting in place thereof the following two lines: —

"district court of Somerville, and
first district court of southern Worcester".

SECTION 4. Notwithstanding the provisions of section seventy-nine of chapter two hundred and eighteen of the General Laws, the salary of the clerk of the first district court of southern Worcester shall not be increased in any one calendar year by an amount in excess of sixteen hundred dollars over the amount paid the clerk of said court on July first, nineteen hundred and sixty, nor shall said clerk receive a salary less than that paid him on said date.

SECTION 5. Notwithstanding the provisions of section sixty-five A of chapter thirty-two of the General Laws, the justice of the first district court of southern Worcester in office on the effective date of this act and first made a full-time justice hereunder shall, upon his retirement or resignation receive a pension for life equal to three-quarters of his average annual salary as justice during the ten years preceding his retirement or resignation or three-quarters of the annual salary received by him immediately prior to said effective date.

Approved June 1, 1961.

Chap. 613. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF SOUTHERN NORFOLK.

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 in *Class II* by striking out line 6, reading "district court of southern Norfolk,"; and in *Class III* by inserting after line 10, reading "first district court of northern Middlesex" the following line: — district court of southern Norfolk.

SECTION 2. Notwithstanding the provisions of section seventy-nine of chapter two hundred and eighteen of the General Laws, the salary of the clerk of the district court of southern Norfolk shall not be increased in any one calendar year by an amount in excess of sixteen hundred dollars over the amount paid the clerk of said court on July first, nineteen hundred and sixty, nor shall said clerk receive a salary less than that paid him on said date. *Approved June 1, 1961.*

Chap. 614. AN ACT FURTHER REGULATING EMPLOYERS' CONTRIBUTIONS TO THE UNEMPLOYMENT COMPENSATION FUND.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 151A of the General Laws is hereby amended by striking out the first paragraph, as amended by chapter 397 of the acts of 1953, and inserting in place thereof the following paragraph: — Each employer shall make contributions for each year after the year nineteen hundred and sixty-one at the applicable rate or rates as set forth in this section on so much of his pay roll as is subject to this chapter; provided, that for the purposes of this section, the term "wages" shall not include that part of remuneration which, after remuneration equal to three thousand six hundred dollars with respect to employment with such employer has been paid to an individual during any calendar year, is paid to such individual during such calendar year.

SECTION 2. Subsection (*e*) of said section 14 of said chapter 151A, as appearing in said chapter 397, is hereby amended by striking out paragraph (6) and inserting in place thereof the following paragraph: —

(6) Whenever, as of any computation date after nineteen hundred and sixty, an employer's account has a reserve percentage of more than thirteen per cent, the amount by which the balance of his account exceeds a reserve percentage of thirteen per cent shall be charged to the employer's account and credited to the solvency account.

SECTION 3. Said section 14 of said chapter 151A is hereby amended by striking out subsection (*f*), as so appearing, and inserting in place thereof the following subsection: —

(*f*) As of any computation date after nineteen hundred and sixty, the balance of the solvency account shall be determined by the director after transferring all sums in excess of a negative reserve percentage of three per cent, as provided in subsection (*e*) (5) of this section and after transferring any employer account balances in excess of a reserve percentage of thirteen per cent as provided in subsection (*e*) (6) of this section.

SECTION 4. Said section 14 of said chapter 151A is hereby amended by striking out subsection (*i*) and inserting in place thereof the following subsection: —

(*i*) The contribution rate of each employer shall be two and seven tenths per cent of that part of his pay roll subject to this chapter, except as follows: —

(1) Whenever, as of any computation date after nineteen hundred and sixty, the unemployment compensation fund available for benefits is less than two and one half per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer whose reserve percentage is positive but less than seven and one half per cent shall be assigned an experience rate of three and seven tenths per cent for the ensuing calendar year; each employer whose reserve percentage is positive and is equal to or greater than seven and one half per cent shall be assigned an experience rate of two and nine tenths per cent for the ensuing calendar year; and each employer whose reserve percentage is negative shall be assigned an experience rate of four and one tenth per cent for the ensuing calendar year.

(2) Whenever, during any calendar quarter after December thirty-first, nineteen hundred and sixty-one, the unemployment compensation fund available for benefits is less than two per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer whose reserve percentage is positive but less than seven and one half per cent shall be assigned an experience rate of three and seven tenths per cent beginning with the first day of the following quarter; each employer whose reserve percentage is positive and is equal to or greater than seven and one half per cent shall be assigned an experience rate of two and nine tenths per cent beginning with the first day of the following quarter; and each employer whose reserve percentage is negative shall be assigned an experience rate of four and one tenth per cent beginning with the first day of the following quarter.

(3) Whenever, as of any computation date after nineteen hundred and sixty the unemployment compensation fund available for benefits is less than three per cent but is at least two and one half per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer shall be assigned an experience rate in accordance with Schedule G for the ensuing year.

(4) Whenever, as of any computation date after nineteen hundred and sixty, the unemployment compensation fund available for benefits is less than three and one half per cent but is at least three per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer shall be assigned an experience rate in accordance with Schedule F for the ensuing calendar year.

(5) Whenever, as of any computation date after nineteen hundred and sixty the unemployment compensation fund available for benefits is less than four per cent but is at least three and one half per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer shall be assigned an experience rate in accordance with Schedule E for the ensuing calendar year.

(6) Whenever, as of any computation date after nineteen hundred and sixty the unemployment compensation fund available for benefits is less than four and one half per cent but is at least four per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer

shall be assigned an experience rate in accordance with Schedule D for the ensuing calendar year.

(7) Whenever, as of any computation date after nineteen hundred and sixty the unemployment compensation fund available for benefits is less than five and one half per cent but is at least four and one half per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer shall be assigned an experience rate in accordance with Schedule C for the ensuing calendar year.

(8) Whenever, as of any computation date after nineteen hundred and sixty the unemployment compensation fund available for benefits is less than six and one half per cent but is at least five and one half per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer shall be assigned an experience rate in accordance with Schedule B for the ensuing calendar year.

(9) Whenever, as of any computation date after nineteen hundred and sixty the unemployment compensation fund available for benefits is equal to or exceeds six and one half per cent of total taxable wages as determined in subsection (*h*) (2) above, each employer shall be assigned an experience rate in accordance with Schedule A for the ensuing calendar year.

RESERVE PERCENTAGE (PER CENT).	CONTRIBUTION RATE SCHEDULES (PER CENT).						
	A	B	C	D	E	F	G
Negative Percentages:							
0 but less than 1.0	2.9	3.1	3.3	3.5	3.7	3.9	4.1
1.0 but less than 2.0	3.1	3.3	3.5	3.7	3.9	4.1	4.1
2.0 or more	3.3	3.5	3.7	3.9	4.1	4.1	4.1
Positive Percentages:							
0 but less than 5.5	2.7	2.9	3.1	3.3	3.5	3.7	3.7
5.5 but less than 6.0	2.5	2.7	2.9	3.1	3.3	3.5	3.7
6.0 but less than 6.5	2.3	2.5	2.7	2.9	3.1	3.3	3.5
6.5 but less than 7.0	2.1	2.3	2.5	2.7	2.9	3.1	3.3
7.0 but less than 7.5	1.9	2.1	2.3	2.5	2.7	2.9	3.1
7.5 but less than 8.0	1.7	1.9	2.1	2.3	2.5	2.7	2.9
8.0 but less than 8.5	1.5	1.7	1.9	2.1	2.3	2.5	2.7
8.5 but less than 9.0	1.3	1.5	1.7	1.9	2.1	2.3	2.5
9.0 but less than 9.5	1.1	1.3	1.5	1.7	1.9	2.1	2.3
9.5 but less than 10.0	.9	1.1	1.3	1.5	1.7	1.9	2.1
10.0 but less than 10.5	.7	.9	1.1	1.3	1.5	1.7	1.9
10.5 or more	.5	.7	.9	1.1	1.3	1.5	1.7

SECTION 5. Said section 14 of said chapter 151A is hereby amended by striking out subsection (*j*) and inserting in place thereof the following subsection: —

(*j*) (1) Whenever as of any computation date after nineteen hundred and sixty the reserve percentage of the solvency account is one fourth of one per cent or more but less than one half of one per cent, an amount equal to three tenths of one per cent of the taxable wages paid by an employer during the four consecutive quarters immediately preceding the computation date and including the quarter ending on said computation date shall be charged to the employer's account, providing the account balance is positive, and credited to the solvency account.

(2) Whenever as of any computation date after nineteen hundred and sixty the reserve percentage of the solvency account is one eighth of one per cent or more but less than one fourth of one per cent, an amount equal to six tenths of one per cent of the taxable wages paid by an employer during the four consecutive quarters immediately preceding the computation date and including the quarter ending on said computation date shall be charged to the employer's account, providing the account balance is positive, and credited to the solvency account.

(3) Whenever as of any computation date after nineteen hundred and sixty the reserve percentage of the solvency account is less than one eighth of one per cent, an amount equal to nine tenths of one per cent of the taxable wages paid by an employer during the four consecutive quarters immediately preceding the computation date and including the quarter ending on said computation date shall be charged to the employer's account, providing the account balance is positive, and credited to the solvency account. *Approved June 1, 1961.*

Chap. 615. AN ACT PROVIDING THAT A RECIPIENT OF OLD AGE ASSISTANCE MAY OBTAIN PRESCRIBED DRUGS AND MEDICINES AT A PHARMACY OF HIS CHOICE.

Be it enacted, etc., as follows:

The fourth paragraph of section 1 of chapter 118A of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 441 of the acts of 1945, and inserting in place thereof the following sentence: — Such assistance shall also provide for adequate medical care for every recipient of assistance under this chapter, and shall include provision for the services of a physician of such recipient's choice, and provision for the recipient to have prescribed medicines and drugs supplied by a pharmacy of his choice subject to such rules and regulations as shall be made by the department. *Approved June 1, 1961.*

Chap. 616. AN ACT PROVIDING FOR THE APPOINTMENT OF A SECOND ASSISTANT TOWN CLERK IN THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. The town clerk of the town of Belmont may, in writing, appoint to serve until March twelfth, nineteen hundred and sixty-two, a second assistant town clerk, who shall be sworn to the faithful performance of his duties, and a record shall be made of the appointment and oath. The second assistant town clerk shall, in the absence of the town clerk and the assistant town clerk, perform the duties of the clerk and shall 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 of chapter forty-one of the General Laws. A second assistant town clerk so appointed shall serve without compensation.

SECTION 2. Upon the appointment of a second assistant town clerk, the town clerk of said town of Belmont shall execute and file with the state secretary a certificate of appointment which shall specify the date thereof and the date of expiration of the term of office.

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

Approved June 2, 1961.

Chap. 617. AN ACT MAKING AN APPROPRIATION FOR THE EXPENSES OF THE SPORT PARACHUTING COMMISSION IN CONNECTION WITH THE SIXTH WORLD PARACHUTING CHAMPIONSHIP MEETING TO BE HELD IN THE TOWN OF 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 provide forthwith for the planning, financing and administration of the Sixth World Parachuting Championship meeting to be held 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. The Sport Parachuting Commission, established under section one of chapter five hundred and twenty-seven of the acts of nineteen hundred and sixty, in order to facilitate the performance of its duties, powers and obligations, may expend a sum not to exceed one million dollars in addition to any amount heretofore appropriated for this purpose, subject to the provisions of law regulating the receipt and disbursement of public funds and the approval thereof; provided, however, that said Commission shall negotiate an agreement, either separately or jointly with the Sixth World Parachuting Championship Committee, Inc., and with any cooperating agency of the federal government, as authorized by section three of said chapter five hundred and twenty-seven, for a grant, reimbursement, guarantee or loan of not less than one hundred thousand dollars. Said commission shall establish prices for seats to be sold to spectators for the various events to be presented during the Sixth World Parachuting Championship meeting, and from the proceeds of each seat sold shall pay to the treasurer of the commonwealth fifty cents.

SECTION 2. To provide funds for the commonwealth's share of the expenditures authorized in section one of this act, the following appropriation is made from the General Fund:

Item		
1551-04	For expenses of the Sport Parachuting Commission, as authorized by chapter five hundred and twenty-seven of the acts of nineteen hundred and sixty, to be in addition to any appropriation heretofore made available for the purpose, appropriation expires December thirty-first, nineteen hundred and sixty-two	$100,000.

SECTION 3. Federal funds received in accordance with agreements made under provisions of section one may be spent without further appropriation for the purposes authorized in said section one.

SECTION 4. Funds authorized by this act shall not become available until matching federal funds are made available by the federal government. Any surplus funds held by the commission on its termination date shall be transferred to the General Fund of the commonwealth.

SECTION 5. This act shall cease to be effective on December thirty-first, nineteen hundred and sixty-two. *Approved June 2, 1961.*

Chap. 618. AN ACT AUTHORIZING THE BOSTON REDEVELOPMENT AUTHORITY TO ACQUIRE CERTAIN REAL ESTATE FROM THE UNITED STATES OF AMERICA AND TO THEREAFTER DISPOSE OF THE SAME.

Be it enacted, etc., as follows:

SECTION 1. The Boston Redevelopment Authority is hereby authorized to acquire by conveyance from the United States of America the fee title to the real estate now owned by the United States of America situated on the northerly side of Stuart street in the city of Boston between Clarendon street and Trinity Place, and to accept such conveyance as consideration, in whole or in part, for the sale by the Boston Redevelopment Authority to the United States of America of real estate heretofore or hereafter acquired by the Boston Redevelopment Authority as part of a redevelopment project.

SECTION 2. The Boston Redevelopment Authority is hereby further authorized to sell at public auction to the highest responsible bidder real estate acquired from the United States of America pursuant to the authority conferred by section one of this act, upon such terms and conditions and for such consideration as the Boston Redevelopment Authority shall deem sufficient. *Approved June 2, 1961.*

Chap. 619. AN ACT EXTENDING THE TERM OF OFFICE OF FLORENCE W. MULLANEY, ASSISTANT REGISTRAR OF VOTERS IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-two of chapter fifty-one of the General Laws, Florence W. Mullaney, the incumbent of the office of assistant registrar of voters in the city of Pittsfield, shall continue to serve as assistant registrar of voters until April first, nineteen hundred and sixty-six, and she shall not be involuntarily removed from said office, except for cause, after hearing, and decision by the appointing authority. Said decision may, within five days after receipt of notice thereof, be appealed to the city council, and the city council shall hear and decide said appeal within thirty days after the filing of a request for a hearing. Within thirty days after notice of the decision of the city council, she may, if the action of the appointing authority was confirmed by the city council, bring a petition in the district court within the judicial district in which she resides, addressed to the justice of the court, praying that the action of the appointing authority and of the council in removing her from said office or lowering her in rank or compensation or abolishing her office, may be reviewed by the court, and after such notice to the appointing authority and the council as the court deems necessary, it shall hear witnesses, review such action and determine whether or not upon all the evidence such action was justified. If the court finds that such action was justified, the action of the appointing authority and the council shall be affirmed; otherwise, they shall be reversed and the petitioner shall be reinstated in her office without loss of compensation. The decision of the court shall be final and binding upon all parties.

SECTION 2. This act shall take full effect upon its acceptance, in the current year, by vote of the city council of said city.

Approved June 2, 1961.

Chap. 620. AN ACT ESTABLISHING CONCILIATION DIVISIONS IN THE PROBATE COURTS FOR NORFOLK AND WORCESTER COUNTIES.

Be it enacted, etc., as follows:

SECTION 1. In each of the counties of Norfolk and Worcester there shall be in the probate court a conciliation division, under the general supervision and direction of the judges of probate. Said judges shall appoint two persons, each of whom shall have received a master's degree from a school of social work accredited by the Council on Social Work Education, and shall have had at least three years of experience in the field of family and domestic problems, to serve as family counselors in said division, and shall designate one of them as the director of said division.

SECTION 2. Each family counselor shall receive such salary, not less than fifty-five hundred nor more than seventy-five hundred dollars, as the judges of probate may establish, and shall be reimbursed for actual traveling and necessary expenses incurred by him in the discharge of his duties. Said salaries and expenses shall be paid by the commonwealth. The registers of probate for said counties shall provide suitable offices and such equipment and supplies as may be necessary for their respective divisions, and shall assign thereto the personnel necessary to assist the family counselors in the discharge of their duties.

SECTION 3. The director of each such conciliation division shall be charged with the administration of the division, in addition to his duties as family counselor. He shall make reports and keep files on each case submitted to the division, and shall file annual reports showing the work of the division. Such reports shall be available to the public, except that names, addresses, and other similar identifying matter shall not appear therein.

SECTION 4. Each such conciliation division shall have jurisdiction over any application filed with it by either spouse to effect a reconciliation of the parties to a marriage although no libel for divorce nor petition for separate support has been filed by either spouse, and shall act thereon; provided that at the time of filing said application one such spouse resides in the county. Forms of application for conciliation shall be furnished, free of charge, by the conciliation division, and the employees of such division shall assist persons in preparing and filing applications for conciliation.

SECTION 5. If a libel for divorce is filed in the superior court for Norfolk county or for Worcester county, the clerk of such court shall forthwith notify the register of probate for that county and shall furnish him a copy of said libel. Said register of probate shall thereupon refer the same to the conciliation division of the probate court. If a libel for divorce or a petition for separate support is filed in the probate court for either of said counties, the register shall refer the same to the conciliation division of said court, together with a copy of such libel or petition.

SECTION 6. If an application for conciliation is filed with, or a libel for divorce or a petition for separate support is referred to, the conciliation division of the probate court in either Norfolk or Worcester county, a family counselor shall be designated to hear the matter. Said family counselor shall thereupon issue a citation to the other spouse of a person who filed such application or to both parties to such libel or petition, as the case may be.

Such citation shall give notice of the conciliation proceeding and of the stay of any divorce or separate support proceedings for the purposes of enabling a designated family counselor to hold conferences in order to effect a reconciliation of the parties. The citation shall be returnable fourteen days after issue, and shall order the parties to appear in person at that time to show cause why they are not amenable to conciliation proceedings.

SECTION 7. The return day of said citation shall be the start of a period ending ninety days after said day, to be known as the conference period. Upon the return day of said citation the designated family counselor shall set a date for the opening conference. Thereafter, during the conference period he may hold informal and private conferences with a spouse or the spouses for the purpose of effecting a reconciliation, and may extend the conference period and grant successive extensions thereof, if, prior to the termination of such conference period or extension thereof, both parties shall in writing request an extension for a fixed time.

SECTION 8. During the conference period the family counselor shall advise the parties of the resources available to them and shall, with their assent, assist them by referral to social welfare and family agencies, religious agencies or advisors, physicians, psychiatrists, psychologists or others qualified or equipped to help in resolving such problem or problems as may exist in the particular case. The family counselor shall determine who may be present at a conference, and shall have full discretion as to the conduct of a conference. He may procure the attendance of any party or witness at a conference in the manner provided by section eleven. All proceedings before the family counselor shall be held in private. Any communication, verbal or written, made by any party or other person in the course of such proceedings, or made to any person or agency to whom the parties have been referred by the family counselor, shall be deemed a confidential communication, and shall not be admissible in any proceeding for any purpose.

SECTION 9. If at the end of a conference period or extension thereof a reconciliation has been effected, the family counselor shall prepare a written agreement, to be signed by both parties, providing for the dismissal of any pending application for conciliation, libel for divorce or petition for separate support. Said signed agreement shall be known as a conciliation stipulation. Said conciliation stipulation shall be filed with the conciliation division. The director of the division shall cause said conciliation stipulation to be brought to the attention of the judge or justice of the appropriate court for the entry of a final decree dismissing the libel or petition.

If at the end of a conference period or extension thereof a reconciliation has not been effected, the family counselor shall file with the division a certificate setting forth the name of the case or controversy and stating only that the parties have availed themselves of the conciliation procedure and that they have not been reconciled. Said division shall cause such counselor's certificate to be brought to the attention of the clerk of the superior court or the register of probate, as the case may be.

SECTION 10. The provisions of section six B of chapter two hundred and eight of the General Laws shall not be applicable in Norfolk and Worcester counties.

The filing of an application for conciliation in either of said counties shall preclude either spouse during the conference period from filing within the commonwealth a libel for divorce, a petition for separate support, or any other petition provided for by chapters two hundred and eight and two hundred and nine of the General Laws.

Except as otherwise provided in section eleven, all proceedings with respect to any libel for divorce or petition for separate support filed in Norfolk or Worcester county after the effective date of this act shall be stayed during the conference period, and no decree of divorce or order for separate support shall be entered in any such proceeding prior to the filing of a counselor's certificate as provided in section nine.

SECTION 11. The probate court may, notwithstanding the pendency of a conciliation proceeding between the parties to any libel or petition for separate support, make orders for temporary alimony, support and custody, and if the libellee or respondent has left the commonwealth after having been served with a conciliation citation, the probate court may, during the pendency of a conciliation proceeding make such orders as it deems necessary to enforce the attendance of parties or witnesses at such proceeding or otherwise to effectuate the purposes of this act.

SECTION 12. If a conciliation proceeding is concluded by the execution of a conciliation stipulation and a libel for divorce or petition for separate support is filed by either party within one year from the date of such stipulation, the case shall not be referred to the conciliation division of the probate court except with the consent of both parties.

SECTION 13. Neither the proceedings before the family counselor nor any proceeding, conference or interview with any person or agency to whom the parties may be referred by the family counselor shall be construed as condonation by either party of acts of the other in any case wherein a reconciliation between the spouses has not been effected.

SECTION 14. The probate court may at any time, upon motion, waive the requirements of this act.

SECTION 15. This act shall expire on December thirty-first, nineteen hundred and sixty-four. *Approved June 2, 1961.*

Chap. 621. AN ACT ESTABLISHING A PURCHASING AGENT IN THE CITY OF EVERETT.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Everett a purchasing department which shall be supervised by a purchasing agent. The salaries of said agent and employees, if any, of said department shall be determined by the city council. The agent and employees 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 including the school department thereof. All purchases or contracts for purchase exceeding one hundred dollars in amount shall be based upon competitive bids. 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 be submitted for acceptance to the registered voters of the city of Everett at the state election in the year

nineteen hundred and sixty-two 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-one, entitled 'An Act establishing a purchasing department in the city of Everett', be accepted?" If the majority of the votes in answer to said question is in the affirmative, this act shall take effect on the first Wednesday of January, nineteen hundred and sixty-four.

Approved June 2, 1961.

Chap. 622. AN ACT PROVIDING FOR THE CONSTRUCTION OF A BRIDGE ACROSS THE NORTH RIVER BETWEEN THE TOWNS OF NORWELL AND PEMBROKE.

Be it enacted, etc., as follows:

The department of public works is hereby authorized to construct a bridge across the North river between the towns of Norwell and Pembroke. Said bridge shall consist of two sections, one section for carrying the northbound roadway and the other section for carrying the southbound roadway of relocated state highway Route 3. Subject to the laws of the United States, said bridge may be constructed without a draw.

Approved June 2, 1961.

Chap. 623. AN ACT AUTHORIZING THE TOWN OF NAHANT TO CONVEY CERTAIN PARK LAND TO NAHANT COUNCIL #4682, KNIGHTS OF COLUMBUS.

Be it enacted, etc., as follows:

SECTION 1. The town of Nahant may sell and convey to Nahant Council #4682, Knights of Columbus Building Association, Inc., a certain parcel of park land located in said city, located on the easterly side of Marsh road and the westerly side of Nahant road bounded and described as follows:

Beginning at a point on the easterly side of Marsh road, which point is one hundred and thirteen (113) feet southerly of the intersection of the easterly line of Marsh road and the southerly line of Castle road; thence running in a northeasterly direction one hundred and twenty-six (126) feet to a point on the westerly side of Nahant road, which point is fifty (50) feet southerly of the Essex County bound located on the westerly side of said Nahant road at the Lynn Gas House property; thence turning and running in a southeasterly direction, along the westerly line of said Nahant road two hundred (200) feet to a point; thence turning and running in a southwesterly direction on a line parallel to the one hundred and twenty-six (126) foot boundary line as first described; two hundred and forty (240) feet to a point on the easterly side of Marsh road; thence turning and running in a northerly direction along the easterly side of Marsh road two hundred and thirty (230) feet more or less to the point of beginning, containing thirty-six thousand six hundred square feet of land more or less when it receives its charter from the Commonwealth of Massachusetts.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Nahant present and voting thereon at an annual town meeting or at a special town meeting called for the purpose.

Approved June 2, 1961.

Chap. 624. AN ACT TO CORRECT THE SALARY DUE CERTAIN EMPLOYEES IN THE DEPARTMENT OF PUBLIC WORKS WHO HAVE PERFORMED WORK IN HIGHER CLASSIFICATION THAN THAT FOR WHICH THEY WERE PAID.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty-four B of chapter thirty of the General Laws, or any other general or special law to the contrary, employees in the department of public works who have been assigned the duties of a position allocated to a higher class in the general salary schedule for the pay plan of the commonwealth than that to which their permanent or temporary positions have been allocated shall be paid the difference in the salary actually received by them and the salary which they would be entitled to receive if they had been properly appointed by their appointing authority to such position allocated to a higher class in said general salary schedule from the date determined by the director of personnel and standardization when such work was performed by them and the effective date of this act or the time when their assignment to such higher class was corrected by approved requisition whichever is the lesser, provided such employment would have been in accordance with the civil service laws and rules.

Approved June 2, 1961.

Chap. 625. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO REQUIRE THE INSTALLATION AND OPERATION OF TREATMENT FACILITIES NECESSARY TO DELIVER A SAFE WATER SUPPLY.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 5F, inserted by section 1 of chapter 498 of the acts of 1961, the following section: — *Section 5G.* The department may require by order a city, town or district maintaining a water supply to provide and operate such treatment facilities as are in its opinion necessary to insure the delivery of a safe water supply to all consumers. The supreme judicial or the superior court shall have jurisdiction in equity to enforce any such order.

Approved June 2, 1961.

Chap. 626. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Westfield 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 seven thousand seven hundred fifty-two dollars and fifty-eight 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 personnel department, wherein the bills were contracted;

provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

SECTION 2. No bill shall be approved by the city 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 bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered 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 June 2, 1961.

Chap. 627. AN ACT PROVIDING A METHOD OF PROMPT PAYMENT TO CONTRACTORS ON CONTRACTS FOR THE CONSTRUCTION, RECONSTRUCTION, ALTERING, REMODELING, REPAIR OR DEMOLITION OF BUILDINGS BY THE COMMONWEALTH OR ANY POLITICAL SUBDIVISION THEREOF.

Be it enacted, etc., as follows:

SECTION 1. Chapter 30 of the General Laws is hereby amended by inserting after section 39J the following section: — *Section 39K.* Every contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building by the commonwealth, or by any county, city, town, district, board, commission or other public body, when the amount is more than five thousand dollars in the case of the commonwealth and more than two thousand dollars in the case of any county, city, town, district, board, commission or other public body, shall contain the following paragraph: — Within fifteen days (twenty-four days in the case of the commonwealth) after receipt from the contractor, at the place designated by the awarding authority if such a place is so designated, of a periodic estimate requesting payment of the amount due for the preceding month, the awarding authority will make a periodic payment to the contractor for the work performed during the preceding month and for the materials not incorporated in the work but delivered and suitably stored at the site (or at some location agreed upon in writing) to which the contractor has title or to which a subcontractor has title and has authorized the contractor to transfer title to the awarding authority, less (1) a retention based on its estimate of the fair value of its claims against the contractor and less (2) a retention for direct payments to subcontractors based on demands for same in accordance with the provisions of section thirty-nine F, and less (3) a retention not exceeding five per cent of the approved amount of the periodic payment. After the receipt of a periodic estimate requesting final payment and within sixty-five days after (*a*) the contractor fully completes the work or substantially completes the work so that the

value of the work remaining to be done is, in the estimate of the awarding authority, less than one per cent of the original contract price, or (*b*) the contractor substantially completes the work and the awarding authority takes possession for occupancy, whichever occurs first, the awarding authority shall pay the contractor the entire balance due on the contract less (1) a retention based on its estimate of the fair value of its claims against the contractor and of the cost of completing the incomplete and unsatisfactory items of work and less (2) a retention for direct payments to subcontractors based on demands for same in accordance with the provisions of section thirty-nine F, or based on the record of payments by the contractor to the subcontractors under this contract if such record of payment indicates that the contractor has not paid subcontractors as provided in section thirty-nine F. If the awarding authority fails to make payment as herein provided, there shall be added to each such payment daily interest at the rate of five per cent per annum commencing on the first day after said payment is due and continuing until the payment is delivered or mailed to the contractor; provided, that no interest shall be due, in any event, on the amount due on a periodic estimate for final payment until fifteen days (twenty-four days in the case of the commonwealth) after receipt of such a periodic estimate from the contractor, at the place designated by the awarding authority if such a place is so designated. The contractor agrees to pay to each subcontractor a portion of any such interest paid in accordance with the amount due each subcontractor.

The awarding authority may make changes in any periodic estimate submitted by the contractor and the payment due on said periodic estimate shall be computed in accordance with the changes so made, but such changes or any requirement for a corrected periodic estimate shall not affect the due date for the periodic payment or the date for the commencement of interest charges on the amount of the periodic payment computed in accordance with the changes made, as provided herein; provided, that the awarding authority may, within seven days after receipt, return to the contractor for correction, any periodic estimate which is not in the required form or which contains computations not arithmetically correct and, in that event, the date of receipt of such periodic estimate shall be the date of receipt of the corrected periodic estimate in proper form and with arithmetically correct computations. The date of receipt of a periodic estimate received on a Saturday shall be the first working day thereafter. The provisions of section thirty-nine G shall not apply to any contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building to which this section applies.

SECTION 2. This act shall not apply to any contract awarded pursuant to any invitation for bids issued on or before its effective date.

Approved June 2, 1961.

Chap. 628. AN ACT TO AUTHORIZE THE CITY OF SPRINGFIELD TO INCREASE ITS WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield, acting by its board of water commissioners, for the purpose of increasing its water supply, may take, hold, store, and convey to, into and through its system of water works

the waters, or such part thereof as may from time to time be necessary for said purpose, of the middle branch of the Westfield river and its tributaries, the place of diversion of the waters to be on said middle branch of the Westfield river not less than four hundred feet above mean sea level; and may use the water so taken, in connection with and through the medium of its present system of water works or otherwise, for any and all purposes for which said city is or may be authorized to use water; and may take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, rights of way, easements or other rights of property which said board may deem necessary for any of the purposes of this act, and for conveying the same to any part of said city and to any place which is, or, under authority of law, may be, supplied with water by said city, or for carrying out any of the powers and duties conferred by this act.

SECTION 2. The city may construct pumping facilities and other works or structures which said board may deem necessary for the taking, conveying, controlling, measuring and distributing said water or for any other purpose of this act and may construct, lay down and carry such canals, tunnels, pipes, telephone wires or other works under, through, or over any lands, rivers or other water courses, railroads, street railways and public or private ways, and over or upon any public bridges now existing or hereafter built, as may be necessary or convenient for such purposes, and may contract with the public authorities owning or controlling any public bridge or bridges hereafter built for adaptation thereof to the use herein provided, on such terms as may be agreed upon; and for the purposes of this act may enter upon and dig up any public or private way in said city, or in any town in which any portion of said work is located, under the direction of the selectmen thereof, or, in the case of state highways, under the direction of the department of public works, in such manner as to cause no unreasonable hindrance to public travel, and shall hold any such town harmless from all liability to damages from any cause resulting from such acts of said city.

SECTION 3. If said city shall so construct any reservoir under authority of this act as to flow an existing public way in a town, it shall raise the public way to such grade as will leave it reasonably safe and convenient for travel, or shall build in place of any part of such way so flowed such other reasonable and suitable way, which shall thereafter be a public way, with all necessary fences and culverts, as in such manner as shall be agreed upon between its board of water commissioners and the selectmen of the town, or if they cannot agree thereon, then as and in such manner as shall be determined by the county commissioners of the counties in which same are situated upon application of either party to them, and said county commissioners are hereby authorized and directed to adjudicate the same.

SECTION 4. Said city shall have the right to enter upon any lands for the purpose of making surveys, test pits and borings, and may take, or otherwise acquire, the right temporarily to occupy any lands necessary for the construction of any works or for any other purposes authorized by this act.

SECTION 5. In case a claimant for damages shall so elect application may be made by him to the superior court for the county in which the

property is located, for the appointment of a commission to determine the amount of damages suffered by such claimant, and thereupon, after such notice to said city as the court may order, the court shall appoint a commission consisting of three competent and disinterested persons, who shall determine the amount of such damages and report the same to the court; which report when approved by the court shall be binding on all the parties. The compensation of said commissioners shall be fixed by the court and paid in the same manner as are the fees of auditors appointed by the court. Whether or not costs shall be allowed to the prevailing party, and in what amount, shall be in the discretion of the court. Application by a claimant to the superior court for the appointment of a commission under this section shall constitute a waiver by such claimant of his right to petition for assessment of his damages under the provisions of chapter seventy-nine of the General Laws.

SECTION 6. Said city may, for the purpose of paying the necessary expenses and liabilities incurred under provisions of this act, and for the purpose of building such reservoirs, pipelines, and pumping stations and for acquiring such lands as may be necessary, borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, six million five hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Springfield Water Loan Act of 1961. 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 herein provided, be subject to chapter forty-four of the General Laws.

SECTION 7. The city of Springfield, acting through its board of water commissioners, shall supply water at equitable rates based upon cost at point of delivery from the works authorized under this act to any or all of the towns of Chester, Huntington, Russell or Westfield, upon the request of any or all of said towns.

SECTION 8. In the event of a dispute as to the price of water furnished as aforesaid the water resources commission shall, upon petition of any of the aforesaid towns, determine the price. Either party shall have the right to appeal the decision of the water resources commission by further petition to the superior court for the counties of Hampden or Hampshire, which shall upon petition appoint one or more commissioners to hear the parties and to report to the court the facts, or the facts with the evidence, which report when finally approved by the court shall be binding upon the parties. The compensation of said commissioner or commissioners shall be fixed by the court and paid in the same manner as are the fees of auditors appointed by the court. Whether or not costs shall be allowed to the prevailing party and in what amount shall be within the discretion of said court.

SECTION 9. After the taking of any real estate in the town of Russell, Westfield, Huntington or Chester by the city of Springfield under authority of this act, the same shall be valued by the assessors of such town, for the purposes of taxation, on the basis of the average of the assessed values of such real estate for the three years last preceding the acquisition thereof; and said city shall pay said towns taxes at the valuations so determined provided, however, that the fair cash value of such real estate shall be determined by the state tax commission in the year nineteen hundred and sixty-five and every fifth year thereafter in the

same manner as provided in section thirteen of chapter fifty-eight of the General Laws, notwithstanding any contrary provisions of said chapter or chapter fifty-nine.

SECTION 10. For the purposes of maintaining and regulating low river flows below the confluence of the east and middle branches of the Westfield river, the water resources commission may fix and regulate such low flows, the rates of which shall be established from existing flow records maintained by the federal and state agencies which have such records and collect such data. In no case shall the low river flow immediately below the dam to be constructed on the middle branch of the Westfield river be less than either five cubic feet per second or the previous mean low flow as determined from said records.

SECTION 11. No source of water supply and no lands necessary for protecting and preserving the quality of the water shall be taken without first obtaining the advice and approval of the state department of public health, and the location of all dams and reservoirs to be used as sources of water supply under this act shall be subject to the approval of said department.

SECTION 12. Recreational uses of the reservoir, watershed and tributaries shall be permitted until such time as said city begins to use said water for municipal water purposes at which time the state department of public health may promulgate rules and regulations to protect said water supply. *Approved June 2, 1961.*

RESOLVES.

Chap. 1. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REGISTRATION OF INTERESTS LESS THAN ESTATE IN FEE SIMPLE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1361, relative to registration of interests less than estate in fee simple, 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 10, 1961.

Chap. 2. RESOLVE IN FAVOR OF EVA L. ALLEN OF CAMBRIDGE AND ROSE M. DiPIETRO OF MEDFORD.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury to Eva L. Allen of Cambridge the sum of one hundred and seventy-nine dollars and forty-nine cents and to Rose M. DiPietro of Medford the sum of sixty-nine dollars and twenty cents for the purpose of compensating them, in accordance with the then prevailing salary and classification scale of the commonwealth, for performing duties of positions higher than those filled by them on a permanent basis while they were in the service of the commonwealth.

Approved February 10, 1961.

Chap. 3. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING AND DIRECTING THE GOVERNOR OF THE COMMONWEALTH TO APPOINT A RESIDENT OF EITHER ESSEX, ROCKPORT OR GLOUCESTER ASSOCIATE JUSTICE OF THE DISTRICT COURT OF EASTERN ESSEX.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1000, relative to authorizing and directing the governor of the commonwealth to appoint a resident of either Essex, Rockport or Gloucester associate justice of the district court of eastern Essex, 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, 1961.*

Chap. 4. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE RECORDING OF NOTICES OF BUILDING PERMITS, ZONING VARIANCES OR SPECIAL PERMITS AND CERTAIN RELATED MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 255, relative to

clarifying notices of limited or conditional variances; of current house document numbered 1369, relative to recording notice of building permits, zoning variances or special permits in the city of Boston; and of current house document numbered 1370, relative to recording notice of building permits, zoning variances or special permits, 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 17, 1961.

Chap. 5. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE MICHAEL JOHN CARROLL.

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 Michael John Carroll, who died while a member of the house of representatives and after he had been re-elected for another term, the salary to which he would have been entitled had he been sworn in and had he served until the end of the nineteen hundred and sixty-one session of the General Court, less any allowance payable to said widow under the contributory retirement law during said year. *Approved February 17, 1961.*

Chap. 6. RESOLVE IN FAVOR OF THE WIDOW OF THE LATE ERNEST A. JOHNSON.

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 Ernest A. Johnson, who died while a member of the house of representatives and after he had been re-elected for another term, the salary to which he would have been entitled had he been sworn in and had he served until the end of the nineteen hundred and sixty-one session of the General Court, less any allowance payable to said widow under the contributory retirement law during said year. *Approved February 17, 1961.*

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF WATER RESOURCES RELATIVE TO AUTHORIZING STATE AID TO CITIES AND TOWNS FOR MUNICIPAL SEWAGE TREATMENT.

Resolved, That the division of water resources, within the department of natural resources, is hereby authorized and directed to make an investigation and study of the subject matter of current senate document numbered 393, relative to authorizing state aid to cities and towns for municipal sewage treatment. Said division may report from time to time and shall make its final report to the General Court with the results of its 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 on or before the first Wednesday of December in the current year.

Approved February 17, 1961.

Chap. 8. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO PREPARE PLANS AND PROGRAMS FOR THE CELEBRATION IN THIS COMMONWEALTH TO COMMEMORATE THE ONE HUNDREDTH ANNIVERSARY OF THE CIVIL WAR AND RELATIVE TO FILING REPORTS THEREOF.

Resolved, That notwithstanding any provisions of chapter one hundred and thirty-seven of the resolves of nineteen hundred and fifty-eight to the contrary, the number of members to be appointed by the governor, with the advice and consent of the council, to the special commission established by said resolve shall be eighteen and the reports of said commission may, prior to the filing of its final report as required by said resolve, be filed from time to time. *Approved February 17, 1961.*

Chap. 9. RESOLVE IN FAVOR OF ELAINE COHEN OF WINTHROP.

Resolved, That for the purpose of discharging a moral obligation, there be allowed and paid out of the state treasury, subject to appropriation, to Elaine Cohen the sum of five hundred dollars as compensation for injuries suffered and medical expenses incurred by her as a result of a fall on a ramp at Winthrop Shore Reservation in the town of Winthrop under the control of the metropolitan district commission.

Approved February 20, 1961.

Chap. 10. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COUNCIL ON THE EMPLOYMENT OF THE AGING RELATIVE TO THE PROBLEM OF UNEMPLOYMENT AMONG ELDER CITIZENS.

Resolved, That the council on the employment of the aging, in the department of labor and industries, is hereby authorized and directed to make an investigation and study of the problem of unemployment among elder citizens, and methods of alleviating such unemployment. 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 said recommendations into effect by filing the same with the clerk of the senate on or before the last Wednesday of January, nineteen hundred and sixty-two.

Approved February 23, 1961.

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER DEFINING THE DUTIES OF A TRIAL JUDGE IN CERTAIN ACTIONS AT LAW IN THE SUPERIOR COURT AND RELATIVE TO PROVIDING FOR MANDATORY SEQUESTRATION OF WITNESSES UPON REQUEST.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 1008, relative to further defining the duties of a trial judge in certain actions at law in the superior court; and 1857, relative to providing mandatory seques-

tration of witnesses upon request, 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 27, 1961.*

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE RELIEF OF DISPLACED SMALL BUSINESSES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 461, relative to the relief of displaced small businesses, 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 27, 1961.*

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROTECTING CERTAIN RELIGIOUS PRIVILEGES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 697, relative to protecting certain religious privileges, 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 27, 1961.

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT JUDGMENTS IN CRIMINAL CASES MAY BE REVIEWABLE UPON THE COMMON LAW WRIT OF ERROR CORAM NOBIS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1009, relative to providing that judgments in criminal cases may be reviewable upon the common law writ of error coram nobis, 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 27, 1961.

Chap. 15. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO TAKINGS BY EMINENT DOMAIN.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 462, relative to requiring the payment of mortgages upon taking by eminent domain; 995, relative to providing for payment of moving costs of tenants who are dispossessed by land takings; 1014, relative to providing moving expenses for persons whose premises are taken by public authority; 1346, relative to affecting pro tanto payments; 1591, relative to dam-

ages in land takings for public purposes; 1862, relative to land takings and providing that offers in settlement or pro tanto for such takings shall be made within thirty days after the right to damages for such takings has become vested; 1863 and 1864, relative to requiring certain amounts to be offered by a body politic when a taking on its behalf is made under eminent domain proceedings; 2158, relative to allowing the introduction of evidence of assessed value of land taken by certain parties in proceedings by eminent domain; 2161, relative to providing within the commonwealth of Massachusetts a system of payments to those persons displaced by eminent domain or any public action; 2164, relative to providing within the commonwealth of Massachusetts, a system of relocation assistance to those persons or business firms displaced by eminent domain or any public action; and 2531, relative to the measure of damages and other matters in eminent domain cases, 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 27, 1961.

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE CLOSING OF THE DISTRICT COURTS ON SATURDAY AND A CERTAIN RELATED MATTER.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2153, relative to providing for the closing of the district courts on Saturday; and the advisability of closing the district courts on Saturday during the months of July and August only, and to include its conclusions and its 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 2, 1961.

Chap. 17. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO VENUE OF ACTIONS COMMENCED BY TRUSTEE PROCESS IN THE DISTRICT COURTS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 997, relative to venue of actions commenced by trustee process in 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 6, 1961.

Chap. 18. RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE PROBLEMS OF 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, is hereby revived and further continued for the purpose of continuing its investigation and study relative to the problems of taxation. Said commission shall make an investigation and study of the general subject of taxation in the commonwealth, including among other things the assessment and collection of taxes and the distribution of such taxes to the cities and towns. Said commission shall also make such investigation and study with a view to the revision and codification of the laws relating to taxation and to the recommending of such changes therein and additions thereto as may appear necessary or desirable.

Said commission may hold public hearings and may call upon officials of the commonwealth or its subdivisions for such information as it may desire in the course of its investigation and study, shall be provided with quarters in the state house or elsewhere, and shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath. Said commission may expend for expert, clerical and other services and expenses the balance available in item 0239–00 of section two of chapter six hundred and eighty-eight of the acts of nineteen hundred and fifty-six, and such additional 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 from time to time, but the final report shall be filed not later than the fourth Wednesday of January, nineteen hundred and sixty-three.

Approved March 10, 1961.

Chap. 19. 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 nine of the resolves of nineteen hundred and sixty 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 seven hundred and eighty-four of the acts of nineteen hundred and sixty, 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 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-two. *Approved March 10, 1961.*

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADOPTION OF CHILDREN.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 1869, relative to making certain revisions in the laws relating to adoption of children and 2177, relative to the adoption of children and the change of names, 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 10, 1961.

Chap. 21. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITED MARRIAGES AND LIBELS FOR DIVORCE.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 239, relative to prohibited marriages, 241, relative to authorizing the judges of the probate court to shorten the period of decree nisi, and 1621, relative to the prior filing of a libel for divorce or petition for separate support wherein an overt act is alleged shall not be deemed to be a conclusive presumption to defeat a libel for divorce for desertion, 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 10, 1961.

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE SELECTION OF AN OFFICIAL SONG FOR THE COMMONWEALTH.

Resolved, That an unpaid special commission, to consist of five persons duly qualified in the art of music to be appointed by the governor, is hereby authorized and directed to make an investigation and study relative to the selection of an official song for the commonwealth. Said commission shall, in the course of its investigation and study, consider the subject matter of senate document numbered 493 of nineteen hundred and fifty-eight, relative to designating the song entitled "All Hail to Massachusetts" as the official song of the commonwealth, and current house document numbered 343 relative to providing for an official state song. Said commission may consider any other musical composition which it may feel would properly exemplify the spirit and history of the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, and may expend for clerical and other services and expenses such sums as may be appropri-

ated 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 Tuesday of December in the current year.

Approved March 10, 1961.

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A STATUE OR OTHER SUITABLE MEMORIAL TO THE LATE JAMES MICHAEL CURLEY.

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 relative to the erection of a statue or other suitable memorial to the late James Michael Curley. Said commission shall be provided with quarters in the state house or elsewhere, may travel within or without the commonwealth and may expend for clerical or 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, with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the fourth Wednesday of January in the year nineteen hundred and sixty-two.

Approved March 10, 1961.

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE LAWS GOVERNING EMBALMING AND FUNERAL DIRECTING.

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 secretary of the board of registration in embalming and funeral directing, and two persons to be appointed by the governor, is hereby established to make an investigation and study of the laws of the commonwealth relating to embalming and funeral directing, with a view to the revision of said laws wherever it may appear necessary or desirable. Said commission shall hold hearings, shall be provided with quarters in the state house or elsewhere, and may expend for legal, 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 house of representatives not later than the last Wednesday of January, nineteen hundred and sixty-two. *Approved March 10, 1961.*

Chap. 25. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CHILDREN CHARGED WITH CRIMINAL OFFENSES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1459, relative to children charged with criminal offenses, 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 10, 1961.*

Chap. 26. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ADVISABILITY OF ADOPTING RULES OF CIVIL PROCEDURE FOR USE IN THE COURTS OF THE COMMONWEALTH SIMILAR TO THE FEDERAL RULES OF CIVIL PROCEDURE.

Resolved, That the judicial council be requested to investigate the advisability of adopting rules of civil procedure for use in the courts of the commonwealth similar to the federal rules of civil procedure 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 year nineteen hundred and sixty-one. *Approved March 10, 1961.*

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE TRANSCRIPT OF EVIDENCE IN CERTAIN CRIMINAL CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1856, relative to the transcript of evidence in certain criminal cases, 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 10, 1961.

Chap. 28. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO MAKING CERTAIN CORRECTIONS IN THE LAW REGARDING THE TAXATION OF CERTAIN PARTNERSHIPS, ASSOCIATIONS AND TRUSTS, AND RELATIVE TO REVISING CERTAIN LAWS PROVIDING FOR THE TAXATION OF INCOME AND PROVIDING FOR FINANCIAL ASSISTANCE TO CITIES AND TOWNS AND CERTAIN RELATED MATTERS.

Resolved, That the state tax commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 366, relative to making certain corrections in the law regarding the taxation of partnerships, associations and trusts with transferable shares, and 1766, relative to revising certain laws relative to the taxation of incomes, providing additional

financial assistance to cities and towns by increased school aid, full reimbursement for certain public assistance and per capita grants and establishing tax limits in cities and towns. 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 21, 1961.

Chap. 29. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER DEFINING THE DUTIES OF A TRIAL JUDGE IN CERTAIN ACTIONS AT LAW IN THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1006, relative to further defining the duties of a trial judge in certain actions at law in the superior court, 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 March 21, 1961.

Chap. 30. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REMOVING BOTH MAXIMUM AND MINIMUM LIMITATIONS OF RECOVERY IN TORT ACTIONS FOR DEATH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 456, relative to removing both maximum and minimum limitations of recovery in tort actions for 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 March 21, 1961.

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RECODIFICATION COUNSEL RELATIVE TO THE ADVISABILITY OF PROVIDING FOR CODIFICATION OF CERTAIN LEGISLATION RELATING TO THE CONSTRUCTION AND MAINTENANCE OF HIGHWAYS AND TO THE RULES AND REGULATIONS OF ALL STATE AGENCIES, BOARDS, COMMISSIONS AND DEPARTMENTS.

Resolved, That the recodification counsel is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 87, relative to providing for the codification of all previously enacted legislation pertaining to the construction and maintenance of highways; and 830, relative to providing for the appointment of a special commission to study and codify all rules and regulations made by all state agencies, boards, commissions and departments, and to provide for the publication of said rules and

regulations as an appendix to the General Laws of the commonwealth. Said counsel shall report to the general court the results of his investigation and study, together with drafts of legislation necessary to carry his recommendations, if any, into effect, by filing the same with the clerk of the senate on or before the fourth Wednesday of December in the current year. *Approved March 21, 1961.*

Chap. 32. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE WATER RESOURCES COMMISSION RELATIVE TO THE WATER SUPPLY OF THE BERKSHIRE COUNTY REGION.

Resolved, That the water resources commission is hereby authorized and directed to investigate and determine the best method of supplying water to the municipalities of the Berkshire county region in view of the expanding use of water for domestic and industrial purposes. Said commission shall investigate the availability of water supply sources, including underground waters, and the advisability of obtaining water from the metropolitan water supply system. Said commission is authorized further to study how the present ground water supplies can best be utilized for water supply purposes by the municipalities in the region acting either individually or jointly. For the purposes of this resolve said commission may expend for the employment of engineers, geologists and other experts and assistants, and for other expenses, such sums as may be appropriated therefor. Said commission may report to the general court from time to time the results of its investigation and its recommendations, if any, with plans showing possible water resource developments for said municipalities and estimates of cost, and drafts of legislation to carry such recommendations into effect, by filing the same with the clerk of the senate, and shall so file its final report not later than the fourth Wednesday of January, nineteen hundred and sixty-two. *Approved March 21, 1961.*

Chap. 33. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PERMITTING COVERAGE UNDER THE EMPLOYMENT SECURITY ACT FOR PUBLIC EMPLOYEES AND CERTAIN EMPLOYEES OF NON-PROFIT INSTITUTIONS.

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 house documents numbered 468, relative to permitting voluntary coverage for non-profit institutions' employees under the employment security act; 469, relative to permitting voluntary coverage for non-profit institutions' employees under the employment security act; 1018, relative to permitting the coverage of employees of the commonwealth, any political subdivision or any instrumentality of the commonwealth under the employment security law; and 1348, relative to providing unemployment compensation benefits to employees of the commonwealth and its political subdivisions. 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 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 senate on or before the fourth Wednesday of January, nineteen hundred and sixty-two. *Approved March 21, 1961.*

Chap. 34. 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, including any unexpended balance available in item 0261–04 of chapter seven hundred and eighty-four of the acts of nineteen hundred and sixty. 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 January, nineteen hundred and sixty-two.

Approved March 22, 1961.

Chap. 35. RESOLVE INCREASING THE SCOPE OF 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 eighteen 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 1213, relative to the collection of taxes from the estates of persons relieved therefrom.

Approved March 22, 1961.

Chap. 36. 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 eighteen of the resolves of nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 366, relative to exempting the Metropolitan Transit Authority from taxes on fuels and special fuels used for propelling its vehicles; and 370, relative to exempting certain vehicles of cities and towns from the provisions of law relating to the taxation of fuels; and of current house documents numbered 352, relative to exempting the Metropolitan Transit Authority from taxes on fuels and special fuels used for propelling its vehicles; 357, relative to the taxation of income derived from real estate; 360, relative to providing for a deduction for real estate taxes under the income tax law; 361, relative to providing that income from real estate rentals in excess of one thousand dollars shall be subject to the income tax laws; 571, relative to exempting the Metropolitan Transit Authority from taxes on fuels and special fuels used for propelling its vehicles; 1212, relative to exempting governmental bodies from payment of excise tax on gasoline and other motor vehicle fuel; 1214, relative to reimbursing cities and towns for payments made by them of the state excise tax on motor fuels; 1751, relative to providing for the reimbursement of political subdivisions of the commonwealth for certain excises paid or payable on gasoline and certain other motor vehicle fuel bought by them; 1758, relative to exempting certain motor buses used for carrying passengers for hire from certain fuel taxes; 2003, relative to providing that disabled veterans be granted a deduction for certain repairs to their property under the income tax law; 2006, relative to exempting cities and towns from payment of gasoline excise tax for municipally owned vehicles; 2327, relative to providing reimbursement to certificated common carriers of passengers for taxes paid upon fuel consumed in operation of scheduled service; and 2486, relative to eliminating the exemption of rental income from taxation relative to buildings containing more than six dwelling units.

Approved March 22, 1961.

Chap. 37. 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 eighteen of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 561, relative to a revision of the commonwealth's automobile registration procedure and the collection of motor vehicle excise taxes; and of current house documents numbered 563, relative to requiring the department of corporations and taxation and the registry of motor

vehicles to install modern equipment to expedite the collection of excise taxes on motor vehicles; and 2010, relative to permitting a rebate on real estate taxes paid within thirty days of date of tax bill.

Approved March 22, 1961.

Chap. 38. 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 fourth Wednesday of January, nineteen hundred and sixty-two.

Approved March 22, 1961.

Chap. 39. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO CONFERRING JURISDICTION UPON THE SUPREME JUDICIAL COURT AND SUPERIOR COURT TO RESTRAIN VIOLATIONS OF THE OPTOMETRY LAWS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1854, relative to conferring jurisdiction upon the supreme judicial court and superior court to restrain violations of the optometry laws upon petition of the attorney general, the board of registration in optometry, or a professional society of optometrists, 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 24, 1961.*

Chap. 40. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC SAFETY RELATIVE TO ACCESS TO PUBLIC BUILDINGS BY HANDICAPPED PERSONS.

Resolved, That the department of public safety is hereby authorized to make an investigation and study of current house document numbered

2482, providing for an investigation and study by the department of public safety relative to all future public buildings being provided with suitable door widths and ramps for wheelchairs used by handicapped persons, and current house document numbered 2628, providing that specifications for the erection of public buildings shall provide for access to said buildings by handicapped persons. 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 March 24, 1961.

Chap. 41. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED FOR 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 WATER SYSTEMS IN SAID DISTRICTS FOR THE PURPOSE OF MAKING AN INVESTIGATION AND STUDY OF 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, is hereby further revived and continued for the purpose of continuing its investigation and study relative to the metropolitan water supply system and the metropolitan water district.

Said commission shall be furnished by the metropolitan district commission with such technical and other assistance as it may require, and shall have the right to call upon other state departments, boards or commissions for such information and assistance as it may deem necessary for its purpose. Said commission shall be provided with quarters in the state house or elsewhere, may travel within and without the commonwealth, may employ such engineering and other assistants and incur such expenses as may be necessary to carry out the purposes of this resolve, and for said purposes may expend the balance available in item 0257–14 as made available by chapter three hundred and eighteen of the acts of nineteen hundred and sixty and such additional sums as may be appropriated. The expenditure of the balance of said item 0257–14 and of such additional sums appropriated for the purposes of this resolve shall be assessed on the metropolitan water district.

Said commission may report from time to time to the general court the results of its investigation and study hereunder, and its recommendations, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate, but in any event shall file its final report with said clerk on or before the last Tuesday in December, nineteen hundred and sixty-two.

Approved March 29, 1961.

Chap. 42. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION TO STUDY AND INVESTIGATE COMMUNISM AND SUBVERSIVE ACTIVITIES AND RELATED MATTERS WITHIN 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 one hundred and eleven of the resolves of nineteen hundred and sixty, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 22, requiring the teaching in high schools of courses exposing communist doctrines and to require a further oath to be taken by teachers of said courses, and 23, providing for the establishment by the department of education of a course of instruction to expose the communist conspiracy. *Approved March 29, 1961.*

Chap. 43. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION FOR THE PURPOSE OF AUTHORIZING AN ALLOWANCE NOT TO EXCEED ONE AND ONE HALF PER CENT TO LICENSEES PAYING AN ALCOHOLIC BEVERAGE TAX.

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 365, relative to authorizing an allowance not to exceed one and one half per cent to licensees paying an alcoholic beverage 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-two. *Approved March 29, 1961.*

Chap. 44. 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 revived and continued by chapter eighteen of the resolves of nineteen hundred and sixty-one, shall in the course of its investigation and study consider the subject matter of current senate document numbered 117, providing for the payment of real estate and personal property taxes in two instalments and of current house documents numbered 834, 839, 840, 841 and 2338, all relative to the collection of local property taxes.

Approved March 29, 1961.

Chap. 45. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO LEASING CERTAIN LAND IN THE TOWN OF HOLDEN TO MARY E. LONDERGAN OF WORCESTER.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of current senate

document numbered 75, directing the metropolitan district commission to terminate a lease of certain land in the town of Holden and to lease a part thereof to Mary E. Londergan of Worcester. 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 thirtieth day of June in the current year. *Approved March 29, 1961.*

Chap. 46. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE RETIREMENT OF CERTAIN EMPLOYEES OF THE DEPARTMENT OF CORRECTION.

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 1105, relative to the retirement of certain employees of the department of correction. 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 January, nineteen hundred and sixty-two.

Approved March 29, 1961.

Chap. 47. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO THE EARNINGS OF A RETIRED TEACHER EMPLOYED ON A SUBSTITUTE BASIS.

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 1676, relative to the earnings of a retired teacher employed on a substitute basis. 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 January, nineteen hundred and sixty-two.

Approved March 29, 1961.

Chap. 48. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO PROVIDING FOR ADDITIONAL REMEDIES FOR THE COLLECTION OF THE EXCISE UPON CHARGES FOR MEALS.

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 119, relative to providing for additional remedies for the collection of the excise upon charges for meals. 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 January, nineteen hundred and sixty-two. *Approved March 29, 1961.*

Chap. 49. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT CERTAIN RECORDS SHALL NOT BE PRESENTED TO THE COURT BY PROBATION OFFICERS PRIOR TO DISPOSITION.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 220, relative to providing that certain records shall not be presented to the court by probation officers prior to disposition, 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 29, 1961.*

Chap. 50. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE FLOOD PROBLEM OF MOUNT TOM ISLAND IN THE CITY OF NORTHAMPTON.

Resolved, That the department of public works, acting through its division of waterways, is hereby authorized and directed to make an investigation and study of the flood problem of Mount Tom island in the city of Northampton, and the advisability of constructing a dike or a wall to protect the shores of said island. 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 fourth Wednesday of January, nineteen hundred and sixty-two.

Approved March 29, 1961.

Chap. 51. 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 further continued by chapter eighteen of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 1219, relative to the feasibility of establishing real estate tax districts within the commonwealth.

Approved March 29, 1961.

Chap. 52. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICAL COUNCIL RELATIVE TO REQUIRING FORTY-EIGHT HOUR NOTICE PRIOR TO THE HEARING OF COURT CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1005, relative to

requiring forty-eight hour notice prior to the hearing of court cases, 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 29, 1961.

Chap. 53. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING TRIALS BY JURIES OF SIX IN THE DISTRICT COURT OF LOWELL AND THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2534, relative to authorizing trials by juries of six in the district court of Lowell and the third district court of Eastern Middlesex, 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 29, 1961.*

Chap. 54. 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 eighteen of the resolves of nineteen hundred and sixty-one, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 367, relative to providing for a fair, adequate and simplified state income tax.

Approved April 4, 1961.

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING THE GRANTING OF IMMUNITY TO WITNESSES UNDER CERTAIN CONDITIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1016, relative to authorizing the granting of immunity to witnesses under certain conditions, 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 4, 1961.*

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO COMPENSATION FOR MEMBERS OF CONTRIBUTORY RETIREMENT BOARDS.

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 1688, relative to compensation for members of contributory retirement boards. 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 January, nineteen hundred and sixty-two.

Approved April 4, 1961.

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO CORRELATING MASSACHUSETTS TAXATION OF PARTNERSHIPS WITH FEDERAL PRACTICE IN REPLACING THE INCOME TAX PRESENTLY LEVIED AGAINST THE PARTNERSHIP WITH A TAX LEVIED AGAINST ITS MEMBERS.

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 844, relative to correlating Massachusetts taxation of partnerships with federal practice in replacing the income tax presently levied against the partnership with a tax levied against its members. 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 January, nineteen hundred and sixty-two. *Approved April 6, 1961.*

Chap. 58. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO MAKING PERMANENT CERTAIN TEMPORARY TAXES ON INCOME IN ORDER TO PROVIDE FOR A FLEXIBLE SURTAX RATE TO INSURE FINANCIAL RESPONSIBILITY, AND THE MAINTENANCE OF A BALANCED GENERAL FUND.

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 1226, relative to making permanent certain temporary taxes on income in order to provide for a flexible surtax rate to insure financial responsibility, and the maintenance of a balanced General Fund. 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 January, nineteen hundred and sixty-two. *Approved April 6, 1961.*

Chap. 59. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO PROVIDING FOR ADDITIONAL REMEDIES FOR THE COLLECTION OF 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 110, relative to providing for addi-

tional remedies for the collection of income taxes. 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 January, nineteen hundred and sixty-two.

Approved April 6, 1961.

Chap. 60. RESOLVE VALIDATING THE ACTS OF M. CHRISTINA CARLOW OF ARLINGTON AS A NOTARY PUBLIC.

Resolved, That the acts of M. Christina Carlow of Arlington as a notary public, between October eighth, nineteen hundred and sixty and January thirty-first, nineteen hundred and sixty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time she had been qualified to discharge the duties of said office.

Approved April 10, 1961.

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT UNLAWFUL OPERATION OF A MOTOR VEHICLE RESULTING IN THE DEATH OF A PERSON WITHIN ONE YEAR SHALL BE PUNISHABLE BY IMPRISONMENT OR FINE OR BOTH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1815, relative to providing that unlawful operation of a motor vehicle resulting in the death of a person within one year shall be punishable by imprisonment or fine or both, 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 10, 1961.*

Chap. 62. 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 twelve of the resolves of nineteen hundred and sixty, 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 department 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 twelve of the resolves of nineteen hundred and sixty and such additional sums as may be appropriated therefor. 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 fourth Wednesday of January, nineteen hundred and sixty-two. *Approved April 13, 1961.*

Chap. 63. 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 eighteen of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 1760, relative to providing for the taxation of all lands of the Massachusetts Port Authority leased or occupied for business purposes; 2336, relative to eliminating the exemption of certain property of the Massachusetts Port Authority from taxation; and 2985, increasing the scope of the investigation and study by the special commission on taxation. *Approved April 20, 1961.*

Chap. 64. 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 further continued by chapter eighteen of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 122, relative to amending the compensation allowance to distributors and suppliers of certain fuels, cigarette excise licensees and meals tax licensees; 845, relative to the date from which interest shall run on the corporation excise tax under conditions requiring acceleration of the due date of the return; 849, relative to defining the status of leasehold improvements for the purpose of the excise on domestic and foreign business corporations; 1229, relative to the taxation as income of interest receipts of persons engaged in the business of loaning money; 1756, relative to the compensation to be paid manufacturers, wholesalers and importers of alcoholic beverages or alcohol and certain other licensees, for collecting the excises thereon; 2484, relative to limiting exemption from taxation of income of married persons filing separate returns; of the study proposed by 2490, relative to revamping a formula for the distribution of tax revenue to the several cities and towns; 2574, relative to providing for an increase of ten per cent in the formula for distribution to cities and towns of certain tax funds; and 2578, relative to exempting from taxation certain unearned income of persons over sixty-five years of age. *Approved, April 20, 1961.*

Chap. 65. RESOLVE FURTHER CONTINUING THE INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE ADVISABILITY OF A MORE SIMPLIFIED AND MORE EQUITABLE CORPORATION INCOME TAX.

Resolved, That the state tax commission, authorized by chapter one hundred and three of the resolves of nineteen hundred and sixty to make an investigation and study relative to the advisability of a more simplified and equitable corporation income tax, is hereby authorized and directed to continue said investigation and study. Said investigation and study shall, however, be limited to the consideration of a revised corporate excise consisting of a basic tax measured by (1) net income, and (2) tangible property not subject to local taxation, and for alternative minimum measures based on (1) gross receipts, and (2) a flat sum not exceeding fifty dollars.

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-two.

Approved April 20, 1961.

Chap. 66. RESOLVE PROVIDING FOR A STUDY BY THE STATE TAX COMMISSION RELATIVE TO AUTHORIZING CITIES AND TOWNS TO TAX MACHINERY AND OTHER TANGIBLE PROPERTY OF CORPORATIONS AND REPEALING THE RIGHT OF THE COMMONWEALTH TO PLACE A TAX ON SUCH PROPERTY.

Resolved, That the state tax commission is hereby authorized and directed to make a study of the subject matter of current house document numbered 2573, relative to authorizing cities and towns to tax machinery and other tangible property of corporations and repealing the right of the commonwealth to place a tax on such property. 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 house of representatives on or before the fourth Wednesday of January, nineteen hundred and sixty-two. *Approved April 20, 1961.*

Chap. 67. RESOLVE VALIDATING THE ACTS OF ASTER M. DAVISON AS A NOTARY PUBLIC.

Resolved, That the acts of Aster M. Davison of Worcester as a notary public between February twenty-first, nineteen hundred and fifty-seven and February twentieth, nineteen hundred and sixty-one, 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 Aster M. Peterson, 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 April 21, 1961.

Chap. 68. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A COLLEGE BY THE DIVISION OF UNIVERSITY EXTENSION IN THE DEPARTMENT OF EDUCATION, AND AUTHORIZING SAID DIVISION TO GIVE CREDITS FOR COURSES THEREIN, AND TO CONFER DEGREES.

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 education or a person designated by him, and three 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 document numbered 19, relative to authorizing and directing the division of university extension in the department of education to establish therein a college, to give credits for courses completed therein and to confer degrees. 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 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 fourth Wednesday of January, nineteen hundred and sixty-two. *Approved April 24, 1961.*

Chap. 69. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE BOARD OF REGIONAL COMMUNITY COLLEGES OF THE DESIRABILITY AND FEASIBILITY OF ESTABLISHING A VOCATIONAL TECHNICAL SCHOOL IN ESSEX COUNTY.

Resolved, That the Massachusetts board of regional community colleges is hereby authorized and directed to investigate and study the desirability and the feasibility of establishing a vocational technical school in Essex county in conjunction with plans of said board for establishing junior colleges in that area. 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 fourth Wednesday of January, nineteen hundred and sixty-two.

Approved April 24, 1961.

Chap. 70. RESOLVE IN FAVOR OF ROSE M. VALENTINE OF MEDFORD.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there be allowed and paid out of the state treasury, subject to appropriation, to Rose M. Valentine of Medford, in satisfaction of an execution issued on final judgment from the first district court of eastern Middlesex on June twenty-ninth, nineteen hundred and sixty, in an action commenced by said Rose M. Valentine against Thurber Handley for damages resulting from an accident occurring November twentieth, nineteen hundred and fifty-five, involving a motor

vehicle owned by the commonwealth and under the control of the department of public works, and operated by said Handley while in performance of his duties as an employee of the said department, the sum of fifty-five thousand four hundred dollars. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Rose M. Valentine that the amount, if any, paid or to be paid for legal services in connection with the passage of this resolve shall not exceed ten per cent of said sum. *Approved April 24, 1961.*

Chap. 71. RESOLVE ESTABLISHING A SPECIAL UNPAID COMMISSION TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS PERTAINING TO QUALIFICATION AND REGISTRATION FOR VOTING AND TO PRIMARIES AND ELECTIONS WITH A VIEW TO THEIR REVISION AND IMPROVEMENT.

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, and two persons to be appointed by the governor, with the advice and consent of the council, is hereby established for the purpose of making an investigation and study of the laws pertaining to qualification and registration for voting and to primaries and elections, with a view to revising and perfecting such laws. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may call upon officials or employees of the commonwealth or any other person to contribute such information as the commission may require in the course of its investigation and study. Said commission may expend for clerical and other services and expenses such sums as may be appropriated therefor, and 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 first Wednesday in December, nineteen hundred and sixty-two. *Approved April 27, 1961.*

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PROBLEM OF AIR POLLUTION AND AIR POLLUTION CONTROL INCLUDING THE ADVISABILITY OF INSTALLING MOTOR VEHICLE AIR POLLUTION CONTROL DEVICES ON ALL MOTOR VEHICLES REGISTERED IN THE COMMONWEALTH.

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 commissioner of public health or his designee, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the problem of air pollution and air pollution control, including the advisability of requiring motor vehicle air pollution control devices to be installed on motor vehicles registered in the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere, may travel

within and without the commonwealth, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, and may expend for expert, legal, technical, clerical and other services and assistance 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 fourth Wednesday of January, nineteen hundred and sixty-two. *Approved April 27, 1961.*

Chap. 73. RESOLVE PROVIDING FOR A STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PROBLEMS OF THE REHABILITATION, EMPLOYMENT OR RE-EMPLOYMENT OF HANDICAPPED OR DISABLED PERSONS.

Resolved, That an unpaid special commission, to consist 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 rehabilitation, the chairman of the industrial accident board or his designee, and two persons to be appointed by the governor, one of whom shall be a representative of labor and one of whom shall be a representative of management, is hereby established for the purpose of making a study relative to the problems of the rehabilitation, employment or re-employment of handicapped or disabled persons. Said commission shall, in the course of its study, consider the subject matter of current house documents numbered 701, relative to encouraging seriously injured workers to seek and obtain vocational rehabilitation, without penalizing them financially; 1023, relative to facilitating the employment or re-employment of disabled workers by expanding the functions of the second injury fund; and of the investigation and study proposed by 2592, relative to the problems of handicapped persons. 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 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-two.

Approved April 27, 1961.

Chap. 74. 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.

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 nineteen hundred and sixty 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. 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 January, nineteen hundred and sixty-two.

Approved April 27, 1961.

Chap. 75. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF YOUTH CONSERVATION CAMPS BY THE DEPARTMENT OF NATURAL RESOURCES.

Resolved, That an unpaid special commission, to consist 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, one member of the youth service board to be designated by the chairman thereof, the commissioner of the department of natural resources or his designee, and two members of the clergy to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the establishment of youth conservation camps in the department of natural resources. Said commission shall include in its study the construction, maintenance and operation of youth conservation camps for the purpose of educating youthful persons in the conservation of our natural resources, as well as providing that persons enrolled in such camps may be compensated for services performed by them on state-owned land. Said commission shall also consider the possible advantages of such camps in the rehabilitation of juvenile delinquents. 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 hereafter 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 January, nineteen hundred and sixty-two.

Approved April 27, 1961.

Chap. 76. RESOLVE IN FAVOR OF IOLA DAVIDSON OF MEDFORD.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there be allowed and paid out of the state treasury, subject to appropriation, to Iola Davidson of Medford, in satisfaction of an execution issued on final judgment from the first district court of eastern Middlesex on June twenty-ninth, nineteen hundred and sixty, in an action commenced by said Iola Davidson against Thurber Handley for damages resulting from an accident occurring November twentieth, nineteen hundred and fifty-five, involving a motor vehicle owned by the commonwealth and under the control of the department of public works, and operated by said Handley while in performance of his duties as an employee of the said department, the sum of thirty thousand seven hundred and eighty-one dollars and thirty-five cents. No payment shall be made hereunder until there is filed with the comptroller an agreement signed by said Iola Davidson that the amount, if any, paid or to be paid for legal services in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved April 27, 1961.

Chap. 77. 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 further continued by chapter eighteen of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 48, relative to exempting from taxation the property of subordinate lodges and the Grand Lodge of Independent Order of Odd Fellows; and 49, relative to exempting from taxation the property of incorporated instrumentalities of the Massachusetts State Elks Association, Inc.; and of current house documents numbered 346, relative to exempting from taxation the real and personal property of incorporated instrumentalities of the Ancient Order of Hibernians; 348, relative to providing a certain real estate tax exemption to certain World War I veterans; 363, relative to providing that widows of veterans shall be exempted from the payment of an excise tax on motor vehicles owned by them; 364, relative to providing that the real estate to the value of two thousand dollars of certain persons receiving benefits under the provisions of the veterans' pensions act of nineteen hundred and fifty-nine shall be exempt from taxation; 365, relative to providing a certain real estate tax exemption to certain World War I veterans; 560, relative to providing for a limited exemption from taxation of real property of totally disabled veterans of World War I; 562, relative to providing an exemption from real estate taxes to certain disabled veterans; 570, relative to changing the residence requirements for certain veterans seeking exemption from taxation of real property; 852, relative to increasing the valuation of real estate which a veteran may own to qualify for certain tax exemptions; 1223, relative to providing a certain real estate tax exemption to certain World War I veterans; 1768, relative to the computation of the amount of certain veterans' exemptions; 2001, relative to exempting from taxation the

property of incorporated instrumentalities of the Massachusetts State Aerie Fraternal Order of Eagles; 2329, relative to providing a real estate tax exemption for certain veterans of World War I; 2331, relative to exempting from taxation the property of the Benevolent and Protective Order of Elks and their subsidiary building trusts; and of the investigation and study proposed by 2333, relative to the problem of assessing excise taxes on motor vehicles over five years old.

Approved April 27, 1961.

Chap. 78. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING ANY JUSTICE WHO SHALL DIRECT A VERDICT OR MAKE A GENERAL FINDING TO STATE HIS REASONS THEREFOR.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2412, relative to requiring any justice who shall direct a verdict or make a general finding to state his reasons therefor, 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 1, 1961.*

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE SALE BY THE COMMONWEALTH OF CERTAIN LAND IN NATICK TO SILVANO A. AND LILLIAN E. MELCHIORRI.

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 1925, relative to authorizing the commissioner of natural resources to sell a certain parcel of land in the town of Natick to Silvano A. Melchiorri and Lillian E. Melchiorri. 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 senate on or before the last Wednesday of December in the current year.

Approved May 1, 1961.

Chap. 80. RESOLVE AUTHORIZING AND DIRECTING THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS TO INCLUDE IN ITS ANNUAL REPORT THE RESULTS OF AN INVESTIGATION AND STUDY OF PRESCRIBING NATIONAL UNIFORMITY RELATIVE TO QUALIFICATIONS FOR VOTING FOR PRESIDENTIAL ELECTORS.

Resolved, That, in carrying out its duties under sections twenty-six to twenty-eight, inclusive, of chapter six of the General Laws, the board of commissioners on uniform state laws shall investigate and study the laws of the several states of the United States prescribing residence qualifications for voting for presidential electors for the purpose of

determining what changes in such laws would be required to enable every adult citizen of the United States to qualify for voting for presidential electors and include the results of said investigation and study in its annual report. *Approved May 1, 1961.*

Chap. 81. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE LICENSING OF AGENCIES GIVING DAY CARE TO CHILDREN.

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 commissioners of education, public health, mental health, public safety and public welfare, or their respective designees, and four persons having special experience in the problems of children, to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the licensing of agencies giving day care to children. 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 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 fourth Wednesday of January, nineteen hundred and sixty-two. *Approved May 1, 1961.*

Chap. 82. RESOLVE FURTHER 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.

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 is hereby further 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 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-two. *Approved May 1, 1961.*

Chap. 83. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION RELATIVE TO CERTAIN DEPOSIT ACCOUNTS IN SAVINGS BANKS.

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 four persons to be appointed by the governor is hereby established for the purpose of making an investigation and study of current house document numbered 1253, relative to certain deposit accounts in savings banks. 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 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 fourth Wednesday of January, nineteen hundred and sixty-two. *Approved May 3, 1961.*

Chap. 84. RESOLVE EXTENDING THE TIME WITHIN WHICH THE WATER RESOURCES COMMISSION SHALL MAKE ITS REPORT OF THE WATER SUPPLY NEEDS AND RESOURCES OF THE MUNICIPALITIES OF THE COUNTY OF ESSEX.

Resolved, That the time within which the water resources commission shall make its report to the general court relative to the water supply needs and resources of the municipalities of the county of Essex, as authorized by chapter sixty-seven of the resolves of nineteen hundred and sixty, is hereby extended to the first Wednesday of December in the year nineteen hundred and sixty-two; but said commission may, with respect to various phases of the work as they are completed, report from time to time prior to said date. *Approved May 3, 1961.*

Chap. 85. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE TAX COMMISSION RELATIVE TO THE COLLECTION OF LOCAL PROPERTY 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 3010, relative to the collection of local property taxes. 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 January, nineteen hundred and sixty-two. *Approved May 3, 1961.*

Chap. 86. 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 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 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 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 not later than the fourth Wednesday of January, nineteen hundred and sixty-two.

Approved May 5, 1961.

Chap. 87. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE EMPLOYEES' GROUP INSURANCE COMMISSION RELATIVE TO EXTENDING GROUP HOSPITAL, SURGICAL, MEDICAL INSURANCE TO ELDERLY PERSONS AND THEIR DEPENDENTS RETIRED FROM THE SERVICE OF CERTAIN COUNTIES, CITIES, TOWNS AND DISTRICTS AND OF THE COMMONWEALTH.

Resolved, That the state employees' group insurance commission is hereby authorized and directed to make an investigation and study relative to extending contributory group general or blanket insurance for persons in the service of the commonwealth to persons, and their dependents, retired from such service and of current senate document numbered 208, relative to extending group hospital, surgical, medical insurance to elderly persons and their dependents retired from the service of certain counties, cities, towns and districts.

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 fourth Wednesday of January, nineteen hundred and sixty-two.

Approved May 5, 1961.

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO ACQUIRE CERTAIN LANDS.

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 director of the division of fisheries and game or his designee, and the commissioner of natural resources or his designee, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 2497, relative to authorizing the director of the division of fisheries and game to acquire certain lands in the towns of Bridgewater, West Bridgewater, Easton and Raynham and the city of Taunton for wildlife management purposes. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may expend for expert, 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 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-two. *Approved May 5, 1961.*

Chap. 89. RESOLVE ESTABLISHING AN UNPAID SPECIAL COMMISSION TO MAKE AN INVESTIGATION AND STUDY OF THE ADMINISTRATION OF THE DEPARTMENT OF MENTAL HEALTH AND OF THE LAWS OF THE COMMONWEALTH RELATIVE TO THE ADMITTANCE, TREATMENT AND RELEASE OF PATIENTS IN INSTITUTIONS UNDER THE CONTROL OF SAID DEPARTMENT.

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 three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the administration of the department of mental health and of the laws of the commonwealth relative to the admittance, treatment and release of patients in mental institutions under the control of said department, and related matters. Said commission, in the course of its investigation and study, shall in particular consider the laws relating to the methods of commitment, treatment and release of patients. Said commission shall be provided with quarters in the state house or elsewhere, may hold public hearings, and may call upon officials or employees of the commonwealth or any other person to contribute such information as the commission may require in the course of its investigation and study. Said commission may expend for clerical and other services and expenses such sums as may be appropriated therefor, and 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 fourth Wednesday of January, nineteen hundred and sixty-two. *Approved May 5, 1961.*

Chap. 90. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A MEMORIAL TO COLONEL THOMAS CASS AND THE OFFICERS AND MEN OF THE NINTH REGIMENT OF INFANTRY.

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 four persons to be appointed by the governor, is hereby established for the purpose of making 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. Said commission 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, on behalf of the commonwealth, of certain flags carried by said regiment in the Spanish-American War. 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 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 January, nineteen hundred and sixty-two.

Approved May 5, 1961.

Chap. 91. 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 the study proposed by current house document numbered 2257, by a special committee to be appointed by the governor to determine what steps may be taken to prevent deaths of children from fire; and of current house documents numbered 2259, directing the commissioner of public safety to establish standards for the construction, installation and use of space heaters in dwelling units; and 2261 and 2262 regulating the use of space heaters. Said commission shall also consider the possibility of recom-

mending 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 fourth Wednesday of January, nineteen hundred and sixty-two.

Approved May 5, 1961.

Chap. 92. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE BUDGETARY POWERS OF THE TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS, AND CERTAIN OTHER MATTERS.

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 three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the laws relating to the budgetary powers of the trustees of the University of Massachusetts. Said commission shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 1803, relative to the administration and personnel of the Lowell Technological Institute of Massachusetts; 2076, relative to the powers of the trustees of the University of Massachusetts; and 2376, relative to providing tenure after three years of service for persons employed for actual instruction of students by the University of Massachusetts. 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 technical, 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 such 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-two.

Approved May 10, 1961.

Chap. 93. RESOLVE IN FAVOR OF JAMES V. DETOMA, FATHER OF ANDREW A. DETOMA A MINOR.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there shall be paid from the state treasury to James V. DeToma, the sum of seven hundred and fifty dollars as compensation for personal injuries to his son, Andrew A. DeToma, a minor who was injured on the fifth day of April, nineteen hundred and sixty, in the gymnasium of the Fitchburg Teachers College in the course of his activities as a student, and as reimbursement for medical, hospital and nursing expenses arising out of said accident. No

payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said James V. DeToma 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 the amount payable hereunder. *Approved May 10, 1961.*

Chap. 94. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION OF GROUND WATER SUPPLIES AND FUTURE SOURCES IN THE ASSABET RIVER WATERSHED.

Resolved, That the water resources commission is hereby authorized and directed to make a comprehensive investigation and study of the water supply sources in the Assabet river watershed, including but not limited to, the towns of Acton, Boxborough, Maynard and Stow, the quantities of water to be obtained from ground water resources, the best method of conserving said water supplies and of purifying and protecting the purity of the water, the present and future water needs of the persons in the watershed area, and all other matters pertaining to ground water supply in said area and in the towns situated therein. Said commission may expend for the employment of engineering, technical and clerical assistance such sums as may be appropriated therefor. Said commission may request the assistance of such government agencies, local, state and federal, as will further the purposes herein set forth and may acquire from any town or towns in the area the results of any study or investigation of water sources, or continue any study or investigation initiated by any town or towns and may expend therefor and for such other expenses or assistance as may be necessary and for reimbursement of any town or towns 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-three.

Approved May 10, 1961.

Chap. 95. 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 time within which the water resources commission shall make its report to the general court relative to the water resources in the watershed of the Concord, Sudbury and Assabet river valleys, as authorized by chapter eighty-three of the resolves of nineteen hundred and sixty, is hereby extended to the first Wednesday in December, nineteen hundred and sixty-two, and may report thereon from time to time prior to said date as it completes various phases of its study.

Approved May 15, 1961.

Chap. 96. RESOLVE PROVIDING FOR PAYMENT OF CERTAIN COMPENSATION TO CERTAIN EMPLOYEES OF THE DIVISION OF EMPLOYMENT SECURITY.

Resolved, That the director of the division of employment security shall certify for payment and thereafter there shall be allowed and paid from the state treasury to the following employees of said division as compensation for periods during which they were not paid the full compensation, to which they were entitled, the sums set forth after their respective names: —

Walter J. Bober	$83.72
Dorothy H. Boulanger	22.07
Richard F. Brauer	70.34
Madelin D. Chase	33.10
George F. Crotty, Jr.	33.81
John F. Frazier	60.69
Mary E. Gallant	898.59
John F. Griffin	105.53
Frederick A. Harkins	257.56
James J. Hinchey	34.50
Frances V. McCarthy	22.07
William J. McCarthy	790.90
James P. McKeon	34.50
James A. Quinn	231.87
Thomas G. Robertson	151.73
Max Sava	61.41
Mary S. Sullivan	67.41

Approved May 15, 1961.

Chap. 97. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE TAKING BY EMINENT DOMAIN OF CERTAIN LANDS IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON FOR THE PURPOSE OF CONSTRUCTING RECREATIONAL FACILITIES THEREON.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1905, authorizing and directing the metropolitan district commission to take by eminent domain certain lands in the Dorchester district of Boston for the purpose of constructing recreational facilities thereon. 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 May 15, 1961.*

Chap. 98. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF PERSONNEL AND STANDARDIZATION RELATIVE TO CORRECTING CERTAIN INEQUITIES IN THE DIVISION OF EMPLOYMENT SECURITY.

Resolved, That the division of personnel and standardization is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1728, relative to the allocation in the general salary schedule of the positions of senior clerk-interviewer, principal interviewer and head interviewer to correct certain inequities in the division of employment security. Said division 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 May 17, 1961.*

Chap. 99. RESOLVE IN FAVOR OF FIRMO CORREA OF LOWELL.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, there be allowed and paid out of the state treasury, subject to appropriation, to Firmo Correa of Lowell, the sum of two hundred and thirty-six dollars and sixty-four cents for legal services in obtaining reinstatement to the department of corporations and taxation from which he was unlawfully removed. *Approved May 17, 1961.*

Chap. 100. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE GREYLOCK RESERVATION COMMISSION RELATIVE TO THE REPAIR, RESTORATION OR CHANGE IN STRUCTURAL DESIGN OF THE MOUNT GREYLOCK WAR MEMORIAL.

Resolved, That the Greylock reservation commission is hereby authorized and directed to make an investigation and study relative to the advisability and expediency of restoring, repairing or changing the structural design of the Mount Greylock War Memorial. Said commission may expend for clerical, architectural, engineering 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 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 May 19, 1961.

Chap. 101. RESOLVE CONTINUING THE 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 continue the investigation and study authorized by chapter seventy-six of the resolves of nineteen hundred and sixty,

relative to the establishment of 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 such 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 May 22, 1961.

Chap. 102. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO INCREASING THE AMOUNTS OF PENSIONS AND RETIREMENT ALLOWANCES PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

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 2949, relative to increasing the amounts of pensions and retirement allowances payable to certain former public employees.

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 in the current year. *Approved May 23, 1961.*

Chap. 103. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO SUPPRESSING AND MAKING INADMISSIBLE CERTAIN EVIDENCE IN CRIMINAL PROSECUTIONS.

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 or his designee, the district attorney of Suffolk County or his designee, the police commissioner of the city of Boston or his designee, the chief justice of the supreme judicial court or some other justice or a former justice of that court designated by him, two justices of the superior court to be designated by the chief justice thereof, a justice of a district court in the commonwealth to be designated by the administrative committee of the district courts, and nine persons to be appointed by the governor, of whom three shall be faculty members of law schools established in the commonwealth, two shall be members of the Massachusetts Chiefs of Police Association, Incorporated, and two shall be members of the Massachusetts District Attorneys Association, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 1002, providing a procedure for pretrial suppression of evidence obtained by an illegal search and seizure; and 1003, providing for the inadmissibility in court of certain illegally obtained evidence. 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 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 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-two. *Approved May 24, 1961.*

Chap. 104. RESOLVE REVIVING AND CONTINUING AND INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY 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 the unpaid special commission established under the provisions of chapter fifty-seven of the resolves of nineteen hundred and sixty to make an investigation and study 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 is hereby revived and continued. Said commission shall, in the course of its investigation and study, consider the subject matter of senate document numbered 305 of 1960. 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 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 January, nineteen hundred and sixty-two.

Approved May 24, 1961.

Chap. 105. RESOLVE IN FAVOR OF JOHN F. McCARTHY, FATHER OF ANN R. McCARTHY, A MINOR.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth, and subject to appropriation, there shall be paid out of the state treasury the sum of three thousand dollars to John F. McCarthy, father of Ann R. McCarthy, a minor, of the Hyde Park district of the city of Boston, as compensation for personal injuries to said Ann R. McCarthy, and as reimbursement for medical, hospital, and nursing expenses arising out of an accident occurring on the first day of July, nineteen hundred and sixty, as a result of the defective maintenance and want of repair of certain equipment at the William Doyle Metropolitan District Commission Playground, in the Mattapan district of the city of Boston. No payment shall be made hereunder until there has been filed with the comptroller an agreement in writing signed by said John F. McCarthy that the amount, if any, paid or to be paid for legal services in connection with the passage of this resolve shall not exceed ten per cent of said sum. *Approved May 25, 1961.*

Chap. 106. 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 five 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 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-two. *Approved May 25, 1961.*

Chap. 107. RESOLVE IN FAVOR OF ALBERT A. GAMMAL, JR.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Albert A. Gammal, Jr., a member of the house of representatives, the salary to which he would have been entitled had he been a member on the first day of the current session of the general court. *Approved May 25, 1961.*

Chap. 108. RESOLVE IN FAVOR OF MILTON R. SILVA.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Milton R. Silva, a member of the house of representatives, the salary to which he would have been entitled had he been a member on the first day of the current session of the general court. *Approved May 25, 1961.*

Chap. 109. RESOLVE IN FAVOR OF PHILIP N. CARNEY.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Philip N. Carney, a member of the house of representatives, the salary to which he would have been entitled had he been a member on the first day of the current session of the general court. *Approved May 25, 1961.*

Chap. 110. RESOLVE IN FAVOR OF BENJAMIN KLEBANOW.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to Benjamin Klebanow, a member of the house of representatives, the salary to which he would have been entitled had he been a member on the first day of the current session of the general court. *Approved May 25, 1961.*

Chap. 111. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ORGANIZATION AND OPERATION OF THE METROPOLITAN DISTRICT COMMISSION AND OTHER RELATED MATTERS.

Resolved, That the unpaid special commission established by chapter one hundred and forty of the resolves of nineteen hundred and fifty-eight, and the time for filing its final report extended by chapter one hundred and twenty-five of the resolves of nineteen hundred and sixty, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 288, relative to establishing a recreation division within the metropolitan parks district; of current house document numbered 493, authorizing and directing the metropolitan district commission to set aside certain land in the Blue Hills reservation for cemetery purposes for use by residents of the city of Quincy; of current house documents numbered 1079, relative to establishing a recreation division within the framework of the metropolitan district commission, of the investigation and study proposed by current house document numbered 1566, relative to traffic conditions and controls on the Lynnway in the city of Lynn including the need for an overpass or traffic circle at the intersection of Market and Broad streets in said city; of current house documents numbered 1633, relative to a change of supervision of certain employees of the metropolitan district commission; 1902, relative to extending the metropolitan parks district; 1906, relative to authorizing and directing the metropolitan district commission to take by eminent domain certain lands in the Dorchester district of the city of Boston for the purpose of constructing recreational facilities thereon, and of the investigation and study proposed by current house document numbered 2211, relative to the construction of locks and a lagoon type beach at Columbia Point-Carson Beach in the Dorchester district of the city of Boston by the metropolitan district commission. *Approved May 25, 1961.*

Chap. 112. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING THAT CERTAIN PUBLIC EMPLOYEES RETIRED AS VETERANS MAY ELECT TO RECEIVE A LESSER PENSION AND MAY PROVIDE FOR SURVIVORSHIP BENEFITS TO THEIR SURVIVING SPOUSE.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study of the subject matter of current house documents numbered 1670, relative to providing that certain public employees retired as veterans may elect to receive a lesser pension and may provide for survivorship benefits to their surviving spouse, and 3069, relative to providing that social security benefits shall not be considered as income when considering the eligibility of certain war veterans for retirement from public service. 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 in the current year. *Approved May 26, 1961.*

Chap. 113. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE SPECIAL ADJUDICATION AND HANDLING OF CERTAIN YOUTHFUL OFFENDERS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 596, relative to providing for the special adjudication and handling of certain youthful offenders, 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 26, 1961.*

Chap. 114. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF INSURANCE RELATIVE TO THE SECURING OF FIRE INSURANCE, PLAN OF APPORTIONMENT AND SERVICE CHARGES THEREFOR, BY CERTAIN PERSONS UNABLE TO OBTAIN SUCH INSURANCE.

Resolved, That the division of insurance is hereby authorized and directed to make an investigation and study of current house document numbered 676, relative to providing for the securing of fire insurance, plan of apportionment and service charges therefor, by certain persons unable to obtain such insurance. Said division 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 in the current year. *Approved May 27, 1961.*

Chap. 115. RESOLVE FURTHER 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 nineteen hundred and sixty, and the time for which was extended by chapter one hundred and twelve of said resolves, is hereby further extended to the last Wednesday of December, nineteen hundred and sixty-one.

Approved May 27, 1961.

Chap. 116. RESOLVE PROVIDING FOR A STUDY AND INVESTIGATION BY AN UNPAID SPECIAL COMMISSION RELATIVE TO MUNICIPAL HOME RULE.

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 six persons to be appointed by the governor, of whom two shall be municipal officials or officers who are members of the Massachusetts League of Cities and Towns, one shall be a member of the Massachusetts Mayors' Association, one a member of the Massachusetts Selectmen's Association, is hereby established for the purpose of making an investigation and study of "home rule" for cities and towns of the commonwealth. Said commission shall consider the subject matter of current senate document numbered 580.

Said commission may call upon any department, board, commission and officer of the commonwealth or its political subdivisions for such information as the commission may desire in the course of its study; shall be provided with quarters in the state house or elsewhere; may travel within and without the commonwealth; may hold public hearings; and may expend for legal, clerical and other services and supplies 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 investigation and its recommendations, if any, together with drafts of legislation, and of proposals for amendments to the constitution suitable for introduction by a member of the general court, necessary to carry such recommendations into effect, by filing the same with the clerk of the senate and shall file its final report not later than the last Wednesday in January, nineteen hundred and sixty-two.

Approved May 27, 1961.

Chap. 117. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROVIDING FOR THE REIMBURSEMENT OF THE METROPOLITAN TRANSIT AUTHORITY FOR CERTAIN EXPENSES INCURRED FOR THE TRANSPORTATION OF PUPILS.

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 Committeemen, 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 735, relative to 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 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 of January, nineteen hundred and sixty-two. *Approved May 27, 1961.*

Chap. 118. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PROTECTING THE ELIGIBILITY OF VOTERS WHO HAVE MOVED INTO OR FROM THE COMMONWEALTH.

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, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the problem of protecting the rights of persons to vote who are new residents of the commonwealth and who may not have complied with present residence requirements for voting, or who have moved to another state and may be disenfranchised thereby.

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 professional, 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 such 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-two.

Approved May 27, 1961.

Chap. 119. 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 the time for filing its final report having most recently been extended by chapter one hundred and twenty-five of the resolves of nineteen hundred and sixty, is required to file its final report is hereby further extended to the last Wednesday of January, nineteen hundred and sixty-two. 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 May 27, 1961.

Chap. 120. RESOLVE EXTENDING THE TIME WITHIN WHICH THE SPECIAL COMMISSION ESTABLISHED TO MAKE 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 IS REQUIRED TO FILE ITS FINAL REPORT.

Resolved, That the time within which the unpaid special commission established by chapter fifty-five of the resolves of nineteen hundred and fifty-nine and revived and continued by chapter one hundred and twenty-two of the resolves of nineteen hundred and sixty is required to file its final report is hereby extended to the fourth Wednesday of January, nineteen hundred and sixty-two. *Approved May 27, 1961.*

Chap. 121. RESOLVE CONTINUING CERTAIN INVESTIGATIONS AND STUDIES BY THE MASS TRANSPORTATION COMMISSION RELATIVE TO THE METROPOLITAN TRANSIT AUTHORITY, RAILROAD SERVICE, AND MASS TRANSPORTATION FACILITIES, AND INCREASING THE SCOPE THEREOF.

Resolved, That the mass transportation commission is hereby authorized and directed to continue its investigation and study 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, as authorized by chapter eighty-eight of the resolves of nineteen hundred and sixty; relative to altering the composition of the Metropolitan Transit Authority, and making other changes therein, as authorized by chapter

ninety-one of said resolves; relative to the establishment of mass transportation facilities and co-ordinating highway programs west and north of Boston, as authorized by chapter one hundred of said resolves; and relative to the discontinuance or curtailment of service by railroads, the control and maintenance of grade crossings, and other related matters, as authorized by chapter one hundred and four of said resolves. Said commission shall, in the course of its investigation and study, consider the feasibility of the following extensions and expansions of the Metropolitan Transit Authority: Extension of the Everett–Forest Hills line to North Reading; removal of the elevated structure of the Everett–Forest Hills line and extension of said line to Route 128; removal of the Lechmere Viaduct from Haymarket Square to Lechmere Square and the relocation and rerouting of service from Lechmere Square; extension of the rapid transit line from Orient Heights, East Boston, to Linden Square, Malden; and extension of the Highland Branch line by providing a loop through the Bird Hill section of Needham. For the purposes of said investigation and study 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 engineering 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 last Wednesday of January, nineteen hundred and sixty-two. *Approved May 31, 1961.*

Chap. 122. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ESTABLISHMENT OF A STATE SUPPORTED MEDICAL SCHOOL.

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 commissioner of education, the commissioner of mental health, the commissioner of public health, and four persons to be appointed by the governor, of whom one shall be a resident of the city of Boston, one a resident of the city of Springfield, and one a resident of the city of Worcester, is hereby established for the purpose of making an investigation and study relative to the establishment of a state supported medical school in the commonwealth. In the course of its investigation and study, the commission shall investigate the availability of federal funds in connection with the establishment of said school, and the amounts of such federal funds which may be expected.

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 legal, 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 its recommendations into effect, by filing the same with the clerk of the senate not later than the last Wednesday of January, nineteen hundred and sixty-two. *Approved May 31, 1961.*

Chap. 123. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO STUDY THE SYSTEMS OF SEWERAGE AND SEWAGE DISPOSAL AND THE WATER SYSTEM IN THE METROPOLITAN DISTRICT AND THE CITY OF BOSTON.

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 forty-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 1635, relative to increasing the amount of water which the town of Southborough is authorized to take from the pressure aqueduct of the metropolitan water system. *Approved May 31, 1961.*

Chap. 124. RESOLVE CONTINUING THE STUDY AND INVESTIGATION BY THE SPECIAL COMMISSION ON COMMUNISM AND EXTENDING THE TIME WITHIN WHICH IT SHALL FILE ITS FINAL REPORT.

Resolved, That the unpaid special commission established for the purpose of making a study and investigation of communism and subversive activities and related matters in the commonwealth, is hereby authorized to continue the investigation and study authorized by chapter fifty-four of the resolves of nineteen hundred and sixty, and the time within which it shall make its final report to the general court is hereby extended to the fourth Wednesday of January, nineteen hundred and sixty-two. *Approved May 31, 1961.*

Chap. 125. RESOLVE PROVIDING FOR A STUDY AND INVESTIGATION BY A SPECIAL UNPAID COMMISSION OF THE JUDICIAL SYSTEM OF THE COMMONWEALTH AND THE ESTABLISHMENT OF APPROPRIATE SALARY SCHEDULES THEREIN, AND OTHER MATTERS.

Resolved, That an unpaid special commission, to consist of two members of the senate, both of whom shall be members of the committee on ways and means, to be designated by the president thereof, two members of the house of representatives, both of whom shall be members of the committee on ways and means, to be designated by the speaker thereof, and seven persons to be appointed by the governor, three of whom shall be faculty members of law schools in the commonwealth, and one of whom shall be selected from a list of three names submitted by the Massachusetts Bar Association, is hereby established for the purpose of making an investigation and study of the judicial system of the commonwealth, particularly with reference to the establishment of appropriate salary schedules therein. Said commission shall also consider the duties of the justices of the district courts, and increasing the more efficient use of district courts, and the desirability of increasing the number of full time justices in said courts, or of changing the number of district courts. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, 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 in-

vestigation 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 January, nineteen hundred and sixty-two.

Approved May 31, 1961.

Chap. 126. RESOLVE RELATIVE TO THE ADOPTION OF AN ELECTRIC ROLL CALL SYSTEM.

Resolved, That the committees on Rules of the two branches, acting concurrently, are hereby authorized and directed to investigate the available electrical vote recording devices to determine which would be the best system to install for the use of the General Court having regard for both efficiency and cost, and to report their findings, together with recommendations thereon, to the General Court not later than February first, nineteen hundred and sixty-two.

Approved May 31, 1961.

Chap. 127. RESOLVE IN FAVOR OF GEORGE A. JANCO.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and subject to appropriation, there shall be allowed and paid out of the state treasury to George A. Janco of Lawrence the sum of seven hundred and fifty dollars as reimbursement for medical and hospital expenses incurred by him for his minor son, Paul Janco, who suffered a fractured skull and other severe injuries on April twenty-seventh, nineteen hundred and sixty when he was brutally beaten by a state ward, who had been placed in a private home by the state department of public welfare. *Approved June 2, 1961.*

NUMBER OF ACTS AND RESOLVES APPROVED, ACTS VETOED BY THE GOVERNOR, AND ACTS DECLARED EMERGENCY LAWS BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The general court, during its first annual session held in 1961, passed 590 Acts and 120 Resolves, which received executive approval, and 1 Act, which received executive approval on May 27, 1961, 19 Acts which received executive approval on May 31, 1961, 5 Acts which received executive approval on June 1, 1961, and 13 Acts which received executive approval on June 2, 1961, and 6 Resolves which received executive approval on May 31, 1961, and 1 Resolve which received executive approval on June 2, 1961, after prorogation of the general court.

The governor returned 7 Acts with his objections thereto in writing. Upon said 7 Acts his objections were sustained.

Seven (7) Acts entitled, respectively, "An Act changing the method of placing a question on the ballot to ascertain the will of the voters with reference to fluoridation of a public water supply"; "An Act regulating the use of the secret ballot in representative town meetings"; "An Act authorizing the city of Cambridge to sell or lease certain land situate on Massachusetts avenue and Cambridge street in said city"; "An Act requiring the Boston and Maine Railroad to maintain a manually operated protection device at its grade crossing located on Meadowcroft street in the city of Lowell"; "An Act providing for the nomination of members of the city council and school committee of the city of Cambridge by preliminary elections and providing for their election by ordinary plurality voting"; "An Act providing for the reconstruction or replacement of the Chicopee-West Springfield Bridge in the city of Chicopee and the town of West Springfield"; and "An Act increasing the salaries of clerks, assistant clerks and other clerks of the district courts" 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.

Eleven (11) Acts, entitled, respectively, "An Act authorizing the secretary of the commonwealth to administer oaths required to qualify a person chosen or appointed to an office" (Chapter 18); "An Act redefining the word "tractor" under the motor vehicle law" (Chapter 121); "An Act relative to the registration of motorboats" (Chapter 140); "An Act authorizing the Boston traffic commission to establish a schedule of fines for the non-criminal disposition of parking violations in said city" (Chapter 233); "An Act eliminating county licenses for hawkers and pedlers" (Chapter 293); "An Act authorizing the commissioner of mental health to lease certain land in the city of Northampton to Smith College" (Chapter 402); "An Act relative to changes in the Storrow Memorial Drive and connecting roads near Boston University bridge

and authorizing the metropolitan district commission to enter into a contract with, and to convey certain lands in said area to, trustees of Boston University" (Chapter 425); "An Act relative to the minimum rates for hours worked in excess of forty hours in a work week in certain businesses" (Chapter 431); "An Act providing tax relief for certain railroads doing business in the commonwealth and meeting certain established standards of service" (Chapter 464); "An Act providing for reorganization of tuberculosis care, treatment and control in the commonwealth" (Chapter 608); "An Act increasing the terms and salaries of the members of the industrial accident board, and further establishing the powers and duties of the chairman and other members of said board" (Chapter 611) 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 18 thereby took effect at 4.45 P.M. on February 6, 1961; said Chapter 121 at 10.10 A.M. on February 28, 1961; said Chapter 140 at 10.20 A.M. on March 3, 1961; said Chapter 233 at 11.45 A.M. on April 17, 1961; said Chapter 293 at 2.30 P.M. on March 30, 1961; said Chapter 402 at 4.30 P.M. on April 27, 1961; said Chapter 425 at 9.25 A.M. on May 5, 1961; said Chapter 431 at 11.30 A.M. on May 10, 1961; said Chapter 464 at 10.00 A.M. on May 16, 1961; said Chapter 608 at 4.20 P.M. on June 2, 1961 and said Chapter 611 at 4.20 P.M. on June 2, 1961.

The general court was prorogued on Saturday, May 27, 1961, at five o'clock and fifty-five minutes P.M., the session having occupied 144 days.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Nine.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION GRANTING TO THE GENERAL COURT THE POWER AND AUTHORITY TO IMPOSE AND LEVY A GRADUATED TAX ON INCOMES.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ARTICLE . Full power and authority are hereby given and granted to the general court, in the alternative to the exercise of the power and authority to impose and levy a tax on incomes in the manner provided in Article XLIV of the amendments to the Constitution of the Commonwealth, to impose and levy a tax on incomes at rates which are proportioned or graduated according to the amount of income received, irrespective of the source from which it may be derived, and to grant reasonable exemptions, deductions and abatements. Any property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the Constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

IN JOINT SESSION, May 13, 1959.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

IRVING N. HAYDEN,
Clerk of the Joint Session.

IN JOINT SESSION, March 29, 1961.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

IRVING N. HAYDEN,
Clerk of the Joint Session.

APPENDIX

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-ONE.*†

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); revised, 1961, 328. (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. 56 amended, 1961, 118.

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 alcoholism); 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.

SECTION. 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 striken 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); second paragraph amended, 1961, 586. (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; 1961, 545 § 1. (See 1956, 696 § 2; 1961, 545 § 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; 1961, 262.

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; 1961, 476. (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; fourth sentence revised, 1961, 512. (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 32A added, under caption, 1961, 531 § 1 (establishing a board of electricians' appeals).
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.

SECT. 55 revised, 1961, 363 § 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. 4A added, 1961, 436 (providing for the appointment of a supervisor of conservation education in the department of education).

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. 6A added, 1961, 260 (further regulating the appointment of persons as officers or inspectors of the department of public safety).
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 §½1. (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 compen-

sation, 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; section revised, 1961, 611 § 1. (See 1955, 730 § 43; 1961, 611 § 9.)

SECT. 16, sentence added at end, 1955, 703; section revised, 1961, 611 § 2.

SECT. 19 revised, 1961, 611 § 3.

SECT. 20 revised, 1961, 611 § 3.

SECT. 21 amended, 1961, 611 § 4.

SECT. 22 amended, 1961, 611 § 5. (See 1961, 611 § 10.)

SECT. 23 amended, 1961, 611 § 6.
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; re-

vised, 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; 1961, 562 § 1. (See 1936, 244 § 4.)

SECT. 4 amended, 1936, 244 § 2; revised, 1961, 562 § 2. (See 1936, 244 § 4.)

SECT. 4A added, 1960, 574 (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; 1961, 492.

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); revised, 1961, 135.

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. 11 revised, 1961, 18 § 1.

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.)

SECTS. 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. 39J added, 1961, 538 § 1 (permitting review of decisions involving questions arising under contracts for public construction). (See 1961, 538 § 2.)

SECT. 39K added, 1961, 627 § 1 (providing a method of prompt payment to contractors on contracts for the construction, reconstruction, altering, remodeling, repair or demolition of buildings by the commonwealth or any political subdivision thereof). (See 1961, 627 § 2.)

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; paragraph (*i*) amended, 1961, 287. (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 re-

vised, 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); first sentence revised, 1961, 255.

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 reemployment 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. 46L added, 1961, 150 § 1 (making permanent certain positions in the labor service in cities). (See 1961, 150 § 2.)

SECT. 46M added, 1961, 378 § 1 (relative to the removal of certain persons refusing appointment as permanent full time junior building custodians in any school system in the commonwealth).

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); second paragraph stricken out, 1961, 529.

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; 1958, 392; 1959, 493; 1960, 647; 1961, 111.

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; amended, 1961, 409; subdivision (6), paragraph (*c*) amended, 1961, 474; 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; 1961, 597 § 4; paragraph (*i*) added, 1946, 493 § 1; paragraph (*j*) added, 1946, 538 § 2; paragraph (*k*) added, 1959, 548 § 1; paragraph (*l*) added, 1961, 433; 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; 1961, 494. (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; paragraph (*g*) added, 1961, 410 § 1; 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; subdivision (2) revised, 1961, 190 § 1. (See 1950, 809 § 3; 1951, 783 §§ 2, 3; 1957, 661 § 4; 1959, 574 § 2; 1961, 190 § 3, 410 § 2, 444 §§ 1, 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; stricken out and two sentences inserted, 1961, 473; 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; revised, 1961, 190 § 2; 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; amended, 1961, 547 § 1. (See 1952, 610 § 2; 1959, 515 § 3, 617 § 4; 1960, 713 § 3, 805 § 5; 1961, 547 § 2.)

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; fourth paragraph revised, 1961, 597 § 5; 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 (*b*), first sentence revised, 1961, 597 § 1; paragraph (*c*) amended, 1949, 560 § 2; revised, 1951, 407; 1952, 392; first sentence revised, 1961, 597 § 2; paragraph (*d*) revised, 1961, 597 § 3; 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*), second sentence revised, 1957, 533; stricken out, 1961, 441 § 1; paragraph (*d*) added, 1961, 441 § 2; 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; revised,

1961, 451; 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; 1961, 297.)

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, § 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. 81B revised, 1961, 86 § 1. (See 1961, 86 § 2.)

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; section revised, 1961, 71 § 1. (See 1961, 71 § 2.)

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. 89C added, 1961, 371 (authorizing cities and towns to grant annuities to certain widows of employees killed or who died as a result of injuries received, in line of duty.)

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; 1961, 367; 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; 1961, 303. (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; 1961, 488. (See 1955, 559 § 3.)

SECT. 96 revised, 1959, 513 § 1; 1961, 238 § 1. (See 1961, 238 § 3.)

SECT. 97 amended, 1958, 559 § 2; revised, 1959, 513 § 2; amended, 1960, 670 § 2; revised, 1961, 238 § 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; 1961, 572 § 1. (See 1958, 424 § 2.)
SECT. 9A added, 1961, 572 § 2 (establishing an investment committee to supervise the investment of funds retained in the group insurance commission trust fund).
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); revised, 1961, 414 § 1. (See 1961, 414 § 2.)

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; first sentence stricken out and three sentences inserted, 1961, 236; first four sentences revised, 1961, 334 § 1.
SECT. 4, first sentence revised, 1961, 334 § 2.
SECT. 5 revised, 1960, 337 § 3; 1961, 334 § 3.
SECT. 7, paragraph (*a*) amended, 1960, 214 § 2.
SECT. 9, sentence inserted after first sentence, 1961, 100; section revised, 1961, 334 § 4.
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); revised, 1961, 214.
SECT. 11, first two paragraphs revised, 1960, 337 § 4.

SECT. 11A added, 1961, 334 § 5 (providing for increased amounts of group life insurance for persons in the service of counties, cities, towns and districts on an optional basis, without premium contribution by the political subdivisions).

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 striken 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; 1961, 136 § 2. (See 1949, 782 §§ 2, 4, 5, 6; 1951, 743 §§ 4–6; 1954, 566 §§ 3, 4; 1957, 621 §§ 3–10; 1960, 250 § 2; 1961, 136 §§ 1, 3.)

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; revised, 1961, 416; 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, 657.

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; 1961, 307; paragraph added at end, 1946, 358 § 1; 1950, 521; same paragraph amended, 1954, 33; paragraph inserted, 1961, 313; 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 (9A) added, 1961, 357 (authorizing appropriations for the control of beavers); 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; 1961, 20; clause (36A) added, 1949, 163 (authorizing appropriations for suppression and eradication of ragweed); amended, 1950, 141; clause (36B) added, 1961, 498 § 2 (authorizing appropriations for the control of algae, weeds and aquatic nuisances in lakes, ponds, streams and other bodies of water); 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 co-operating 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 outpatient 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 (authoriz-

ing 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. 6H added, 1961, 319 (providing that cities and towns may make repairs on private ways without liability for damages).

SECT. 6I added, 1961, 381 (authorizing certain cities and towns to construct, reconstruct, resurface and repair certain private ways).

SECT. 8A added, 1954, 297 § 1 (authorizing cities and towns to establish commissions to promote business and industry); first paragraph amended, 1961, 291; 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); last two sentences revised, 1961, 258.

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; revised, 1961, 57; 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, second sentence revised, 1961, 117; 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 (14) revised, 1961, 383; 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.

SECT. 22D added, 1961, 322 (authorizing the towing of vehicles from city and town ways where such vehicles are parked or standing in violation of the law).

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).

SECTS. 44A–44I added, 1961, 609 (authorizing the formation of regional incinerator districts).

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); first paragraph revised, 1961, 435 § 1; paragraph added at end, 1960, 789 § 1. (See 1960, 789 § 2; 1961, 435 § 3.)

SECT. 6, third and fourth sentences revised, 1957, 137; section revised, 1959, 317 § 1; sentence added at end, 1961, 151.

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; section revised, 1961, 435 § 2. (See 1961, 435 § 3.)

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; sentence added at end, 1961, 276 § 1. (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; 1961, 354 § 1; 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; sentence added at end of first paragraph, 1961, 276 § 2.

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; revised, 1961, 331; 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; stricken out and two sentences inserted, 1961, 332; 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. 91A revised, 1961, 354 § 2.

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 cer-

tain hospital, medical and surgical expenses); clause (4) revised, 1961, 152 § 1. (See 1953, 628 § 2; 1961, 152 § 2.)

SECT. 100C added, 1959, 451 (providing for the indemnification of public school teachers against certain actions and claims); revised, 1961, 405.

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); first sentence amended, 1961, 218; 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; 1961, 330. (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.

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; revised, 1961, 146 § 1. (See 1941, 640 § 7.)

SECT. 9A added, 1959, 448 § 4 (proceedings after filing of petition for the adoption of Plan F); repealed, 1961, 146 § 2.

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; first paragraph revised, 1961, 550.

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; 1934, 313; 1935, 221, 300, 456; 1936, 281; 1938, 57; 1939, 288; 1941, 129; 1943, 413; 1945, 324; 1947, 206; 1949, 79; 1951, 438; 1953, 467; 1955, 262, 726; 1957, 209; 1959, 387; 1961, 205.

For legislation enabling cities, towns and districts to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74; 1947, 526; 1949, 327; 1951, 22; 1953, 173; 1955, 284; 1957, 222; 1959, 106; 1960, 279; 1961, 8. [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 emergency legislation authorizing cities, towns and 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, 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, towns and districts to borrow on account of public welfare and veterans' benefits (and in certain years for additional specified purposes), see 1933, 307, 344; 1934, 335; 1935, 188, 456; 1936, 80, 257; 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; 1957, 252; 1959, 329.

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; 1952, 54; 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 countersignatures 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; second paragraph revised, 1961, 51; 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; revised, 1961, 396 § 1.
SECT. 24 revised, 1960, 48 § 7. (See 1960, 48 § 8.)
SECT. 26 amended, 1939, 326 § 2; first sentence revised, 1947, 283.

Chapter 47. — Infirmaries.

SECT. 11 amended, 1961, 396 § 2.

Chapter 48. — Fires, Fire Departments and Fire Districts.

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 amended, 1943, 453 § 10; 1954, 627 § 19; 1961, 582 § 1; paragraph added at end, 1932, 206; amended, 1960, 300. (See 1954, 627 §§ 65, 67.)
SECTS. 1A–1D added, 1961, 582 § 2 (relative to qualifications of certain absentee voters in presidential elections).
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. 25 revised, 1961, 286.

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; first paragraph amended, 1961, 130.

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; first paragraph revised, 1961, 145. (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. 9 revised, 1961, 390.

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); amended, 1961, 344.
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; seventh paragraph revised, 1961, 261. (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. 39A added, 1961, 109 (regulating the counting of votes for members of ward and town committees).
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. 15, sentence added at end, 1961, 335.
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. 66 revised, 1961, 147.

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); amended, 1961, 288.
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; 1961, 213 § 1.
SECT. 87, subsection (*a*) revised, 1945, 52; subsection (*b*) revised, 1936, 404 § 1; amended, 1961, 212; 1945, 466 § 2; 1951, 153 § 2; 1959, 178 § 2; 1961, 213 § 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; 1960, 685 § 1; 1961, 209; 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; first paragraph revised, 1961, 242 § 1; last paragraph revised, 1961, 133.
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; revised, 1961, 242 § 2.
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; amended, 1961, 304; 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; first paragraph revised, 1961, 263; 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 1932, 309; 1933, 369; 1934, 386; 1935, 498; 1936, 440; 1937, 444; 1938, 503; 1939, 516; 1941, 731; 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. 7A, first sentence revised, 1961, 165.

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; 1961, 468 § 1. (See 1945, 592 § 2; 1959, 412 § 2; 1961, 468 § 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; 1961, 420 § 1. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4; 1951, 641 §§ 18, 19; 1955, 780 § 10; 1956, 599 § 5; 1961, 420 § 3.)

SECT. 20 revised, 1936, 362 § 3; amended, 1937, 108 § 1; 1953, 654 § 15; introductory paragraph amended, 1941, 656 § 1; 1945, 624 § 2; section revised, 1961, 420 § 2. (See 1936, 362 §§ 4, 8; 1937, 108 § 3; 1961, 420 § 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; repealed, 1954, 627 § 58.

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; 1959, 88; 1960, 35; 1961, 9.

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; clause Thirty-ninth added, 1961, 539.

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, 939, 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 pro-

ceedings 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; 1961, 139. (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; 1961, 250, 493 § 2; 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. 35 revised, 1961, 555 § 1. (See 1961, 555 § 5.)

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; 1961, 555 § 2. (See 1933, 350 § 9; 1949, 698 § 2; 1954, 605 § 2; 1956, 310 § 3; 1958, 509 § 3; 1961, 555 § 5.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments); amended, 1947, 322 § 2; revised, 1954, 69; 1961, 555 § 3. Temporarily affected, 1950, 816 § 2; 1951, 750; 1952, 623 § 2; 1953, 246 § 5. (See 1933, 350 § 9; 1950, 816 § 4; 1961, 555 § 5.)

SECT. 38 stricken out, 1953, 654 § 45.

SECT. 39, first sentence revised, 1933, 350 § 3; 1956, 300. (See 1933, 350 § 9.)

SECT. 40 repealed, 1961, 251.

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; 1961, 252 § 1. (See 1933, 350 § 9; 1961, 252 § 2.)

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.)

SECT. 4, first paragraph amended, 1961, 555 § 4.

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; 1961, 139 § 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; 1961, 493 § 3. (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; paragraph (*w*) added, 1961, 452 § 26; paragraph (*x*) added, 1961, 557 § 23. (See 1955, 432 §§ 2, 4, 24, 476 § 10.)

SECT. 13 revised, 1959, 456 § 2; 1961, 493 § 4. (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; 1955, 540 § 5.

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; 1960, 548 § 10; 1961, 139.

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; amended, 1961, 450 § 1; 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; 1961, 450 § 2.)

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 3 amended, 1961, 419 § 1; paragraph 10 added at end, 1933, 342 § 3. (See 1933, 342 § 6; 1961, 419 § 2.)

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. 45A added, 1961, 440 (authorizing an extension of the statutory time limit for the assessment of the corporation excise).

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. 68B added, 1961, 283 § 1 (authorizing the commissioner of corporations and taxation to extend the time for filing corporation excise returns). (See 1961, 283 § 2.)

SECT. 69 amended, 1951, 641 § 17; revised, 1961, 278. (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; amended, 1961, 277. (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; 1961, 139 § 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 § 5; repealed, 1954, 70 § 2.

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; paragraph inserted after fifth paragraph, 1961, 300. (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); clause (*d*) added, 1961, 477.

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.)

SECT. 11 revised, 1961, 64.

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; 1961, 139 § 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; revised, 1961, 403. (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.)
SECT. 22 revised, 1961, 469 § 1. (See 1961, 469 § 4.)
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; 1961, 469 § 2. (See 1961, 469 § 4.)
SECT. 26 amended, 1939, 451 § 35; revised, 1939, 494 § 2; amended, 1953, 654 § 89; revised, 1954, 572 § 2; 1961, 469 § 3.
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; 1950, 490, 508, 528; 1952, 413; 1953, 470; 1954, 329, 346; 1957, 322, 358, 703; 1958, 356; 1959, 591; 1961, 377, 471.

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; 1961, 380.

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).

SECT. 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. 43B added, 1961, 240 (providing for the reimbursement of certain teachers and superintendents of schools for expenses incurred in defending themselves against removal proceedings).

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. 1B added, 1961, 434 (authorizing the board of education to establish activity fees in state colleges).

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. 35A added, 1961, 525 (authorizing the Essex county agricultural school to give certain courses to high school graduates and to award associate degrees to those completing such courses).
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. 46C added, 1961, 513 (providing for scholarships at the Bradford Durfee College of Technology and the New Bedford Institute of Technology).

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. 2 revised, 1961, 396 § 3.
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; 1950, 685; 1952, 556; 1954, 403; 1956, 718; 1958, 32 §§ 1–5. For act making available certain federal funds for highway construction, see 1960, 528; 1961, 590.

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. 16 amended, 1961, 311.

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. 2C added, 1961, 524 (authorizing the towing of vehicles from state highways for purposes of promoting public safety and convenience).

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); first paragraph amended, 1961, 518 § 2; second paragraph revised, 1961, 518 § 3. (See 1961, 518 § 5.)
SECT. 11B added, 1961, 518 § 4 (further regulating the operation of bicycles on the highways of the commonwealth). (See 1961, 518 § 5.)
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); revised, 1961, 281.

Chapter 87. — Shade Trees.

SECT. 5 amended, 1961, 265; 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. 7 amended, 1961, 173.
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 exempting certain disabled veterans from payment of certain motor vehicle excise taxes and registration fees, see 1948, 368; repealed, 1954, 627 § 61.

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 "tractor" revised, 1961, 121 § 1; 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; revised, 1961, 73 § 1; third paragraph revised, 1956, 179; fourth paragraph revised, 1932, 5; amended, 1955, 283 § 1; fifth paragraph amended, 1956, 59; 1961, 568 § 1; 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; 1961, 442; 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; 1961, 568 § 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. 5B added, 1961, 423 (relative to the registration of certain motor vehicles by residents of the commonwealth who are in the military service of the United States).

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; revised, 1961, 581.

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; last sentence revised, 1961, 73 § 2.

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; sentence inserted after first sentence, 1961, 318; revised, 1961, 518 § 1; third sentence revised, 1950, 502 § 6; 1951, 196 § 2; 1961, 374; last sentence stricken out and two sentences inserted, 1957, 166 (See 1961, 518 § 5.)

SECT. 14A added, 1949, 279 (providing for the protection of blind persons while crossing ways); last sentence revised, 1961, 60.

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; second sentence revised, 1961, 248. (See 1932, 271 § 7.)

SECT. 16, sentence inserted after second sentence, 1961, 66.

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 sentence amended, 1959, 378; third sentence revised, 1961, 553. (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; 1961, 523 § 1; 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; 1961, 523 § 2; 1956, 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; fifth sentence amended, 1949, 425 § 1; revised, 1952, 193 § 2; 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; 1961, 233 § 1; third paragraph amended, 1955, 386 § 2; fourth paragraph revised, 1961, 233 § 2; paragraph inserted after said paragraph, 1961, 233 § 3; revised, 1961, 455 § 6; 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; revised, 1961, 422 § 1.

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; first sentence revised, 1961, 347, 422 § 2; paragraph (1) (*c*) revised, 1939, 82; amended, 1955, 198 § 1; paragraph (1) (*d*) amended, 1955, 198 § 2; paragraph (1) (*e*) added, 1961, 340; 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; section revised, 1961, 592 § 1. (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); repealed, 1961, 592 § 2.

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; section revised, 1961, 458.

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; revised, 1961, 177 § 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; subdivision (2) revised, 1961, 121 § 2; 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; 1961, 177 § 2; paragraph defining "motor vehicle liability policy" revised, 1935, 459 § 2; amended, 1959, 282 § 3; 1961, 177 § 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; 1961, 177 § 4; last sentence revised, 1950, 162 § 3; 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 § 3; 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.

SECT. 1, definition of "motorboat" revised, 1961, 140 § 1.

SECT. 2 revised, 1961, 140 § 2.
SECT. 3, paragraph (*a*) amended, 1961, 505.
SECT. 11, clauses (*d*) and (*e*) revised, 1961, 320.

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 Salisbury 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. 5A, first sentence revised, 1961, 230.

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; fourth and fifth paragraphs revised, 1961, 221. (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. 33 amended, 1961, 542 § 2. (See 1961, 542 § 3.)

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.

SECT 9A added, 1961, 432 (establishing the penalty for collusive bidding on contracts for public works or purchase).

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; revised, 1961, 324.

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); third paragraph (as so appearing) amended, 1961, 301 § 1; paragraph in lines 41–45 ("Closed package") stricken out, 1959, 528 § 1; paragraph (de-

fining "bakery") amended, 1937, 362 § 1; definitions of "cosmetic" and "device" inserted, 1961, 600 § 1; definition of "label" revised, 1961, 600 § 1; definition of "labeling" inserted, 1961, 600 § 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"); first paragraph revised, 1961, 598 § 2.

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; amended, 1961, 598 § 1.

SECT. 20 revised, 1939, 212.

SECT. 27A added, 1961, 561 § 1 (requiring a person who receives raw milk from a producer at dairy farms to be licensed as qualified to measure, sample and accept milk for inclusion in a bulk tank truck).

SECT. 28A added, 1961, 561 § 2.

SECT. 29A revised, 1933, 253; 1946, 447 § 1.

SECT. 30 revised, 1933, 253; 1946, 447 § 2; first sentence revised, 1961, 561 § 3.

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; second sentence revised, 1961, 95 § 1. (See 1961, 95 § 2.)

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" re-

vised, 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. 99B added, 1961, 85 (regulating the use of the word "native" in connection with the sale or packaging of vegetables).

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.
Caption following section 184A revised, 1961, 600 § 2.
SECT. 185A repealed, 1937, 341 § 4.
SECT. 186 revised, 1948, 598 § 1; amended, 1961, 600 § 2.
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; amended, 1961, 600 § 3.
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. 187E added, 1961, 509 (providing that manufacturers of harmful drugs be licensed by the department of public health).
SECT. 187F added, 1961, 603 (further regulating the shipment of harmful drugs into the commonwealth).
SECT. 189, first sentence amended, 1948, 598 § 4; section revised, 1961, 600 § 4.
SECT. 189A added, 1948, 598 § 5 (relative to the adulteration or misbranding of food and drugs); revised, 1961, 600 § 5.
SECT. 190 revised, 1961, 600 § 6.
SECT. 191 revised, 1961, 600 § 7.
SECT. 192 revised, 1948, 598 § 6; 1961, 600 § 8.
SECT. 193 revised, 1948, 598 § 7; 1961, 600 § 9.
SECT. 194 revised, 1961, 600 § 10.
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; 1961, 245; definition of "Pharmacist", or "druggist" revised, 1961, 345 § 1.
SECT. 199E, first paragraph revised, 1961, 345 § 2; last paragraph stricken out, 1961, 345 § 3.
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 (*a*) amended, 1961, 345 § 4; paragraph (*b*) amended, 1961, 345 § 5; paragraph (*c*) amended, 1959, 248; paragraph (*e*) added, 1961, 345 § 6.
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. 270, paragraph defining "Renovator", "reupholsterer", "remaker", or "repairer" revised, 1961, 348 § 1.
SECT. 273, two paragraphs inserted after first paragraph, 1961, 348 § 2.
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. 277B added, under caption, 1961, 172 (prohibiting the sale or offering for sale of imported goods unless prospective purchasers are notified that such goods are imported).

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. 304 revised, 1961, 600 § 11.

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 (*b½*) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph (*b½*) 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 amended, 1961, 293 § 1; sentence added at end, 1948, 493 § 2. (See 1948, 493 § 5.)

SECT. 23, sentence added at end, 1948, 493 § 3; section repealed, 1961, 293 § 2. (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; 1961, 293 § 3; amended, 1955, 214. (See 1945, 493 § 2; 1948, 493 § 5; 1954, 627 §§ 65, 67.)

SECT. 25 revised, 1961, 293 § 4.

SECT. 26 amended, 1961, 293 § 5.

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; amended, 1961, 131 § 1.
SECT. 9 — 404, subsection (1) amended, 1961, 131 § 2; subsection (2) revised, 1958, 542 § 17; subsection (3) amended, 1961, 131 § 3.
SECT. 9 — 405 revised, 1959, 580 § 12; subsection (1) amended, 1961, 131 § 4; subsection (2) amended, 1961, 131 § 5.
SECT. 9 — 406 amended, 1961, 131 § 6.
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. (See 1945, 141 § 2.)

Chapter repealed 1957, 765 § 2. (See 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 (*e*) amended, 1961, 493 § 5; 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. 5F added, 1961, 498 § 1 (relative to the control of algae, weeds and aquatic nuisances in certain lakes, ponds, streams and other bodies of water by the department of public health).

SECT. 5G added, 1961, 625 (authorizing the department of public health to require the installation and operation of treatment facilities necessary to deliver a safe water supply.

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. 30 revised, 1961, 55.

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; section repealed, 1961, 608 § 1. (See 1936, 346 § 2; 1951, 562 §§ 10, 11; 1952, 270 § 10; 1961, 608 §§ 12–14.)
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); repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)
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; revised, 1961, 54.
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.)

SECT. 70A amended, 1961, 161.

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; repealed, 1961, 608 § 1. (See 1951, 562 § 11; 1952, 270 § 10; 1961, 608 §§ 12–14.)

SECTS. 77 and 78 stricken out and two sections inserted, 1961, 608 § 2. (See 1961, 608 §§ 12–14.)

For prior changes see Table of Changes contained in Acts and Resolves of 1960.

SECTS. 78–90 affected (as to district of Chelsea, Revere and Winthrop), 1934, 78.

SECT. 78A added, 1959, 529 (providing that county tuberculosis hospitals may under certain conditions admit persons suffering with chronic diseases as patients).

SECTS. 79–83A stricken out and sections 79–83B inserted, 1961, 608 § 2. (See 1961, 608 §§ 12–14.)

For prior changes see Table of Changes contained in Acts and Resolves of 1960.

SECT. 85, first sentence revised, 1943, 414 § 1; section revised, 1943, 500 § 1; 1951, 562 § 7; 1952, 270 § 7; 1961, 608 § 3. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10; 1961, 608 §§ 12–14.)

SECT. 85A revised, 1932, 65; paragraph added at end, 1959, 223; section revised, 1961, 608 § 4. (See 1961, 608 §§ 12–14.)

SECT. 85B repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)

SECT. 85C repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)

SECT. 86 revised, 1961, 608 § 5. (See 1961, 608 §§ 12–14.)

SECT. 87 amended, 1945, 398 § 1; revised, 1961, 608 § 6. (See 1961, 608 §§ 12–14.)

SECT. 87A added, 1945, 398 § 2 (providing that trustees of Bristol county tuberculosis hospital shall be appointed by the governor); revised, 1961, 608 § 7. (See 1945, 398 §§ 4, 5; 1961, 608 §§ 12–14.)

SECT. 88 revised, 1943, 500 § 2; 1946, 310 § 2; 1951, 562 § 8; 1952, 270 § 8; 1961, 608 § 8. (See 1943, 500 § 3; 1951, 562 § 11; 1952, 270 § 10; 1961, 608 §§ 12–14.)

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); repealed, 1961, 608 § 1. (See 1952, 270 § 10; 1961, 608 §§ 12–14.)

SECT. 89 repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)

SECT. 90 repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)

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. 91A repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)

SECT. 91B repealed, 1961, 608 § 1. (See 1961, 608 §§ 12–14.)

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; 1961, 608 § 9.

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. 94E revised, 1961, 608 § 10. (See 1961, 608 §§ 12–14.)

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, first sentence revised, 1961, 608 § 11; sentence in lines 24–32 amended, 1943, 275 § 1. (See 1961, 608 §§ 12–14.)

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. 137 revised, 1961, 326.

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. 161 repealed, 1961, 48.

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 chiropody (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, 670 § 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. 87TT, first paragraph revised, 1961, 363 § 2.

SECT. 87ZZ, paragraphs (*a*), (*b*) and (*c*) revised, 1960, 658; paragraph (*d*) revised, 1959, 455.

SECT. 87AAA, first paragraph amended, 1961, 181.

SECTS. 87EEE–87OOO 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; revised, 1961, 102.

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; revised, 1961, 317; 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).

SECT. 8 added, 1961, 580 (authorizing the boards of trustees of Soldiers' Homes to lease land at said homes for construction of chapels thereon).

Chapter 116. — Settlement.

SECT. 1, clause Fifth amendment, 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; amended, 1961, 388 § 1. (See 1946, 584 § 22; 1955, 740 § 2; 1961, 388 § 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.

SECT. 36 repealed, 1961, 396 § 4.

SECT. 37 repealed, 1961, 396 § 4.

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:

For act extending the provisions of aid to dependent children to persons eligible for aid under Title IV of the Social Security Act, see 1961, 575.

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.)

SECT. 11 added, 1961, 487 (authorizing any institution which has rendered service to a child or parent to file an application for aid on his behalf with the local board of public welfare).

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; amended, 1961, 127 § 1; 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; first sentence revised, 1961, 615; sentence added at end of said paragraph, 1956, 721; revised, 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 revised, 1955, 367; 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; stricken out and two sentences inserted, 1961, 462 § 1; 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; 1961, 462 § 2.)

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. 1, first sentence revised, 1961, 127 § 2.

SECT. 2, two sentences inserted after first sentence, 1961, 443.

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; sentence added at end, 1961, 267.

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. 30 repealed, 1961, 396 § 5.
SECT. 31 repealed, 1961, 396 § 5.
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 noncriminal 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.*

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* See 1948, 310 §§ 30, 31.

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.*

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 commonwealth for damages to property caused by acts of certain inmates of institutions 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; repealed, 1958, 613 § 4. (See 1948, 310 §§ 30, 31.)

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* 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 director 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; 1961, 493 § 6.

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; sentence added at end, 1961, 496 § 1. (See 1954, 428 §§ 3, 4; 1955, 128 § 3; 1961, 496 § 2.)

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; second paragraph revised, 1961, 72.

SECT. 26P, paragraph (*b*) amended, 1952, 617 § 5; 1953, 647 § 16, 668 § 6; 1955, 640 § 2; paragraph added at end, 1961, 188 § 1.

SECT. 26Q, last sentence revised, 1950, 105 § 2; paragraph added at end, 1961, 188 § 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; second sentence revised, 1961, 12.

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. 26HH, last sentence amended, 1961, 493 § 7.

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; 1961, 573. (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; last paragraph amended, 1961, 493 § 8.
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; 1961, 101 § 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; third paragraph revised, 1961, 90.

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. 83D revised, 1961, 482.

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; said sentence stricken out and two sentences inserted, 1961, 282; 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); revised, 1961, 74.

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); second sentence revised, 1961, 99.

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; 1961, 467 § 1. 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; 1961, 467 § 2. 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)

SECT. 162A added, 1961, 101 § 1 (requiring notification to the state fire marshal of the date of release or discharge of persons convicted of arson).

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. 7 revised, 1961, 398.

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; clause (*p*) added, 1961, 1. (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; 1961, 137.

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; section revised, 1961, 506 § 1.

SECT. 77 revised, 1961, 506 § 2.

SECT. 78 repealed, 1961, 506 § 3.

SECT. 79 repealed, 1961, 506 § 3.

SECT. 80, first paragraph amended, 1961, 199 § 1; second paragraph amended, 1961, 199 § 2; 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; stricken out, 1961, 199 § 3.

SECT. 82, sentence added at end, 1945, 99 § 3; stricken out, 1961, 199 § 4.

SECT. 87 amended, 1954, 186.

SECT. 92, first paragraph amended, 1961, 199 § 5.

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 § 1. (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; 1959, 333 § 2.)

SECT. 8A added, 1949, 516 (authorizing the granting of fishing licenses to certain aliens); revised, 1955, 292.

SECT. 14, paragraph contained in lines 17–27 amended, 1961, 551; 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; revised, 1961, 321 § 1, 399 § 1.

SECT. 88A added, 1959, 265 § 2 (relative to the molesting, attacking or killing of deer by dogs in Berkshire County); revised, 1961, 321 § 2, 399 § 2.

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 wildlife 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; 1961, 308.

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; paragraph added at end, 1961, 353.
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; 1961, 412; last paragraph revised, 1946, 207 § 4; paragraph added at end, 1949, 190; 1950, 322; revised, 1961, 346.
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).
SECT. 33 amended, 1961, 338 § 1.
SECT. 34 repealed, 1961, 338 § 2.

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; next to last paragraph amended, 1961, 259; 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; second sentence revised, 1961, 73 § 3.
SECT. 64, first sentence revised, 1961, 45 § 1.
SECT. 65 revised, 1948, 181 § 4; repealed, 1961, 45 § 2.
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 antirabic 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); amended, 1961, 292.
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; paragraph added at end, 1961, 531 § 2. (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. 3P added, 1961, 531 § 3 (providing for appeals in connection with matters relating to installation of wiring and fixtures).

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 dumbwaiters).

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 Town.

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. 48, first paragraph stricken out and four paragraphs inserted, 1961, 306.

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. 64 revised, 1961, 310.

SECT. 67 revised, 1941, 525 § 1; amended, 1946, 180; revised, 1851, 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; stricken out and two sentences inserted, 1961, 246 § 1.

SECT. 17A added, 1952, 268 (providing additional off duty and extra pay for police officers in certain cases); sentence inserted after first sentence, 1961, 200.

SECTS. 17B and 17C added, 1956, 349 (providing for a forty hour week for police officers of certain cities and towns and compensation for overtime service).

SECT. 17D added, 1961, 246 § 2 (providing that police officers in certain cities and towns shall be excused from duty without loss of pay while in attendance as official delegates at the annual convention of the Massachusetts Police Association).

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, second sentence revised, 1961, 397; last sentence 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; 1958, 214; 1959, 45; 1960, 85; 1961, 84.

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; third paragraph amended, 1961, 224; 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; revised, 1961, 585.

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. 27C, last sentence stricken out and four sentences inserted, 1961, 475 § 1.

SECT. 27D amended, 1955, 453; revised, 1958, 364; 1961, 475 § 2.

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. 33C added, 1961, 510 (requiring the payment of overtime to certain city and town employees at the rate of one and one-half times their regular rate of compensation).

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–44E stricken out and sections 44A–44L inserted, 1956, 679 § 1. (See 1956, 679 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1960.

SECT. 44A, second sentence revised, 1957, 590 § 1; first paragraph revised, 1960, 692.

SECT. 44B, subsection (2) amended, 1961, 604 § 1; subsection (3), second sentence revised, 1960, 771 § 2; amended, 1961, 604 § 2.

SECT. 44C, third sentence revised, 1957, 590 § 2; paragraph added at end, 1961, 604 § 3.

SECT. 44D, second sentence revised, 1961, 604 § 4.

SECT. 44F revised, 1960, 771 § 3; paragraph added at end, 1961, 604 § 5.

SECT. 44G, paragraph D of "Form.For Sub-Bid" revised, 1960, 771 § 4; paragraph E of said form revised, 1961, 604 § 6.

SECT. 44H, last sentence of first paragraph stricken out and two sentences inserted, 1960, 771 § 5; paragraph added at end, 1960, 771 § 6; 1961, 604 § 7.

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; 1961, 70 § 1.

SECT. 50 revised, 1933, 225; amended, 1935, 423 § 1; revised, 1961, 70 § 2.

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. 52, last sentence revised, 1961, 47.

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; revised, 1961, 44; 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; 1961, 69.
SECT. 67 revised, 1939, 348; amended, 1961, 68.
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; revised, 1961, 43.
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; 1961, 222.
SECT. 118 amended, 1961, 438.
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; revised, 1961, 225.
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; 1961, 400.

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); revised, 1961, 431; clause (11) amended, 1961, 576 § 1. (See 1961, 576 § 2.)

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; amended, 1961, 272.

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 age 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, 249 § 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; section revised, 1961, 393 § 1. (See 1949, 639 § 3; 1951, 763 § 22; 1954, 280 § 2; 1961, 393 § 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; first paragraph revised, 1961, 614 § 1; subsection (*b*) (1) revised, 1956, 719 § 7; subsection (*e*), paragraph (6) revised, 1961, 614 § 2; subsection (*f*) revised, 1961, 614 § 3; subsection (*i*) revised, 1961, 614 § 4; subsection (*j*) revised, 1961, 614 § 5; 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; amended, 1961 § 3; subsection (*b*) amended, 1953, 464; revised, 1959, 554; amended, 1961, 247; 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; revised, 1961, 128; paragraph added at end, 1947, 424; 1957, 426 § 3.

SECT. 5 revised, 1950, 479 § 4; amended, 1957, 426 § 4; second paragraph amended, 1961, 570.

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; 1961, 611 § 7.

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; revised, 1961, 611 § 8.

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; 1961, 541; last paragraph revised, 1943, 400; amended, 1950, 738 § 3; revised, 1951, 98; 1961, 503; section amended, 1955, 174 § 5.

SECT. 32, paragraph (*c*) amended, 1950, 282 § 2; paragraph (*d*) revised, 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; 1961, 602 § 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; 1961, 602 § 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; 1961, 602 § 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. 10, clauses (*e*) and (*f*) added, 1961, 97 § 1; paragraph added at end, 1961, 97 § 2.

SECT. 11, first sentence revised, 1961, 97 § 3.

SECT. 12, form of certificate revised, 1932, 67; section revised, 1959, 327 § 1. (See 1959, 327 § 2.)

SECT. 24 revised, 1961, 211 § 1. (See 1961, 211 § 3.)

SECT. 29 revised, 1961, 211 § 2. (See 1961, 211 § 3.)

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. 48 revised, 1961, 202.
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; first paragraph revised, 1961, 268 § 1; 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; paragraph added at end, 1961, 268 § 2. (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; definition 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; sentence added at end, 1961, 266.

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.

For temporary act providing tax relief for certain railroads, notwithstanding the provisions of section 87 of this chapter, see 1961, 464.

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; 1961, 296.
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. 116 amended, 1961, 305 § 1.

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).

SECT. 126 revised, 1961, 284.

SECT. 127 revised, 1961, 290.

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. 11D added, 1961, 305 § 2 (requiring certain employees of corporations supplying water to display a badge and photograph before entering upon the premises of a customer).

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; 1961, 466.

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.

SECT. 42A added, 1961, 153 (establishing a penalty for obtaining telecommunications service fraudulently).

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; 1956, 324 §§ 5–10; 1960, 477 § 1; 1961, 175 §§ 1, 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 passbooks 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; first paragraph amended, 1961, 226; 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; 1961, 493 § 9; 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; amended, 1961, 493 § 10.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1; 1955, 432 § 7; revised, 1961, 493 § 11. (See 1955, 432 § 4.)

SECT. 18A added, 1961, 269 (regulating the advertising by banks of anticipated interest or dividend rates).

SECT. 20 amended, 1933, 190; 1943, 22; 1961, 493 § 12; 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; 1961, 493 § 13; 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. 45A amended, 1961, 493 § 14.

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); revised, 1961, 105.

SECT. 48A added, 1961, 271 (relative to trust savings accounts in federal savings and loan associations).

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; 1961, 493 § 15. (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).

SECT. 57 added, 1961, 465 (authorizing certain bankings institutions to provide certain group insurance and benefits for certain employees).

SECT. 58 added, 1961, 533 (authorizing the inclusion in certain real estate notes of provisions for periodic payments of premiums for fire insurance or mortgage credit insurance).

SECT. 59 added, 1961, 607 (relative to the sale of negotiable checks, drafts and money orders).

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; 1956, 324.

For temporary act, providing that the Mutual Savings Central Fund, Inc. establish 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; 1956, 324; 1957, 528; 1958, 134; 1960, 477; 1961, 175.

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; 1960, 219.

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, 242.

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 7 revised, 1961, 327; 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 3 amended, 1961, 493 § 16; paragraph 7 added, 1960, 257.

SECT. 40, second sentence revised, 1956, 88.

SECT. 42, paragraph 5 revised, 1961, 174.

SECT. 48, paragraph 1 revised, 1958, 100 § 1; paragraphs 3–5 revised, 1958, 100 § 2.

SECT. 51 amended, 1961, 493 § 17.

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; amended, 1961, 493 § 18; first paragraph amended, 1961, 493 § 18A; second paragraph amended, 1961, 493 § 18B.

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 amended, 1961, 493 § 19; 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; second sentence revised, 1961, 333 § 1; subsection 1, paragraph (*a*) amended, 1961, 333 § 2; paragraph (*c*) amended, 1961, 333 § 3; paragraph (*d*) amended, 1952, 257 § 1; subsection 2 amended, 1957, 204; 1961, 333 § 4; subsection 3, paragraph (*b*) amended, 1961, 333 § 5; paragraph (*c*) revised, 1959, 195. (See 1952, 257 § 3.) See 1950, 480 § 2.

SECT. 16, first two paragraphs revised, 1954, 108; 1959, 181; first sentence revised, 1961, 333 § 6; third paragraph amended, 1961, 333 § 7.

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; first paragraph amended, 1961, 333 § 8; subsection 10 amended, 1961, 333 § 9.

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 co-operative 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; subsection 5 amended, 1961, 493 § 20. (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; 1950, 266; 1961, 227 § 1. Term extended to ten years, 1936, 70. Term extended to twenty years, 1941, 177. Term extended to thirty years, 1950, 464. Made permanent, 1961, 227 § 2.

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 act establishing the Massachusetts Credit Union Share Insurance Corporation and providing for the establishment of a fund for the insurance of shares in credit unions, see 1961, 294.

SECT. 3, first sentence amended, 1957, 698 § 10; revised, 1961, 493 § 21; second paragraph revised, 1936, 323; 1948, 527 § 4; 1957, 328; stricken out, 1958, 654 § 3. (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); sentence added at end, 1961, 294 § 2.

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; 1961, 493 § 22; 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 revise, 1949, 286 § 2.

SECT. 27, first sentence amended, 1949, 592 § 5; revised, 1960, 53; last sentence stricken out, 1961, 223.

SECT. 29, first paragraph revised, 1936, 139; second paragraph amended, 1950, 162 § 7; 1954, 179 § 2; paragraph added at end, 1961, 294 § 3.

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, second paragraph amended, 1961, 294 § 4; 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.

Chapter stricken out, and new chapter 172 (with same title) inserted, 1961, 493 § 1.

For prior changes see Table of Changes contained in Acts and Resolves of 1960.

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); first sentence revised, 1961, 493 § 23; second sentence amended, 1948, 150; 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; second sentence revised, 1961, 41; 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; amended, 1961, 493 § 24.

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; subdivision 1, paragraph Third amended, 1961, 368 § 1; paragraph Sixth added, 1961, 368 § 2; subdivision 2, paragraph First revised, 1960, 323 § 1; paragraphs Third, Fourth, Fifth and Sixth stricken out and five paragraphs inserted, 1961, 368 § 3; subdivision 3, second paragraph revised, 1961, 368 § 4; subdivision 4, last paragraph stricken out, 1961, 368 § 5; subdivisions 5–11, inclusive, stricken out and subdivisions 5–13, inclusive, inserted, 1961, 368 § 6. (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. 19D added, 1961, 606 (providing that domestic stock life insurance companies and certain other domestic stock insurance companies may be converted into mutual companies).

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; first sentence revised, 1961, 126.

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 15–17, inclusive, stricken out and two paragraphs inserted, 1961, 168 § 1; lines 22 and 23 stricken out and paragraph inserted, 1946, 471 § 3; paragraph in lines 37–41, inclusive, revised, 1961, 168 § 2.

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; clause (*d*) revised, 1961, 168 § 3.

SECT. 54, clause (*a½*) added, 1946, 471 § 6; clause (*c*) revised, 1961, 168 § 4; clause (*e*) 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. 54C revised, 1961, 168 § 5.

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; revised, 1961, 129; 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; next to last paragraph amended, 1961, 493 § 25.

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; amended, 1961, 168 § 6. (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*½) 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; paragraph inserted after said provision, 1961, 568 § 2. (See 1933, 145 § 3; 1935, 296 § 2; 1949, 693 § 2; 1951, 648 § 3; 1955, 283 § 3; 1961, 568 § 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; amended, 1961, 350; 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; paragraph inserted after first paragraph, 1961, 193.
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 5 revised, 1961, 368 § 7; subdivision 6 revised, 1960, 323 § 2; subdivision 7 revised, 1961, 368 § 8; 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; 1961, 168 § 7; 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; revised, 1961, 134.

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 installments 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; fourth sentence stricken out and three sentences inserted, 1961, 413 § 1.

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.

SECT. 177, sentence inserted after first sentence, 1961, 413 § 2.

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; second sentence amended, 1948, 98; revised, 1961, 206.

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); revised, 1961, 92 § 1. (See 1961, 92 § 2.)

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 installments).

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; 1961, 493 § 26.

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; revised, 1961, 493 § 27.

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; 1961, 341 § 1.
SECT. 25, last sentence revised, 1961, 341 § 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. 20, paragraph added at end, 1961, 301 § 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.

SECT. 54A added, 1961, 275 § 1 (protecting land titles from defective discharges of mortgages held by the entirety). (See 1961, 275 § 2.)

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.)

SECTS. 26–30 added, 1961, 448 § 1 (protecting land titles from uncertain and obsolete restrictions and providing proceedings in equity with respect thereto).

Chapter 184A. — The Rule against Perpetuities.

New chapter inserted, 1954, 641 § 1. (See 1954, 641 § 2.)

SECT. 3, third and fourth sentences stricken out, 1961, 448 § 2. (See 1961, 448 § 4.)

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.)

SECT. 2 revised, 1961, 253 § 1.

SECT. 5 amended, 1961, 253 § 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. 5 amended, 1961, 493 § 28.

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. 8 amended, 1961, 493 § 29.

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. 5, last sentence stricken out, 1961, 171.

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; first sentence amended, 1961, 493 § 30.

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; second paragraph amended, 1961, 254.
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.

For temporary act establishing conciliation divisions in the probate courts for Norfolk and Worcester counties, see 1961, 620.
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; 1961, 106 § 1.
SECT. 13 revised, 1952, 416; 1958, 165 § 2; repealed, 1961, 106 § 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; 1961, 535 § 1. (See 1954, 668 § 2; 1956, 472 § 2; 1961, 535 §§ 2–6.)

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; 1961, 395. (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.)
SECT. 32A revised, 1952, 229 § 1.
SECT. 34 revised, 1937, 408 § 1; 1946, 544 § 4; 1951, 745 § 1; 1955, 733

* Void for non-acceptance.

§ 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; second sentence revised, 1961, 526 § 1. (See 1961, 526 § 3.)

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; second sentence revised, 1961, 526 § 2. (See 1961, 526 § 3.)

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; 1961, 534.

SECT. 53, first sentence revised, 1950, 245; first paragraph amended, 1948, 642 § 2; paragraph added after the first paragraph, 1936, 230; second paragraph (as appearing in the Tercentenary Edition) revised, 1961, 187 § 1.

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.)

SECT. 63 revised, 1935, 341.

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* Void for non-acceptance.

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; 1961, 379 § 1, 483 § 1, 612 § 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; 1961, 379 §§ 2, 3, 612 § 5.)

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; 1961, 483 § 2, 612 § 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; 1961, 362 § 1, 479, 480 § 1, 532, 612 § 3, 613 § 1; 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; 1961, 362 § 2, 612 § 4, 613 § 2.)

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; 1961, 355 § 1. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3; 1955, 354 § 2; 1961, 355 § 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; 1961, 596. (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 tem-

porary 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. 3 amended, 1961, 18 § 2.

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); revised, 1961, 207.

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; section revised, 1961, 375 § 1. (See 1961, 375 § 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; second sentence revised, 1961, 501. (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; amended, 1961, 166. (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. 59E added, 1961, 96 (providing for the speedy trial of proceedings contesting the validity of action taken by a housing or redevelopment authority).

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 o 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; 1959, 72; 1960, 96; 1961, 241.

SECT. 9 amended, 1953, 485.

Chapter 240. — Proceedings for Settlement of Title to Land.

SECTS. 10A–10C added, 1961, 448 § 3 (providing proceedings in equity with respect to protecting land titles from uncertain and obsolete restrictions).

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; sentence added at end, 1961, 158. (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).
SECT. 31 added, 1961, 530 (granting prior payment protection to subcontractors and suppliers on construction work).

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. 12C added, 1961, 595 (providing that promissory notes executed in connection with the sale of consumer goods on credit shall not be negotiable instruments).
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 condi-

tional 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 lienee).

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); amended, 1961, 448 § 5.

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, sixth paragraph amended, 1948, 295; revised, 1949, 129; amended, 1951, 40; revised, 1961, 343 § 1.

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; paragraph added at end, 1961, 149. (See 1939, 345 § 3; 1954, 328 § 4, 556 §§ 8, 10.)

SECT. 3 revised, 1961, 343 § 2.

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; clause (13A) added, 1961, 215 § 1; clauses (17)–(19) stricken out, 1949, 404 § 3; clause (21) revised, 1952, 32 § 2; clause (30) revised, 1957, 17 § 2; clause (30A) added, 1961, 215 § 2; clause (42) revised, 1960, 17; clause (44) revised, 1957, 17 § 3; clause (44A) added, 1961, 215 § 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; revised, 1961, 217.
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. 100 revised, 1961, 316.

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.)

SECT. 139 revised, 1961, 73 § 4.

Chapter 268. — Crimes against Public Justice.

SECT. 1A amended, 1947, 106.

SECT. 8B added, 1961, 342 (providing a penalty for compelling or coercing any person to refuse an appointment or promotion in the classified civil service).

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 268A. — Code of Ethics.

New chapter inserted, 1961, 610 § 1.

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. 30B added, 1961, 407 (providing for the forfeiture of obscene publications, prints, figures and records, and of other articles).

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.

Chapter 276. — Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment and Bail. Probation Officers and Board of Probation.

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.

SECT. 80 amended, 1959, 313 § 27.

SECT. 83 revised, 1936, 360; amended, 1937, 186; revised, 1947, 566 § 1; sentence inserted before last sentence, 1947, 639; section revised, 1949, 783 § 1; first paragraph amended, 1950, 513, 531; revised, 1951, 774 § 1; amended, 1953, 341, 420 § 1; 1955, 735 § 1; revised, 1956, 731 § 13; second sentence revised, 1957, 272; sentence inserted after sixth sentence, 1952, 241; paragraph inserted after first paragraph, 1955, 735 § 2; revised, 1956, 731 § 13A; paragraph added at end, 1951, 774 § 2. (See 1949, 783 §§ 3, 4; 1951, 774 § 3; 1955, 735 § 3; 1956, 263, 731 §§ 29–33.)

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.)

SECT. 89, sentence added at end, 1934, 217 § 2; first paragraph revised, 1953, 364; amended, 1956, 731 § 17; paragraph added at end, 1941, 477 § 1; amended, 1956, 731 § 17A; section revised, 1959, 526 § 1. (See 1956, 731 §§ 29–33; 1959, 526 § 2.)

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.)

Chapter 277. — Indictments and Proceedings before Trial.

SECT. 1A added, 1952, 494 (relative to completing investigations started by grand juries).

SECT. 2 amended, 1932, 144 § 6.

SECT. 38 amended, 1957, 660 § 5. (See 1957, 660 §§ 6, 7.)

SECTS. 48 and 49 repealed, 1932, 180 § 44. (See G. L. chapter 276 § 37A, inserted by 1932, 180 § 43.)

SECT. 50 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

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.)

SECT. 58B added, 1948, 77 § 1 (relative to the venue of prosecutions for embezzlement or fraudulent conversion or appropriation by fiduciaries). (See 1948, 77 § 2.)

SECT. 63, sentence inserted after first sentence, 1955, 781 § 1. (See 1955, 781 § 2.)

SECT. 65 amended, 1936, 161 § 2. (See 1936, 161 § 3.)

SCHEDULE OF FORMS OF PLEADINGS at end of chapter amended, 1934, 328 § 29; paragraph entitled "Accessory after the fact" amended by striking out all after word "punishment" in line 5, 1943, 488 § 2; paragraph entitled "Escape" revised, 1955, 770 § 90; paragraph entitled "Prostitute", inserted, 1959, 304 § 2. (See 1943, 488 § 3; 1955, 770 §§ 117, 123.)

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 15 amended, 1955, 131 § 7.

SECT. 16B added, 1949, 302 (providing that the general public may be excluded from the court room during the trial of any criminal proceeding in a district court involving husband and wife).

SECT. 18 amended, 1955, 131 § 8.

SECT. 19 amended, 1955, 131 § 9.

SECT. 21 stricken out, 1955, 131 § 10.

SECT. 22 amended, 1955, 131 § 11.

SECT. 25 amended, 1937, 311; 1955, 131 § 12.

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.)

SECT. 28B, first paragraph amended, 1945, 255 § 2. (See 1945, 255 § 4.)

SECT. 28C amended, 1945, 255 § 3; 1955, 770 § 91; revised, 1957, 777 § 36. (See 1945, 255 § 4; 1955, 770 §§ 117, 123.)

SECT. 29 revised, 1939, 271 § 1; first sentence amended, 1957, 302. (See 1939, 271 § 2.)

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.

SECT. 33 amended, 1933, 265.

SECTS. 33A and 33B revised, 1954, 187 § 1; 1955, 352 § 1. (See 1954, 187 § 2; 1955, 352 § 2.)

SECT. 33E amended, 1939, 341.

Chapter 279. — Judgment and Execution.

SECT. 1 amended, 1934, 205 § 1; 1935, 358 § 1; first paragraph amended, 1938, 354; second paragraph amended, 1936, 434 § 2; 1939, 299 § 5. (See 1934, 205 § 3; 1935, 358 § 2.)

SECT. 1A amended, 1934, 205 § 2. (See 1934, 205 § 3.)
SECT. 2 amended, 1949, 584.
SECT. 3A amended, 1935, 50 § 2, 437 § 2. (See 1935, 50 § 6, 437 § 8.)
SECT. 4 revised, 1935, 50 § 3, 437 § 3; second paragraph amended, 1955, 770 § 92; revised, 1957, 777 § 37. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)
SECT. 4A, sentence added at end, 1950, 145 § 2.
SECT. 6 amended, 1955, 770 § 93. (See 1955, 770 §§ 117, 123.)
SECT. 9 amended, 1932, 221 § 2; 1955, 770 § 94. (See 1955, 770 §§ 117, 123.)
SECT. 11 amended, 1934, 328 § 28.
SECT. 18 revised, 1947, 516; 1951, 134; amended, 1956, 715 § 24.
SECT. 19 amended, 1955, 770 § 95. (See 1955, 770 §§ 117, 123.)
SECT. 20 amended, 1955, 770 § 96. (See 1955, 770 §§ 117, 123.)
SECT. 22 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)
SECT. 26 revised, 1946, 276.
SECT. 27 amended, 1955, 770 § 97. (See 1955, 770 §§ 117, 123.)
SECT. 28 amended, 1946, 275; 1955, 770 § 98. (See 1955, 770 §§ 117, 123.)
SECT. 29 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)
SECT. 30 revised, 1951, 642.
SECT. 31 amended, 1953, 319 § 35; revised, 1955, 770 § 99. (See 1953, 319 §§ 39, 40; 1955, 770 §§ 117, 123.)
SECT. 32 revised, 1955, 770 § 100. (See 1955, 770 §§ 117, 123.)
SECT. 33 amended, 1952, 90; 1956, 715 § 25.
SECT. 33A added, 1955, 770 § 101 (providing that a prisoner may be deemed to have served a portion of the sentence imposed in certain cases); revised, 1958, 173; 1961, 75. (See 1955, 770 §§ 117, 123.)
SECT. 34, sentence added at end, 1955, 770 § 102. (See 1955, 770 §§ 117, 123.)
SECT. 35 amended, 1955, 770 § 103. (See 1955, 770 §§ 117, 123.)
SECT. 36 amended, 1955, 770 § 104; revised, 1956, 715 § 26. (See 1955, 770 §§ 117, 123.)
SECT. 37 amended, 1953, 319 § 36. (See 1953, 319 §§ 39, 40.)
SECT. 39 amended, 1955, 770 § 105; revised, 1957, 777 § 38. (See 1955, 770 §§ 117, 123.)
SECT. 40 amended, 1955, 770 § 106; revised, 1957, 777 § 39. (See 1955, 770 §§ 117, 123.)
SECT. 43 revised, 1935, 50 § 4, 437 § 4; amended, 1955, 770 § 107; revised, 1957, 777 § 40. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)
SECT. 44 revised, 1935, 50 § 5, 437 § 5; amended, 1955, 770 § 108; revised, 1957, 777 § 41. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)
SECT. 45 revised, 1935, 437 § 6; amended, 1955, 770 § 109; revised, 1957, 777 § 42. (See 1935, 437 § 8; 1955, 770 §§ 117, 123.)
SECT. 46 amended, 1955, 770 § 110; revised, 1957, 777 § 43. (See 1955, 770 §§ 117, 123.)
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.)
SECT. 51 revised, 1956, 731 § 28. (See 1956, 731 §§ 29–33.)
SECT. 52 amended, 1955, 770 § 113; revised, 1957, 777 § 46. (See 1955, 770 §§ 117, 123.)

Chapter 280. — Fines and Forfeitures.

SECT. 2, last sentence stricken out, 1934, 364 § 2; sentence added at end, 1935, 303 § 1; section amended, 1953, 319 § 37. (See 1934, 364 § 3; 1935, 303 § 2; 1953, 319 §§ 39, 40.)

SECT. 6 revised, 1937, 251 § 1. (See 1937, 251 § 2.)

SECT. 16 amended, 1953, 319 § 38. (See 1953, 319 §§ 39, 40.)

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, October 3, 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.

INDEX.

A.

	Chap.	Section.
Abatement of taxes (see Taxation).		
Abington, town of (see Cities and towns).		
Absent voting ballots (see Elections).		
Accident and health insurance (see Insurance).		
Accidents, industrial, division of (see Labor and industries, department of).		
Accounts, cities and towns of (see Municipal finance).		
state (see State finance).		
Acknowledgment, written instruments of, persons in armed forces, by, relative to	207	
ACTIONS, CIVIL:		
summary process, stay of execution in, further providing for	241	
See also Practice in civil actions.		
Acts and resolves, number passed by general court.		
Adams, Fire District, property, certain, of, lease to town of Adams, by	264	1, 2
town of, (see Cities and towns).		
ADMINISTRATION AND FINANCE, COMMISSION ON:		
budget commissioner, appropriation act, sections, certain, of, distribution of, by	495	20
appropriations, encumbered balances of, spending of, powers and duties as to	492	
comptroller, appropriations, encumbered balances of, spending of, powers and duties as to	492	
hospital costs and finances, director, proprietary hospitals, per diem costs and charges of, determination of, by, relative to	586	
rest home care, rates to be paid to, determination of, by	545	1, 2
personnel and standardization, division of, director, permanent positions and salary rates, schedules of, filing with, powers and duties as to	495	6
inequities in division of employment security, correction of, investigation and study relative to, by Resolve	98	
state purchasing agent, state printing, expenditures for, approval of	495	10
Administration of estates (see Probate courts).		
Adoptions (see Probate courts).		
Advertising, interest or dividend rates, anticipated, banks by, regulation of	269	
Agawam, town of (see Cities and towns).		
Aged persons, aid to (see Old age assistance, so called).		
housing of, guarantee and annual contributions for, commonwealth, by, amount of, increased	573	
organizations, certain, of, exemption from meals excise tax, for	477	
Aging, council on the employment of, investigation and study by, relative to unemployment of aged persons Resolve	10	
Agricultural schools, Essex county agricultural school, associate degrees, certain, amending of, by	525	
AGRICULTURE, DEPARTMENT OF:		
commissioner, General Laws, certain extracts of, preparation and distribution of posters containing, by	398	
raw milk, receivers certain, of, licensing of, by	561	1–3
Aid, aged persons to (see Old age assistance, so called).		
dependent children to (see Children).		
disabled to (see Disabled persons).		
Air pollution, control of, investigation and study relative to, providing for Resolve	72	
property used for prevention or abatement of, tax exemption for	539	
Airports, Hanscom Field, sale by town of Lexington of water, to	280	1, 2
ALCOHOLIC BEVERAGES:		
additional tax, temporary, on, continued	139	9
motor vehicles, operation of, under influence of, criminal evidence as to, relative to	340	
premises, certain, serving, licenses for use of radio and television on Lord's Day, for, exemption from, for	353	
Worcester, veterans organizations, alcoholic beverages licenses for, fee for, by	195	1, 2

INDEX.

	Chap.	Section.
Allen, Eva L., payment by commonwealth of sum of money, to . . . . . Resolve	2	
Ambulances, right of way on calls for hospitalizing sick or injured persons, granting of, to	173	
American Legion, Amoral-Bailey Post #113, The American Legion, Department of Massachusetts, Inc., conveyance by town of Manchester of certain land, to	191	1, 2
Walsh, William G. Post #369 American Legion, Inc., conveyance by city of Boston of certain land, to	239	
American Unitarian Association, conveyance by commonwealth of certain land, to	415	1, 2
Amherst, College, trustees, certain of, right to vote for election of, extension of	256	1–3
town of (see Cities and towns).		
Amoral-Bailey Post #113, The American Legion, Department of Massachusetts, Inc., conveyance by town of Manchester of certain land, to	191	1, 2
Andover, town of (see Cities and towns).		
Animals, bounties paid on, marking of	308	
Annuities (see Retirement systems and pensions).		
APPELLATE TAX BOARD:		
corporation taxes, decisions, certain, relative to, appeals from, to, time for, extended	277	
Appropriations, counties for maintenance, etc., of certain . .	478	1–6
state departments, boards, commissions, institutions, for maintenance, etc.	170 386 430 495 543 617	1–3 1–3 1–4 1–26 1–3 1–5
encumbered balances of, spending of, further regulation of .	492	
Armed forces (see Military and naval service of the United States).		
Armory commission, Barnstable, town of, sale of land, certain, to, by	376	
Arson, persons convicted of, release from institutions of, notice to state fire marshal relative to	101	1, 2
Ashburnham, town of (see Cities and towns).		
Assessors of Taxes, assessors maps, preparation of, contracts for, providing for	313	
public service corporations, local taxes, certain, assessed to, collection and abatement of, powers and duties as to . .	298	1, 2
taxes received by, accounting of, law relative to, repealed .	251	
Atomic energy industrial research center, establishment of, special commission to investigate and study, revived and continued . . . . . Resolve	74	
Attachments, real estate of, recording of, relative to	501	
Attleboro, city of (see Cities and towns).		
Attorney General, actions, certain, brought or defended by, no fee, for	149	
commenced by trustee process, by, no bond required for .	158	
office of, chief clerk, of, salary of, manner of fixing of, relative to	476	
Auditor, State, Massachusetts Port Authority, books and accounts of, annual audit of, by	384	1, 2
Automobiles (see Motor vehicles).		
Avon, town of (see Cities and towns).		

B.

Bakery products, certain, transportation on Lord's Day, of, providing for	412	
Ballots (see Elections).		
BANKING AND INSURANCE, DEPARTMENT OF:		
banks and loan agencies, division of:		
commissioner of banks, bank officers, removal, certain, of, by, further regulation of	226	
insurance, division of:		
area legal counsel, status of, relative to	495	*Item* 1103–02
commissioner of insurance, life insurance companies, reserves of, non forfeiture benefits of policies of, powers and duties as to	368	1–8
Massachusetts Credit Union Share Insurance Corporation, establishment of, powers and duties as to	294	1–4

INDEX.

	Chap.	Section.
BANKING AND INSURANCE, DEPARTMENT OF — *Concluded.*		
insurance, division of — *Concluded.*		
fire insurance, persons unable to obtain, securing of, for, investigation and study relative to, by . . . Resolve	114	
liability insurance companies, certain, additional financial requirements for, powers and duties as to	168	1–8
BANKS AND BANKING:		
in general, additional tax, temporary, on, continued . .	139	7
banking companies, reserves of, relative to	41	
bank officers, removal for certain violations, of, further regulation of	226	
deposits, interest on, in banks outside commonwealth, taxation of	250	
employees, certain, group insurance and benefits, for . .	465	
interest or dividend rates, anticipated, advertising of, by, regulation of	269	
negotiable checks, drafts and money orders, sale of, by, relative to	607	
real estate notes, certain, fire insurance and mortgage credit insurance premiums, periodic payments of, inclusion of, in	533	
veterans' loans, certain, time for making and acquiring of, by	108	
co-operative banks, shares, one hundred dollar maturity value with, issuance of, by, authorized	333	1–9
credit unions, Massachusetts Credit Union Share Insurance Corporation, establishment of	294	1–4
reports, certain, of, late filing fee, for, repeal of . . .	223	
Federal Deposit Insurance Corporation, non-applicability of certain provisions of law to deposits made by . .	175	1, 2
federal savings and loan associations, public monies, deposit by state treasurer, of, in	135	
trust saving accounts, in, relative to	271	
Mutual Savings Central Fund, Inc., act relative to . .	175	1, 2
savings and insurance banks, insurance policies and annuity contracts, distribution of dividends on, discontinuance of issuance of, by	341	1, 2
savings and loan associations, payment of deposits to minors, by, authorized	105	
savings banks, deposits, certain, in, investigation and study relative to . . . . . Resolve	83	
Inter-American Development Bank, obligations of, investment in, by, authorized	174	
residential redevelopment loans, making of, by, relative to .	327	
trust companies, laws relative to, revising of	493	1–31
Banks and loan agencies, division of (see Banking and insurance, department of).		
Barbers, board of registration of (see Civil service and registration, department of).		
BARNSTABLE COUNTY:		
appropriation for maintenance of, etc.	478	1–6
county courthouse, installation of new heating system in, by .	77	1, 2
land use planning, economic development, expenditures for, by, authorized	189	1–3
navigational and radio aids, certain, purchase of, by, authorized	34	1, 2
sea walls, shore protection, borrowing of money for purposes of, by, time for, extended	59	
second district court of, clerk of, salary of, increased . .	479	
Barnstable, town of (see Cities and towns).		
Beauty shops, women employed in, hours of, restricted . .	44	
Beavers, control of, appropriations by towns, for	357	
Bedding (see Furniture and bedding law).		
Belchertown, town of (see Cities and towns).		
Belmont, town of (see Cities and towns).		
BERKSHIRE COUNTY:		
appropriation for maintenance of, etc.	478	1–6
two hundredth anniversary of, observance of, expenditure for, by, authorized	445	
water supply of, investigation relative to, providing for Resolve	32	
Berlin, town of (see Cities and towns).		
Beth Israel Hospital, holding of additional real and personal estate, by, authorized	210	
Bicycles, children on, motor vehicle safety provisions for .	318	
further regulation of	518	1–5
Bid bonds (see Insurance).		

INDEX.

	Chap.	Section.
Bidding, collusive (see Collusive bidding).		
Billerica, town of (see Cities and towns).		
Births, premature births, reimbursements of hospitalization expenses incurred in connection with, time limit on requests for, change in	54	
records of, copies of, fee for	215	1
infants, birth weights of, reporting to local boards of health, of	51	
laws, certain, relative to, change in	396	1–5
Blind persons, motor vehicle laws for protection of, violation of, penalty for, increased	60	
BOARDS, LOCAL:		
See Cities and towns.		
BOARDS, STATE:		
See Commonwealth, departments, boards, commissions, etc., of, also specific titles of departments, boards, commissions, etc.		
Bonds, bid bonds, issued in connection with certain contracts, foreign companies, by, relative to	134	
cities and towns of (see Cities and towns).		
commonwealth of (see Treasurer, state).		
counties of (see Counties).		
taxation of (see Taxation).		
Books, library (see Libraries).		
obscene (see Obscene publications).		
Boston, and Maine Railroad, Lowell, grade crossing, certain, in, installation, maintenance and operation of gates at, by	472	
city of (see Cities and towns).		
Firemen's Relief Fund, members, election, certain, of, method of, relative to	103	
Gas Company, contracts for purchase of gas, hearings by department of public utilities relative to, requirement as to, repealed	87	
Port of, harbormaster, jurisdiction of, limitation on	329	1–3
Redevelopment Authority, land, certain, acquisition from United States, of, by	618	1, 2
transfer by city of Boston of certain land, to	314	1, 2
University, trustees of, conveyance by metropolitan district commission of certain land, to, providing for	425	1, 2
Y.M.H.A.-Hecht House Inc., consolidation of Young Men's Hebrew Association of Boston, with	243	1–5
Bounties, animals, certain for, marking of, upon payment of	308	
Boxborough, town of (see Cities and towns).		
Boylston, town of (see Cities and towns).		
Bradford Durfee College of Technology, scholarships, certain, granting of, by	513	
Braintree, town of (see Cities and towns).		
Brandeis University, board of trustees, number of, increased	257	
BRIDGES:		
Boston, structures bridging public alleys and ways, construction, extension and maintenance of, in, providing for	179	
death, resulting from defect, want of repair or railing upon, amount recoverable for, increased	166	
Dunn, Doctor Joseph H., Bridge, certain bridge on Pilgrims Highway in town of Rockland designated, as	220	
North river, towns of Norwell and Pembroke, in, construction of bridge across	622	
Veterans of Foreign Wars, Post 1046, Memorial bridge, certain bridge on route 27 designated as	204	
BRISTOL COUNTY:		
appropriation for maintenance of, etc.	478	1–6
court officers, salaries of, expenditures, certain, for, by, authorized	115	1, 2
tuberculosis hospital, of, care, maintenance and repair of, expenditures for	424	1, 2
Brockton, city of (see Cities and towns).		
Brookfield, town of (see Cities and towns).		
Brooks (see Waters and waterways).		
Bubier Realty Trust Company, license, certain, granted to, made irrevocable	574	
Buildings, commonwealth or political subdivisions, of, safety of persons in, compliance with law relative to, date for, established	404	1, 2
industrial safety, division of, representatives of, entrance into, by	585	

	Chap.	Section.
Buildings — *Concluded.*		
public, contracts, certain, in connection with, bidding and awarding of, further regulation of	604	1–8
prompt payment to contractors on, providing for	627	1, 2
trees, cutting or removal of, to expedite moving, of, providing for	265	
Burlington, town of (see Cities and towns).		
Water District, offices and positions in, placing under civil service laws, providing for	162	1, 2
Buses (see Motor vehicles).		
By-laws, cities and towns of (see Cities and towns).		
zoning (see Zoning by-laws).		

C.

Cambridge, city of (see Cities and towns).		
Camp Edwards, Yankee Division Memorial at, landscaping and improvements to, providing for	456	
Canada lynx (see Animals).		
Capital outlay program for commonwealth	544	1–6
Cardello, Guy Memorial Playground, certain playground in city of Boston designated, as	201	
Carlisle, town of (see Cities and towns).		
Carlow, M. Christina, acts as notary public validated	Resolve 60	
Carney, Philip N., present member of house of representatives, payment of salary, to	Resolve 109	
Carriers, motor (see Motor vehicles).		
Carroll, Michael John, member of house of representatives, payment of compensation to widow of	Resolve 5	
Representative Michael J. Highway, certain highway in city of Lynn designated as	183	
Cars (see Motor vehicles).		
Cemeteries, Island Pond cemetery, property of, acquisition and administration by town of Harwich, of	216	1–4
Central Credit Union Fund, Inc., act making premanency of	227	2
funds of, investment of, by, further regulated	227	1
Certificates, birth (see Births).		
Charter vehicles (see Motor vehicles).		
Chelsea, city of (see Cities and towns).		
Children, adoption of, investigation by judicial council relative to	Resolve 20	
bicycles on, motor vehicle safety precautions as to	318	
further regulation of	518	1–5
boys under eighteen years of age, girls under twenty-one years of age, employment of, restricted	69	
hours of employment of, restricted	68	
care of, laws relative to, change in	396	1–5
criminal offenses, by, investigation by judicial council relative to	Resolve 25	
custody of, law relative to made applicable to divorced parents and parents with divorce proceedings pending	171	
day care, agencies giving, licensing of, investigation and study relative to	Resolve 81	
dependent, aid to, applications by institutions, for, relative to	487	
provisions of, extension of	575	1, 2
labor laws, certain, relative to, suspension of operation of	84	
library books, detaining of, by, notice to parents or guardians of	316	
retarded, training facilities available for, special commission to investigate and study, revived and further continued	Resolve 19	
retirement benefits for (see Retirement systems and pensions).		
savings and loan associations, payment of deposits by, to	105	
CHURCHES AND RELIGIOUS CORPORATIONS:		
Federated Church of Sturbridge and Fiskdale, conveyance by town of Sturbridge of certain land, to	154	1, 2
First Congregational Church of Sutton, sale by town of Sutton of certain land, to	536	1, 2
North Parish of North Andover, amount of property to be held by, increase of	197	
Tremont Temple Baptist Church, trustees, number of, funds, management of, quorum, number for, relative to	229	1–4
Unitarian Universalist Church of Medford, consolidation of three churches, certain, under name of	273	1–11
Cigarettes, taxation of (see Taxation).		

INDEX.

	Chap.	Section.
CITIES AND TOWNS:		
in general:		
annuities (see Retirement systems and pensions).		
assessors maps, preparation of, contracts for, by, authorized	313	
beavers, control of, appropriations for, by, authorized	357	
boards of appeal, members of, representation of party in interest in matter pending, by, prohibited	276	1
borrowing of money by, emergency finance board act, under, time for, extended	205	1, 2
bounties, payment of, marking of animals, by	308	
buildings, of, contracts, certain, in connection with, bidding on and awarding of, further regulation of	604	1–8
prompt payment to contractors on, providing for	627	1, 2
safety of persons in, compliance with law relative to, by, date for, established	404	1, 2
Civil War, centennial of, observance of, appropriations for, by, authorized	279	1, 2
construction contracts, questions arising under, review of decisions involving, providing for	538	1, 2
development and industrial commissions, powers of, expanded	291	
district courts of (see District courts).		
emergency finance board, act creating, borrowing of money under, by, time for, extended	205	1, 2
employees, of (see Municipal officers and employees).		
federal bureau of investigation, training schools conducted by, expenses, certain, incurred in attending, appropriations for payment of, by, authorized	20	
group insurance, employees for (see Municipal officers and employees).		
health boards (see Health, local boards of).		
housing, redevelopment and renewal projects, incurring of indebtedness for, amount and term of, increased	12	
housing authorities, of (see Housing authorities, local).		
incinerator districts, regional, formation of, by, authorized	609	
income and corporation tax revenues, distribution of, to, relative to	420	1, 2
indebtedness, of (see Municipal finance).		
insurance plans, of (see Municipal officers and employees).		
libraries of (see Libraries).		
municipal home rule, investigation and study by special commission relative to Resolve	116	
officers and employees, of (see Municipal officers and employees).		
overtime, employees, certain, for, payment for, by	510	
planning boards, members of, representation of party of interest in matter pending, by, prohibited	276	2
private ways, construction, resurfacing and repairs, on, by, authorized	381	
parking of unattended vehicles on, regulation of, by, authorized	383	
repairs on, by, exemption from liability for	319	
public welfare, boards of (see Public welfare, local boards of).		
public works projects, federal assistance for, incurring of debt to secure benefits of, time for, extended	8	
registrars of voters (see Registrars of voters).		
retirement systems, of (see Retirement systems and pensions).		
rights or easements, of, recording of abandonment of, relative to	117	
schools, of (see Schools, public).		
sewage treatment, state aid for, to, investigation and study relative to Resolve	7	
teachers of (see Schools, public).		
towing of motor vehicles, certain, acceptance of law providing for	322	
War Veterans Civic Association of Massachusetts, Inc., leasing of post headquarters to, by, authorized	57	
water departments, employees, certain, of, display of badge and photograph, by	305	1
widows, of employees killed in line of duty, granting of annuities to, by	371	
zoning by-laws, of (see Zoning by-laws).		
cities, labor service, positions, certain, in, made permanent	150	1, 2
zoning amendments, proposed, failure to take final action within ninety days of hearing, rehearing requirement for	151	

	Chap.	Section.
CITIES AND TOWNS — *Continued.*		
towns, constables, terms of, in, relative to	354	1, 2
flood control reservoirs, land taken for purposes of, tax loss resulting therefrom, reimbursement by commonwealth for, to	468	1, 2
moderators and selectmen, acts as election officers, prohibited	335	
public rights of way, shore lines to, preparation of list of, by	463	1, 2
state assessment system, acceptance of, by, providing for	165	
special provisions relative to particular cities:		
Attleboro, municipal council, filling of vacancies in, in, relative to	208	1, 2
preliminary municipal elections, vote relative to, by, validated	491	1, 2
Boston, Boston Firemen's Relief Fund, members, election, certain, of, method of, relative to	103	
Boston Redevelopment Authority, transfer of land, certain, to, by	314	1, 2
buildings, certain, repair and remodeling of, by	514	
cemetery funds, use of, by, regulated	13	1, 2
finance commission, appropriation for, by, increased	40	
garages, first fire zone, so called, in, relative to	178	
highway, certain, in, designated as Italian American War Veterans Highway	315	
illegally parked motor vehicles, private ways, on, removal of, in	351	1, 2
land, certain, in, restrictions by commonwealth, on, release of	323	1, 2
municipal court of (see District courts).		
park land, certain, conveyance to William G. Walsh Post #369 American Legion Inc., by	239	
parking, alternate sides of public ways, on, in, relative to	349	
perishables, parking of motor vehicles delivering, in, relative to	528	
public safety commission, general manager of Metropolitan Transit Authority made member ex officio	194	
sewers, use of, in, annual charges for, establishment of, by	311	
structures bridging public alleys and ways, construction, extension and maintenance of, in, providing for	179	
traffic commission, fines, parking violations, certain, for, establishment of, by	233	1–5
Western Suburbs Transportation District, powers and duties as to, of	540	1–22
Brockton, city engineer, designation as, ex officio, clerk of board of commissioners of sewerage construction, law providing for, repeal of	587	1, 2
Clifford, Melvin B., city clerk of, tenure until age seventy, for	511	1, 2
Lipper, Mildred, payment of sum of money to, by	560	1, 2
sewerage purposes, borrowing of money for, by	453	1, 2
Cambridge, land, certain, acquired for water purposes, sale for housing purposes, by, authorized	112	1, 2
land owners, certain, filing of certain information with superintendent of buildings, in, providing for	182	1, 2
traffic and parking, department of, board of, establishment of, in	455	1–9
Chelsea, bonds and notes, certain, issuance of, proceedings relative to, by, confirmed	141	1, 2
Everett, purchasing agent, office of, establishment of, in	621	1, 2
Fall River; fire and police department, reserve forces of, appointments to, prohibited	196	1, 2
Fitchburg, land, certain, conveyance to commonwealth, by	406	1–4
water, sale of, certain, by, authorized	169	1, 2
Gloucester, councillors elect, term of office of, in	203	
Haverhill, schools, acceptance of pupils from state of New Hampshire, into, by, authorized	285	
Holyoke, board of aldermen, membership of, election of, in, relative to	302	1–3
police radio and signal system-patrolman, position of, establishment of, in	244	1, 2
Lawrence, Lawrence and Methuen Incinerator Authority, creation of, for disposal of refuse and garbage collected, in	88	1–11
regional school district, formation of, by, with towns of Methuen, Andover and North Andover, relative to	274	1–3

	Chap.	Section.
CITIES AND TOWNS — *Continued.*		
special provisions relative to particular cities — *Concluded.*		
Leominster, DiPaoli, Gino, payment of sum of money to, by	80	1, 2
sewerage and sewage disposal, system of, construction of, by, authorized	337	1–14
Lowell, grade crossing, certain, in, installation, maintenance and operation of gates at, providing for	472	
laborers, foremen, mechanics, craftsmen and chauffeurs, pensions of, increased	497	1, 2
Lynn, fire chief, office of, placing under civil service laws, in, providing for	30	1, 2
Rothman, Abraham, payment of sum of money to, by	356	1, 2
Malden, captain of police, designation as chief of police, of	569	1–4
loan, certain, unexpended balance of, use of, by, authorized	148	1, 2
park land, certain, conveyance of, by, authorized	164	
school buildings, in, relative to	289	1–5
New Bedford, New Bedford, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, deficit, certain, of, proportionate share, borrowing of money for payment of, by	470	1, 2
Newburyport, fire department, chief of, office of, placing under civil service laws, in	352	1, 2
Newton, traffic commission, establishment of, in	439	1–5
Western Suburbs Transportation District, establishment of, powers and duties as to, of	540	1–22
North Adams, collector-treasurer, office of, present incumbent of, tenure for	325	1, 2
public works, commissioner of, office of, present incumbent of, tenure for	364	1, 2
Northampton, off street parking facilities, land for, acquisition of by Hampshire County Commissioners, in	235	1–3
public works, board of, department of, establishment of, in	389	1–7
Peabody, councillors, election of, in, relative to	234	1, 2
Josiah B. Thomas Hospital, trustees of, number of, appointment of, by	58	1–3
Pittsfield, city auditor, office of, incumbent of, life tenure for	563	1, 2
Mullaney, Florence W., assistant registrar of voters, term of office of, extended	619	1, 2
Quincy, assistant city clerk, office of, present incumbent of, life tenure for	50	1, 2
board of park commissioners, recreation commission, abolishment of; park and recreation board, establishment of	78	1–4
Wuerth, John, captain of police, payment for overtime service, by	365	1, 2
Revere, board of assessors, chairman, office of, incumbent of, tenure for	589	1, 2
Salem, tidewater, certain, in, placing and maintaining fill in, licenses for, made irrevocable	566	
Somerville, Lonergan, Bernard J., deputy election commissioner, tenure for, in	157	1, 2
Mitchell, George, deputy election commissioner, tenure for, in	163	1, 2
Police Relief Association, death benefits payable by, amount of, increased	125	1, 2
Springfield, assessors, board of, application for abatement of taxes for year nineteen hundred and sixty, powers and duties as to, of	489	
Lawler, Daniel J., widow of, payment of sum of money to, by	486	
water supply, increase of, by, authorized	628	1–12
Taunton, McGrath, Rosemary C., payment of sum of money to, by	559	
Waltham, sewer easement, granting of by commonwealth to	372	
Waltham Police Relief Association, benefits, certain, paid by, amount of, increased	594	
Westfield, city council, president and members of, maximum salary for, increased	504	1, 2
unpaid bills, certain, payment of, by, authorized	626	1–4
unpaid claims, certain, payment of, by, authorized	549	1, 2
Woburn, land, certain, conveyance by metropolitan district commission, to; withdrawal by said city from metropolitan district commission parks district	542	1–3
Worcester, park land, certain, conveyance to East Side Improvement Club, Inc., by	359	1, 2
veterans organizations, alcoholic beverages licenses for, fee for, by	195	1, 2

	Chap.	Section.
CITIES AND TOWNS — *Continued.*		
special provisions relative to particular towns:		
Abington, rezoning, action taken relative to, by, validated and confirmed	577	1, 2
two hundred and fiftieth anniversary of incorporation of, appropriation for celebration of, by	38	1, 2
Adams, Adams Fire District, lease of property by, to	264	1, 2
zoning by-laws, of, validated	481	1, 2
Agawam, bridge, certain, construction of, in, providing for	421	
public ways, laying out, relocation or discontinuance of, by, validated and confirmed	565	1, 2
veterans agent, of, office of, placing under civil service laws, providing for	56	1, 2
Amherst, water supply, additional for; sale of water to town of Belchertown, by	502	1, 2
Andover, regional school district, formation of, by, with towns of Methuen and North Andover and city of Lawrence, relative to	274	1–3
water supply, fluoridation of, submission to voters of question relative to	65	1–3
Ashburnham, town meetings, holding of at Oakmont Regional High School, by, authorized	186	1, 2
Avon, bonds, certain, sale of, by, validated	113	1, 2
Barnstable, Barnstaple, England, visit by representative to, appropriation for, by	507	1–3
land, certain, sale of by armory commission, to	376	
in, sale to Hyannisport Civic Association, by	132	1, 2
Belchertown, sale by town of Amherst of water supply, to	502	1, 2
Belmont, second assistant town clerk, appointment of, in, providing for	616	1–3
Berlin, school purposes, certain use of stabilization funds, for, by, authorized	142	1–3
Billerica, industrial commission, sale by department of natural resources of certain land, to	567	
police officers, minimum annual compensation for, submission to voters of question relative to	35	1, 2
zoning by-laws, amendments, certain, to, validated	578	1, 2
Boxborough, water supply, of, not to be used by West and South Water Supply District of Acton	361	1, 2
Boylston, school purposes, certain, use of stabilization funds, for, by, authorized	142	1–3
Braintree, superintendent of parks and playgrounds, office of, present incumbent of, life tenure for	26	1, 2
Brookfield, sewerage and sewage disposal, system of, construction and operation of, by	584	1–14
Burlington, highway superintendent, office of, present incumbent of, life tenure for	32	1, 2
Carlisle, park land, certain, use for school purposes, by	537	1, 2
Dennis, advertising purposes, appropriations for, by, amount of, increased	5	1, 2
Dracut, police department, sergeants, certain, in, life tenure for	17	1, 2
Eastham, municipal advertising, public amusements, appropriation for, by, amount of, increased	4	1–3
Easthampton, park land, certain, conveyance to Clarence E. Lamoureux, by	219	1, 2
Fairhaven, park land, certain, sale of, by, authorized	231 392	1, 2
proceedings, certain, of, validated	21	1, 2
Falmouth, municipal advertising, appropriations for, by, amount of, increased	7	1, 2
water mains, installation of, use of certain funds for, by	6	1–3
Framingham, Western Suburbs Transportation District, establishment of, powers and duties as to, of	540	1–22
Granville, veterans agent, of, office of, placing under civil service laws, providing for	56	1, 2
Greenfield, selectmen-administrator form of government, establishment of, in	62	1–26
Halifax, chief of police, office of, present incumbent of, life tenure for	27	1, 2
highway surveyor, office of, present incumbent of, life tenure for	23	1, 2
Harwich, Island Pond Cemetery, property of, administration of, by	216	1–4

	Chap.	Section.
CITIES AND TOWNS — *Continued.*		
special provisions relative to particular towns — *Continued.*		
Hingham, superintendent of streets, office of, present incumbent of, life tenure for	82	1, 2
Holbrook, police force, members of, five day and forty hour work week for, in, providing for	16	
Hull, sea wall, certain, construction of, in, providing for	31	1–3
Huntington, Gateway Regional School District, preliminary expenses for, payment of share of, by, providing for	299	1–3
Ipswich, town engineer, office of, present incumbent of, life tenure for	24	1, 2
Lancaster, Pelletier, Walter, sergeant of police, tenure of office for, acceptance by town of act providing for	49	
Lexington, Laurence G. Hanscom Field, sale of water to, by	280	1, 2
park and playground land, certain, use for playground or recreational purposes, by, authorized	114	1, 2
Manchester, Amoral-Bailey Post #113, American Legion, conveyance of land to, by	191	1, 2
town accountant, office of, present incumbent of, life tenure for	29	1, 2
Marblehead, precinct four, division of, in, providing for	104	
Marshfield, betterment assessments, public improvements, certain, for, making of, by	122 123	1, 2 1–3
water pipes, certain, for, making of, by	124	1, 2
supervisor of the highway department, office of, present incumbent of, life tenure for	160	1, 2
Maynard, public ways, laying out, alteration, relocation, discontinuance of, acts and proceedings in connection with, by, validated and confirmed	76	1, 2
town accountant, office of, present incumbent of, life tenure for	22	1, 2
water supply, agreement with town of Stow as to, by	360	1, 2
Medfield, Dover-Sherborn regional school district, furnishing of water to, by	571	1–4
Methuen, Lawrence and Methuen Incinerator Authority, creation of, powers and duties as to, of	88	1–11
regional school district, formation of, by, with towns of Andover and North Andover and city of Lawrence, relative to	274	1–3
Monterey, zoning by-laws, adoption of, submission to voters of question relative to	28	1, 2
Nahant, land, certain, conveyance to Nahant Council #4682, Knights of Columbus, by	623	1, 2
Nantucket, Historic District Commission, of, powers and duties of, further defined	144	1–3
municipal advertising, public amusements, appropriations for, by, amount of, increased	3	1, 2
park and recreation commission revolving fund, establishment of, by, authorized	159	1–3
police officers, minimum height requirements for, in, change in law relative to	79	1–3
Natick, medical bills, certain, of William Rogers, Joseph Saviano and Roy Wyman, payment of, by, authorized	429	1, 2
Western Suburbs Transportation District, establishment of, powers and duties as to, of	540	1–22
North Andover, regional school district, formation of, by, with towns of Methuen and Andover and city of Lawrence, relative to	274	1–3
North Attleborough, water supply, additional, agreements for, making of, by	156	
North Reading, Ipswich river, improvement of, borrowing of money for purposes of, by	249	1–3
Oak Bluffs, municipal advertising, public amusements, appropriations for, by, amount of, increased	107	1, 2
Orleans, municipal advertising, appropriations for, by, relative to	2	1–3
Plainfield, alcoholic beverages, licenses for sale of, granting of, by, submission to voters of question relative to	91	1–3
Plainville, water supply, additional, agreements for, making of, by	156	
Plymouth, commissioners of public safety, election of, in, providing for	53	1–3
Provincetown, tidelands, certain, of commonwealth, conveyance of, to	588	

INDEX.

	Chap.	Section.
CITIES AND TOWNS — *Concluded.*		
special provisions relative to particular towns — *Concluded.*		
Randolph, fire department, officers and members of, minimum annual salaries for, establishment of, in	15	1, 2
Rehoboth, chief of police, office of, present incumbent of, life tenure for	83	1, 2
Rockland, two hundred and fiftieth anniversary of incorporation of town of Abington, appropriation for celebration of, by	38	1, 2
Rutland, town meeting in current year, action, certain, taken at, validated and confirmed	391	1, 2
Salisbury, chief of police, office of, incumbent of, life tenure for	19	1, 2
Sharon, department of public works, offices and positions in, placing under civil service laws, by, providing for	61	1, 2
Southbridge, memorial, certain, construction of, in, relative to,	447	
Southwick, veterans agent, of, office of, placing under civil service laws, providing for	56	1, 2
Stow, water supply, agreement with town of Maynard as to, by	360	1, 2
Sturbridge, land, certain, conveyance to Federated Church of Sturbridge and Fiskdale, by, authorized	154	1, 2
Sutton, land, certain sale to First Congregational Church of Sutton, by	536	1, 2
Swampscott, permanent part-time employees, civil service status of, relative to	184	1–3
Swansea, chief of police, office of, present incumbent of, life tenure for	25	1, 2
Tewksbury, land, certain, sale by trustees of Tewksbury hospital, by	401	
offices and positions, certain, in, placing under civil service laws, to	14	1, 2
police force, regular or permanent members of, unlimited tenure for, in, providing for	39	1, 2
Wareham, Fearing House, so called, restoration of, by, authorized	37	1–4
Warren, town equipment and operator, use on private property, by	46	1, 2
Wayland, road, certain, transfer of care, custody and control to highway department, authorized	116	1, 2
Webster, East Village Sewer Construction Committee, establishment of, in	428	1–3
LaPlante Bros., payment of sum of money to, by	339	1–4
water commissioners, board of, filling of vacancies in, in, relative to	437	
Wellesley, water supply, use of certain land for purposes of, by, relative to	459	1, 2
Western Suburb Transportation District, establishment of, powers and duties as to, of	540	1–22
Wellfleet, municipal advertising and public amusements, appropriation for, by, amount of, increased	36	1, 2
Wenham, chief of police, office of, present incumbent of, life tenure for	33	1–3
West Springfield, bridge, certain, construction of, in, providing for	421	
sewage purposes, borrowing of money for, by, authorized	120	
Whitman, sewers, system of, construction and operation of, by, authorized	460	1–16
two hundred and fiftieth anniversary of incorporation of town of Abington, appropriation for celebration of, by	38	1, 2
Williamstown, sewerage and sewer disposal systems, construction and operation of, by, authorized	63	1–11
Wilmington, water supply, fluoridation of, continuance of, submission to voters of question relative to	81	
Winchester, land, certain, conveyance by metropolitan district commission, to	542	4
school construction, appropriation for, deficiency in, providing for, by, authorized	295	1–5
Winthrop, sewers and highways, superintendent of, appointment of, in, providing for	232	
CITY AND TOWN CLERKS:		
births, deaths and marriages, records of, copies of, fee charged for, by	215	1–3
city clerks, referendum petitions, filing of, with, providing for	550	
CITY AND TOWN TREASURERS:		
animals, payment of bounties for certain, marking of said animals, by	308	

INDEX.

	Chap.	Section.
Civil actions (see Practice in civil actions).		
Civil defense, director, land, certain, in town of Framingham, release to Norumbega Council, Inc., Boy Scouts of America, by	373	
CIVIL SERVICE AND REGISTRATION, DEPARTMENT OF:		
civil service, division of, director, official or labor service, permanent appointments in, keeping of records of, by	287	
registration, division of, barbers, board of registration of, secretary, office of, life tenure for incumbent of	427	1, 2
electricians' appeals, board of, establishment of, powers and duties of	531	1–3
nursing, board of registration in, membership of, relative to	512	
real estate brokers and salesmen, board of registration of, orders of Massachusetts Commission Against Discrimination, failure to comply with, suspension or revocation of licenses, for, by	181	
quorum for, relative to	363	1, 2
CIVIL SERVICE LAWS:		
Burlington Water District, offices and positions in, placing under	162	1, 2
classified civil service, inducing refusal of appointment to, penalty for	342	
junior building custodians, permanent full time, refusal of persons to accept appointment as, removal of, relative to	378	1, 2
labor service, cities of, positions, certain, in, made permanent	150	1, 2
Lynn, fire chief, office of, in, placing under	30	1, 2
Newburyport, fire department, chief of, office of, placed under	352	1, 2
official or labor service, permanent appointments in, keeping of records of, providing for	287	
probationary period, law relative to, under, corrective change in	255	
Sharon, department of public works, offices and positions in, placing under	61	1, 2
Tewksbury, offices and positions, certain, in, placing under	14	1, 2
Western Hampden veterans' services district, veterans agent in, office of, placed under	56	1, 2
Civil War, centennial of, observance of, appropriations by cities and towns, for	279	1, 2
Clerks, cities and towns of (see City and town clerks).		
CLERKS OF COURTS:		
district courts of (see District courts).		
probate courts of (see Probate courts).		
superior courts of (see Supreme judicial and superior courts).		
Closing out sales, so called, further regulation of	324	
Cohen, Elaine, payment by commonwealth of sum of money, to Resolve	9	
COLLEGES AND UNIVERSITIES:		
Amherst College, trustees, certain, of, right to vote for election of, extension of	256	1–3
Boston University, trustees of, conveyance by metropolitan district commission of certain land, to, providing for	425	1, 2
Bradford Durfee College of Technology, scholarships, certain, granting of, by	513	
Brandeis University, board of trustees, number of, increased	257	
Lowell Technological Institute Building Authority, establishment of	557	1–23
New Bedford Institute of Technology, scholarships, certain, granting of, by	513	
Smith College, land, certain, lease of, by	402	
Southeastern Massachusetts Technological Institute, preparation of educational plans for, appropriation of funds for	185	
State College at Fitchburg, conveyance by city of Fitchburg of certain land, for	406	
State College at Westfield, dormitory, certain, at, designated as Edward J. Scanlon Dormitory	508	
state colleges, activity fees, establishment of, in	434	
University of Massachusetts, trustees of, budgetary powers of, investigation and study relative to Resolve	92	
Collusive bidding, public works or purchases on, penalty for	432	
Columbus day, so called, Lord's day laws made applicable, to	338	1, 2
Commercial code, uniform (see Uniform Commercial Code).		
COMMISSIONS, STATE:		
in general, meals and travel allowances, for, change in law relative to	328	
retirement law commission (see Retirement law commission).		
water resources commission (see Water resources commission).		

	Chap.	Section.
COMMISSIONS, STATE — *Continued.*		
special:		
Adams, John, John Quincy, statue or memorial to, erection of, to investigate and study . . . . . Resolve	38	
air pollution control, to investigate and study . Resolve	72	
atomic energy industrial research center, establishment of, to investigate and study, revived and continued Resolve	74	
business climate of commonwealth, related matters, to investigate and study, revived and continued . Resolve	82	
civil war, one hundredth anniversary of, celebration of, membership of, increased . . . . . Resolve	8	
commonwealth, official song, for, to investigate and study . . . . . Resolve	22	
communism, subversive activities, to investigate and study, scope of, increased . . . . . Resolve	42	
final report of, time for, extended . . Resolve	124	
criminal prosecutions, suppressing and making inadmissible certain evidence in, to investigate and study Resolve	103	
Curley, James Michael, statue or other suitable memorial to, to investigate and study . . . . . Resolve	23	
day care to children, agencies giving, licensing of, to investigate and study . . . . . Resolve	81	
edible shellfish, shellfish purification plants, shellfish laboratory, to investigate and study . . . . Resolve	34	
education, department of, division of university extension in, establishment of college, by, to investigate and study . . . . . Resolve	68	
elections and primaries, revision and improvement of, to investigate and study . . . . . Resolve	71	
embalming and funeral directing, laws governing, to investigate and study . . . . . Resolve	24	
employment security act, extension of benefits of, to investigate and study . . . . . Resolve	33	
fisheries and game, division of, director, acquisition of certain lands, by, to investigate and study . . Resolve	88	
handicapped or disabled persons, rehabilitation and employment of, to investigate and study . . Resolve	73	
judicial system of commonwealth, to investigate and study . . . . . Resolve	125	
Medford, city of, construction by metropolitan district commission of municipal stadium in, to investigate and study, revived and continued . . . . . Resolve	104	
medical school, state supported, establishment of, to investigate and study . . . . . Resolve	122	
mental health, department of, institutions of, admission, treatment and release of patients in, to investigate and study . . . . . Resolve	89	
metropolitan district commission, organization and operation of, to investigate and study, scope of, increased . . . . . Resolve	111	
final report of, time for, extended . . Resolve	119	
Metropolitan Transit Authority, transportation of pupils, reimbursement for, to, to investigate and study Resolve	117	
municipal home rule, to investigate and study . Resolve	116	
municipal police officers, training program for, to investigate and study . . . . . Resolve	86	
Ninth Regiment of Infantry, Colonel Thomas Cass and officers and men of, memorial to, to investigate and study . . . . . Resolve	90	
north and south metropolitan sewerage districts, city of Boston, systems of sewerage and sewage disposal in, to investigate and study, revived and continued . . . . . Resolve	41	
scope of, increased . . . . . Resolve	123	
pesticides, use of, to investigate and study, final report of, time for, extended . . . . . Resolve	120	
retarded children, training facilities for, to investigate and study, revived and further continued . . Resolve	19	
savings banks, deposits, certain, in, to investigate and study . . . . . Resolve	83	
sexually dangerous persons, conviction, commitment, care and treatment of, to investigate and study . . Resolve	106	
space heaters, sale, exchange and use of, to investigate and study . . . . . Resolve	91	

	Chap.	Section.
COMMISSIONS, STATE — *Concluded.*		
special — *Concluded.*		
taxation, problems of, to investigate and study, revived and further continued . . . . . Resolve	18	
scope of, increased . . . . . Resolves	35 36 37 44 51 54 63 64 77	
University of Massachusetts, trustees of, budgetary powers of, to investigate and study . . . Resolve	92	
voters, eligibility of certain, protection of rights of, to investigate and study . . . . . Resolve	118	
youth conservation camps, establishment by department of natural resources, of, to investigate and study Resolve	75	
Committees, political (see Elections).		
COMMONWEALTH:		
Allen, Eva L., payment of sum of money to, by . Resolve	2	
Boston, lands, certain, in, restrictions imposed on, by, release of	323	1, 2
buildings, of, contracts, certain, in connection with, bidding on and awarding of, further regulation of . .	604	1–8
prompt payment to contractors on, providing for .	627	1, 2
safety of persons in, compliance with law relative to, by, date for, established	404	1, 2
capital outlay program, for	544	1–6
Cohen, Elaine, payment of sum of money to, by . Resolve	9	
Conant brook flood control reservoir, acquisition by United States of land for, consent to, by	554	1
construction contracts, of, questions arising under, review of decision involving, providing for	538	1, 2
departments, boards, commissions, institutions, etc., of, appropriations for maintenance, etc., of	170 386 430 495 543 617	1–3 1–3 1–4 1–21 1–3 1–5
encumbered balances of, spending of, further regulation of .	492	
DiPietro, Rose M., payment of sum of money to, by Resolve	2	
educational institutions of (see Colleges and universities).		
ethics, code of, for employees and officials, of	610	1, 2
Federal Highway Program, powers and duties as to . .	590	1–4
flood control reservoirs, property taken for purposes of, reimbursement to towns of tax loss resulting therefrom, by .	468	1, 2
hospitals, of, lien for medical and other services furnished by, providing	161	
land damage cases, settlement of, reasons for, written requirement as to	385	1–3
Littlefield Reservoir on the Middle Branch of the Westfield River, acquisition by United States of land for, consent to, by	449	
Migratory Bird Conservation Act, acquisition by United States of land for purposes of, consent to, by	579	1–4
officers and employees of, ethics, code of, for, establishment of .	610	1, 2
group general or blanket insurance, extension to surviving spouse, of	414	1, 2
group insurance commission, dividends or refunds received by, maintaining and investing of, by	572	1, 2
investment committee for, establishment of . . .	572	2
retired employees, certain, extension of group insurance to, investigation and study relative to by . Resolve	87	
meals, reimbursement for expenses for, regulated	495	4
motor vehicles owned by, expenses for, allowances for, regulated	495	5
Palladino, Margaret R., petition by, consent to, of . . .	52	
song, official, for, investigation and study by special commission relative to . . . . . Resolve	22	
Southeastern Massachusetts Technological Institute, preparation of educational plans for, appropriation of funds for .	185	
state office building, proposed, widening, relocation and alteration of ways bounding on, providing for . . .	312	

INDEX.

	Chap.	Section.
COMMONWEALTH — *Concluded.*		
Student Government Day, observance of in years 1961 and 1964, day for	138	
Wood, Muriel J., petition by, consent to, of	110	
Communism, subversive activities, investigation and study by special commission relative to, scope of, increased	Resolve 42	
final report of, time for, extended	Resolve 124	
Companies, banking (see Banks and banking).		
insurance (see Insurance).		
trust (see Banks and banking).		
See also Corporations.		
Compensation (see Employment Security Law; Retirement systems and pensions; Wages; Workmen's compensation).		
Comptroller (see Administration and finance, commission on).		
Compulsory motor vehicle insurance (see Insurance; Motor vehicles).		
Congressional medal of honor, persons, certain, awarded, erection in state house of plaque to commemorate, providing for	484	1, 2
Constables, towns in, terms of, relative to	354	1, 2
Contractors, sub-contractors and suppliers, construction work on, prior payment protection, to	530	
Contracts, bid bonds issued in connection with, foreign companies, by, relative to	134	
public buildings, certain, for, bidding on and awarding of, further regulation of	604	1–8
prompt payment to contractors on, providing for	627	1, 2
public construction, for, questions arising under, review of decisions involving	538	1, 2
public works or purchase, for, collusive bidding on, penalty for	432	
Contributory retirement system (see Retirement systems and pensions).		
Convalescent homes (see Rest homes).		
Conveyances (see Real estate).		
Co-operative banks (see Banks and banking).		
CORPORATIONS:		
in general, additional tax, temporary, on, continued	139	1, 6, 7, 8
banking (see Banks and banking).		
business, annual meetings, change of date of, filing of certificates of	211	2
annual reports, of, expediting approval of, providing for	202	
officers, changes in, filing of certificates of, relative to	211	1
churches and religious (see Churches and religious corporations).		
co-operative banks (see Banks and banking).		
corporate organization, procedure relative to, simplifying of	97	1–3
credit unions (see Credit unions).		
electric (see Gas and electric companies).		
federal savings and loan associations (see Banks and banking).		
gas (see Gas and electric companies).		
insurance (see Insurance).		
motor carriers, capital stock of, approval of transfers of, fee for	266	
public service corporations, local taxes assessed to, collection of and abatement of, relative to	298	1, 2
records of, inspection by commissioner of corporations, of, relative to	278	
religious (see Churches and religious corporations).		
savings banks (see Banks and banking).		
taxation, of (see Taxation).		
trust companies (see Banks and banking).		
special provisions relative to particular corporations:		
Boston Gas Company, contracts for purchase of gas, hearings by department of public utilities relative to, requirement as to, repealed	87	
Boston Y.M.H.A.-Hecht House Inc., consolidation of Young Men's Hebrew Association of Boston, with	243	1–5
Crittenton Hastings House of the Florence Crittenton League, consolidation of Florence Crittenton League of Compassion and Hastings House under the name, of	237	1–6
East Side Improvement Club, Inc., conveyance by city of Worcester of certain land, to	359	1, 2
Massachusetts Credit Union Share Insurance Corporation, establishment of	294	1–4
New England Power Company, easements, certain, granting by commonwealth, of, to	417	

INDEX.

	Chap.	Section.
CORPORATIONS — *Concluded.*		
special provisions relative to particular corporations — *Concluded.*		
New York, New Haven and Hartford Railroad Company, resumption of summer passenger service on certain lines, by	593	1–3
Shoe City Express Company, revival of	583	
Unitarian Universalist Church of Medford, consolidation of three churches, certain, under name of	273	1–11
CORPORATIONS AND TAXATION, DEPARTMENT OF:		
in general, corporate organization, procedure relative to, simplifying of, powers and duties as to	97	1–3
income and corporation tax revenues, distribution of, as affecting	420	1–3
state activities, funds for, continuation of temporary additional taxes, for, powers and duties as to	139	1–11
state assessment system, acceptance by towns, of, relative to	165	
commissioner, business corporations, annual reports of, expediting approval of, by	202	
corporate records, submission for inspection, by, powers as to, increased	278	
corporation excise returns, time for filing of, extension of, by	283	1, 2
gasoline excise tax law, applicants under, depositing of government bonds by, powers and duties as to	300	
inheritance tax law, changes in, powers and duties as to	469	1–4
state tax commission, alcoholic beverage tax, licensees paying, payment of allowance to, investigation and study relative to, by Resolve	43	
corporation income tax, revision of laws relative to, investigation and study relative to, by Resolve	65	
corporation taxes, decisions on, by, appeals from, time for making of, extended	277	
corporations, machinery and tangible property, of, taxation by cities and towns of, investigation and study relative to, by Resolve	66	
income tax, matters relating thereto, investigation and study relative to, by Resolves	57, 58, 59	
income tax returns, assessment of, powers and duties as to	555	1–5
local property taxes, collection of, investigation and study relative to, by Resolve	85	
meals excise tax, collection of, investigation and study relative to, by Resolve	48	
personal income tax, abatement of, applications for, filing of, with	252	1, 2
taxation matters, certain, study relative to, by Resolve	28	
Correa, Firmo, payment by commonwealth of sum of money, to Resolve	99	
CORRECTION, DEPARTMENT OF:		
commissioner, land, certain, in town of Framingham, sale to Anchor Motor Freight, N.Y. Corp., by	605	
employees, certain, retirement of, investigation and study relative to, providing for Resolve	46	
persons confined in a jail or house of correction, employment of, by, prohibited	90	
prison camps, officers and employees of, appointment of, relative to	482	
Cosmetics, regulation of	600	1–11
COUNTIES:		
appropriation for maintenance, etc., certain, of	478	1–6
buildings, of, contracts, certain, in connection with, bidding on and awarding of, further regulation of	604	1–8
prompt payment to contractors on, providing for	627	1, 2
safety of persons in, compliance with law relating to, date for, established	404	1, 2
construction contracts, questions arising under, review of decisions involving, providing for	538	1, 2
hawkers and pedlers, licenses for, in, eliminated	293	1–5
officers and employees of, group general or blanket insurance, contributory, purchase of, duties of certain public authorities in connection with	236	
group life insurance, increase of amounts, for, providing for	334	1–5
meals, reimbursement for expenses for, regulated	478	3
motor vehicles, expenses incurred for, reimbursement for, regulation of	478	4

INDEX.

	Chap.	Section.
COUNTIES — *Concluded.*		
officers and employees of — *Concluded.*		
salary adjustments for certain, except Suffolk	136	1–3
telephone service, of, regulation of	478	3
public works projects, federal assistance for, incurring of debt to secure benefits of, time for, extended	8	
retirement systems, of (see Retirement systems and pensions).		
tuberculosis hospitals, care, maintenance and repair of certain, expenditures for, relative to	424	1, 2
COUNTY COMMISSIONERS:		
in general, tuberculosis hospitals, powers and duties as to	608	1–14
Barnstable county, county courthouse, installation of new heating system in, by	77	1, 2
land use planning, economic development, expenditures for, by, authorized	189	1–3
navigational and radio aids, certain, purchase of, by, authorized	34	1, 2
Berkshire county, two hundredth anniversary of, observance of, expenditure for, by, authorized	445	
Bristol county, court officers, salaries of, expenditures, certain, for, by, authorized	115	1, 2
Franklin county, mental health services, participation, by	394	
Hampden county, district and superior courts at Springfield, adequate facilities for, providing for, by	358	1–3
Hampshire county, Northampton, off-street parking facilities, in, acquisition of, by	235	1–3
Middlesex county, district court of Marlborough, justice of, adjustment in salary of, making of certain expenditures for, by	11	1, 2
Plymouth county, shore protection and storm damage, expenditures for, by, authorized	366	1–5
superior and district courts, adequate facilities for, furnishing of, by	336	1–4
Worcester county, district court justices, certain, adjustments in salaries of, expenditures, certain, for, by	10	1, 2
Court actions (see Practice in civil actions).		
COURTS:		
in general, civil procedure, adoption of rules of, in, study relative to	Resolve 26	
district courts (see District courts).		
probate courts (see Probate courts).		
supreme judicial and superior courts (see Supreme judicial and superior courts).		
Credit unions, Massachusetts Credit Union Share Insurance Corporation, establishment of to insure shares, of	294	1–4
reports, certain, late filing of, fee for, repealed	223	
CRIMINAL PROCEDURE AND PRACTICE:		
blind persons, motor vehicle laws for protection of, violation of, penalty for, increased	60	
classified civil service, inducing refusal of appointment to, penalty for	342	
eastern Middlesex, third district court of, trial by jury of six, in	599	1, 2
electrical facilities, certain, interference with, penalty for	290	
gas facilities, certain, interference with, penalty for	284	
housing authorities, members, agents or employees of, financial interests in projects thereof, by, law prohibiting, change in penalties for violations of	72	
imported goods, sales of, regulated, penalty for violations of	172	
industrial and railroad establishments, toilet and washing facility requirements for, prosecutions for violations of, relative to	225	
ionizing radiation, occupational diseases caused by, violations of regulations for prevention of, penalty for, increased	224	
justices of the peace, special justices, applications for warrants, hearings on, by, fee for	343	1, 2
narcotic drugs, operation of motor vehicle while under influence of, penalty for	422	1, 2
obscene publications, prints, figures and records, forfeiture of, providing for, in	407	
operation of motor vehicle under influence of liquor, blood tests relative to, admissibility in evidence of	340	
law relative to, extension of application of	347	
prisoners, certain, sentence reduction for days spent in custody awaiting trial, for	74 75	

	Chap.	Section.
CRIMINAL PROCEDURE AND PRACTICE — *Concluded.*		
special fuels excise tax law, violations of, penalty for, extended	64	
telecommunications service, fraudulent obtaining of, penalty for, established	153	
Worcester county, district courts of, trial by jury of six, upon appeal of defendant guilty of misdemeanor	527	1, 2
Crittenton Hastings House of the Florence Crittenton League, consolidation of Florence Crittenton League of Compassion and Hastings House under the name, of	237	1–6
Curley, James Michael, statue or other suitable memorial to, investigation and study by special commission relative to Resolve	23	

D.

Davidson, Iola, payment by commonwealth of sum of money, to Resolve	76	
Davison, Aster M., acts as notary public, validated Resolve	67	
Day nurseries, agencies maintaining, licensing of, investigation and study relative to Resolve	81	
Death, records of, copies of, fee for	215	2
resulting from defect, want of repair or want of sufficient railing upon ways, causeways or bridges, maximum amount recoverable for, increased	166	
simultaneous death law, clarifying changes, in	253	1, 2
tort actions for, amount recoverable in, study relative to Resolve	30	
Debtors, group insurance on lives of, conditional guarantors not applicable for	350	
Deeds (see Real estate; Registers of deeds).		
Deer, Franklin county, in, attacking or killing of, dogs by, relative to	321	
molesting, attacking or killing of, dogs by, Hampden county, in, relative to	399	
Definitions (see Words and phrases).		
Dennis, town of (see Cities and towns).		
Dependent children, aid to (see Children).		
Deposits (see Banks and banking).		
DeToma, James V., payment by commonwealth of sum of money, to Resolve	93	
Development and industrial commissions, cities and towns of, powers of, expanded	291	
DiPaoli, Gino, payment by city of Leominster of sum of money, to	80	1, 2
DiPietro, Rose M., payment by commonwealth of sum of money, to Resolve	2	
Disabled persons, aid to, applicants, decease before approval of, payments on account of, relative to	267	
institutions rendering service to, filing of application by, for	443	
distinctive number plates for certain	442	
employment at less than minimum wage rates of certain	272	
public buildings, access to, by, investigation and study by department of public safety relative to Resolve	40	
rehabilitation and employment of, investigation and study relative to Resolve	73	
Disability assistance, so called, eligibility requirements, for, relative to	127	2
Discrimination, commission against (see Massachusetts).		
housing discrimination law, extension to purchase or acquisition of certain real estate, of	128	
DISTRICT COURTS:		
in general, attorney general, actions brought or defended, by, no fee required, for	149	
judges of, sittings, certain, in superior court, by, relative to	535	1–6
justices, certain, of, salary increase for	379	1–3
motor vehicle law, violations of, powers and duties as to	592	1, 2
return day, establishment of Monday as, in	375	1, 2
Saturdays, closing on, of, investigation by judicial council relative to Resolve	16	
temporary clerks, temporary assistant clerks, compensation of, regulation of	526	1–3
trustee process, actions commenced by, in, venue of, investigation by judicial council relative to Resolve	17	

INDEX.

	Chap.	Section.
DISTRICT COURTS — *Concluded.*		
special provisions relative to particular courts:		
Barnstable, second district court of, clerk of, salary of, increased	479	
Boston, municipal court of, criminal business for, deputy assistant clerks, appointment by clerk, of, providing for	187	1, 2
special justices of, compensation of, established	534	
eastern Essex, district court of, associate justice of, appointment of, investigation and study by judicial council relative to Resolve	3	
eastern Middlesex third district court of, trials, certain, by jury of six, in, providing for	599	1, 2
eastern Worcester, first district court of, clerk of, salary of, increased	480	1, 2
second district court of, clerk of, salary of, increased	532	
Holyoke, district court of, justice of, salary of, full time status of, relative to	483	1, 2
Marlborough, district court of, clerk of, salary of, increased	362	1, 2
justice of, adjustment in salary of, certain expenditure for	11	1, 2
Plymouth county, of, adequate facilities for, providing for	336	1–4
southern Norfolk, district court of, clerk of, salary of, increased	613	1, 2
southern Worcester, first district court of, justice of, clerk of, salaries of, increased, full time court status for	612	1–5
Springfield, district court of, adequate facilities for, providing for	358	1–3
Worcester, central district court of, six man jury trials, civil actions in, law authorizing, extended	89	
Worcester county, of, defendants, certain, trial by jury of six upon appeals by, in	527	1, 2
district court justices, certain, adjustments in salaries of, expenditures, certain, for, by	10	1, 2
DISTRICTS:		
in general, employees, group life insurance, increase of amounts, for	334	1–5
public works projects, federal assistance for, incurring of debt to secure benefits of, time for, extended	8	
retirement systems and pensions, of (see Retirement systems and pensions).		
fire, Adams Fire District, property, certain, of, lease to town of Adams, by	264	1, 2
regional incinerator, formation of, authorized	609	
regional school, Dover-Sherborn Regional School District, water supply of, relative to	571	1–3
Gateway Regional School District, preliminary expenses of, payment by town of Huntington, for	299	1–3
incurring of debt by, after disapproval of prior authorization therefor, relative to	380	
positions, certain, in, preference to veterans in filling of, providing for	330	
sewer, Lanesborough Garden Circle Sewer District, act establishing, time for acceptance of, extended	119	
Metropolitan sewerage districts, construction and operation of, costs of, annual apportionment of, providing for	230	
transportation, South Shore Transportation District, establishment of, powers and duties of	452	1–26
Western Suburbs Transportation District, establishment of, powers and duties of	540	1–22
water, Burlington Water District, offices and positions in, placing under civil service laws, providing for	162	1, 2
employees, certain, of, display of badge and photograph, by	305	2
Metropolitan Water District, construction of works and appurtenances to, providing for	522	1–5
improvements or extensions to, public hearings on, due notice of to officials of member cities and towns, providing for	221	
West and South Water Supply District of Acton, town of Boxborough not to be used as source of water supply, by	361	1, 2
Dividends, banks of (see Banks and banking).		
taxation of (see Taxation).		
Divorce (see Probate courts).		
Dog races (see Horse and dog race meetings).		
Dogs, molesting, attacking or killing of deer, by, Hampden county, in, relative to	339	
Dover-Sherborn regional school district, water supply of, relative to	571	1–3

	Chap.	Section.
Dracut, town of (see Cities and towns).		
Drugs (see Narcotic drugs).		
DUKES COUNTY:		
appropriation for maintenance of, etc.	478	1-6
Dunn, Doctor Joseph H. Bridge, certain bridge on Pilgrims Highway in town of Rockland designated, as	220	
Dwellings (see Buildings).		

E.

Easements, cities and towns of, recording abandonment of, relative to	117	
Eastham, town of (see Cities and towns).		
Easthampton, town of (see Cities and towns).		
East Side Improvement Club, Inc., conveyance by city of Worcester of certain land, to	359	1, 2
EDUCATION, DEPARTMENT OF:		
board of education, state colleges, activity fees, in, establishment of, by	434	
talented pupils, educational programs for, report as to, by, time for making of, extended Resolve	115	
commissioner, Essex County Agricultural School, associate degrees, awarding of, by, approval by	525	
conservation education, supervisor of, appointment of, in	436	
State College at Fitchburg, conveyance by city of Fitchburg of certain land, for	406	1-4
university extension, division of, establishment of college by, investigation and study relative to, providing for Resolve	68	
Educational credit transaction commitments, group insurance on, providing for	193	
Educational institutions (see Colleges and universities; Schools).		
Elderly persons (see Aged persons).		
Elected public officials, retirement of (see Retirement systems and pensions).		
ELECTIONS:		
absent voting ballots, applications for, certificate required, relative to	130	
form of, relative to	212	
attesting notary public, date of expiration of commission of, requirement of, on envelopes enclosing	209	
certificates of physical disability, execution by licensed practical nurse, of, authorized	213	1, 2
further regulation of	133	
marking of, assistance in, providing for	242	2
notarial seal, on, requirement for, eliminated	209	
presidential elections, in, qualification of applicants for	582	1, 2
use of, further regulation of	242	1
ballots, disposition of when ballot box full, providing for	147	
initiative and referendum petitions, procedure for filing of, clarifying of	344	
nomination papers, receipt by state secretary, of, certificate as to, issuance of	390	
Plan F, submission to voters at regular city elections, of, providing for	146	1, 2
primaries and elections, revision and improvement of laws relative to, investigation and study relative to Resolve	71	
recounts, primaries and preliminary elections in, petitions for, time for filing of, extended	263	
referendum petitions, filing of, city clerk, with, providing for	550	
registrars of voters (see Registrars of voters).		
state committees, membership of, residential requirements for election to, further regulation of	145	
towns, election officers, moderators and selectmen not eligible to act, as	335	
supervision of in certain	228	
voters, moving into or without commonwealth, protecting eligibility of, investigation and study relative to Resolve	118	
votes, counting and canvassing of, use of election officers of different political parties for, requirement as to, repeal of	304	
ward and town committees, members of, counting of votes for, regulation of	109	

INDEX.

	Chap.	Section.
Electric companies (see Gas and electric companies).		
Electrical facilities, privately owned, interference with, prohibited	290	
Electricians' appeals, board of, establishment of, powers and duties of	531	1–3
Eligible lists (see Civil service laws).		
Embalming, laws governing, investigation and study relative to	Resolve 24	
EMERGENCY FINANCE BOARD:		
borrowing under act creating, further opportunity for cities and towns, for	205	1, 2
Eminent domain, real estate review board, settlement of cases by, reasons for, requirement as to	385	1–3
takings by, investigation by judicial council relative to	Resolve 15	
EMPLOYERS AND EMPLOYEES:		
boys under eighteen years of age, girls under twenty-one years of age, employment of, restricted	69	
hours of employment of, restricted	68	
employees, one day's rest in seven, for, law requiring, corrective change in	47	
establishments and occupations exempted from, relative to	70	1, 2
information, certain, refusal to furnish to inspectors of department of labor and industries, penalty for	43	
overtime wages, certain, minimum rates for	431	
corrective change in	576	1, 2
retired employees, eligibility for unemployment compensation benefits, notice of, to, providing for	93	
unemployment compensation fund, employers' contributions to, further regulation of	614	1–5
wage deductions and contributions, information relative to, furnishing by employers, of	400	
wages, prevailing, law providing for, second conviction for violation of, enlargement of application of, relative to	475	1, 2
women and children, labor laws, certain, relative to, suspension of operation of	84	
Employment of the aging, council on (see Labor and industries, department of).		
Employment security, division of (see Labor and industries, department of).		
Employment Security Law, coverage under, extension of, investigation and study relative to	Resolve 33	
"employment", further defining of, under	393	1, 2
labor dispute, unemployment due to, payment of benefits, for, relative to	247	
retired employees, eligibility of, under, notices of, to, providing for	93	
unemployment compensation fund, employers' contributions to, further regulation of	614	1–5
Encumbrances (see Liens; Real estate).		
Engineers, examinations for licensing of, relative to	310	
Entertainers, public, use of assumed names, by, fee for	292	
Entry of actions (see Practice in civil actions).		
Equine encephalitis, further investigation and study by department of public health relative to	Resolve 62	
ESSEX COUNTY:		
agricultural school, associate degrees, awarding of, by, authorized	525	
general purpose building, construction of, increase of heating facilities, at	387	1–4
appropriation for maintenance of, etc.	478	1–6
personnel board, positions certain, classifications of, powers and duties as to	478	1
tuberculosis hospital, of, care, maintenance and repair of, expenditures for	424	1, 2
vocational technical school, establishment of, in, investigation and study relative to	Resolve 69	
Estates, administration of (see Probate courts).		
Ethics, code of, establishment of	610	1, 2
Everett, city of (see Cities and towns).		
Excise tax (see Taxation).		
Expressways (see Ways).		

F.

	Chap.	Section.
Fairhaven, town of (see Cities and towns).		
Fair wage, minimum (see Wages).		
Fall River, city of (see Cities and towns).		
Falmouth, town of (see Cities and towns).		
Federal Deposit Insurance Corporation, non-applicability of certain provisions of law to deposits made by	175	1, 2
Federal government (see United States).		
Federal Highway Program, relative to	590	1–4
Federal savings and loan associations (see Banks and banking).		
Federal tax liens (see United States).		
Federated Church of Sturbridge and Fiskdale, conveyance by town of Sturbridge of certain land, to	154	1, 2
Fees, births, marriages and deaths, copies of, for	215	1–3
entertainers, use of assumed name, by, for	292	
federal tax liens, notice or discharge, of, filing in registry of deeds, of	416	
justices of the peace, special justices, application for warrants, hearings on, by, for	343	1, 2
motor carriers, capital stock of, transfers of, approval of, for	266	
National Conference of State Legislative Leaders, annual membership fee for, appropriation for	386	1–3
state colleges, activity fees, in, establishment of	434	
uniform commercial code, statements, certain, filed in registry of deeds, for, increase of	131	1–6
Females (see Women).		
Finance, administration and, commission on (see Administration and finance, commission on).		
cities and towns of (see Municipal finance).		
commonwealth of (see State finance).		
counties of (see Counties).		
Fire departments, Fall River, reserve forces of, appointments to, prohibited	196	1, 2
Lynn, chief, office of, placing under civil service laws, providing for	30	1, 2
Newburyport, chief, office of, placed under civil service laws	352	1, 2
Randolph, officers and members of, minimum annual salaries for, establishment of	15	1, 2
retired members, indemnification for hospital, medical and surgical expenses incurred by	152	1, 2
retirement of members of (see Retirement systems and pensions).		
Fire districts (see Districts).		
Firefighters (see Fire departments).		
Fire marshal, state (see Public safety, department of).		
Firemen, examinations for licensing of, relative to	310	
First Congregational Church of Sutton, sale by town of Sutton of certain land, to	536	1, 2
Fish and fishing, scallops, taking, transportation and sale of, relative to	199	1–5
Fishing grounds, acquisition by director of fisheries and game, of, relative to	551	
Fisheries and game, division of (see Natural resources, department of).		
Fitchburg, city of (see Cities and towns).		
state college at, conveyance of certain land, to	406	
Flood control, Conant brook flood control reservoir, acquisition by United States of land, for	554	1
facilities for, Stoneham, Wakefield, Melrose, Malden, Everett, Revere and Saugus, in, providing for	519	1–5
reservoirs for, land taken for purposes of, tax loss to towns, from, reimbursement for	468	1, 2
Sudbury, Assabet and Concord rivers, watershed of, relocation of reservoirs in, for purposes of	426	
Flowers and potted plants, sales, certain, of, on Lord's day, authorized	346	
Fluoridation, water supply of (see Water supply).		
Forests and parks, division of (see Natural resources, department of).		
Forests, state (see Parks and reservations).		
Framingham, town of (see Cities and towns).		

	Chap.	Section.
FRANKLIN COUNTY:		
appropriation for maintenance of, etc.	478	1-6
deer, attacking or killing of, dogs by, in, relative to	321	1, 2
mental health services, participation by county commissioners in establishing and maintaining of	394	
Fraternal benefit societies, mutual funds, certain, investment in, by, authorized	155	
Fuels, special, taxation of (see Taxation).		
Funds, banks of (see Banks and banking).		
municipal (see Municipal finance).		
state (see Appropriations; State finance).		
Funeral directing, laws governing, investigation and study relative to	Resolve 24	
Furniture and bedding, inspection law, for, redefining of words "*renovator*", "*reupholsterer*", "*remaker*", or "*repairer*", under	348	1, 2

G.

Gammal, Albert A. Jr., present member of the house of representatives, payment of salary, to	Resolve 107	
Gas and Electric Companies, Boston Gas Company, contracts for purchase of gas, hearings by department of public utilities relative to, requirement as to, repealed	87	
electric companies, transmission lines, locations of, approval by department of public utilities, of	466	
employees, certain, display of badge and photograph, by, providing for	305	1
New England Power Company, easements, certain, granting of by commonwealth, to	417	
stock, increases of, authorization of directors for, providing for	296	
Gas facilities, privately owned, interference with, prohibited	284	
Gasoline, taxation of (see Taxation).		
Gateway Regional School District, preliminary expenses of, payment by town of Huntington, for	299	1-3
GENERAL COURT:		
in general, committees of, meal and travel allowances of, change in law relative to	328	
committees on rules, electric roll call system, adoption of, *investigation relative to,* by	Resolve 126	
National Conference of State Legislative Leaders, annual membership fee of, appropriation for	386	1-3
house of representatives, Carney, Philip N., present member of, payment of salary, to	Resolve 109	
Carroll, Michael John, elected member of present, payment by commonwealth of compensation to widow of	Resolve 5	
Gammal, Albert A. Jr., present member of, payment of salary, to	Resolve 107	
Johnson, Ernest A., elected member of present, payment by commonwealth of compensation to widow of	Resolve 6	
Klebanow, Benjamin, present member of, payment of salary, to	Resolve 110	
legislative research council, two additional members on, from	118	
Silva, Milton R., present member of, payment of salary, to	Resolve 108	
Gloucester, city of (see Cities and towns).		
Goats' milk, included within meaning of word "milk", in certain instances	301	1, 2
Goodnough Dike, Quabbin reservoir dike designated, as	94	
GOVERNOR:		
powers and duties, pardoning powers, of, relative to	467	1, 2
proclamations by, Student Government Day, observance in years 1961 and 1964, day for	138	
Granville, town of (see Cities and towns).		
Greenfield, town of (see Cities and towns).		
Greylock Reservation Commission, Mount Greylock War Memorial, repair, restoration or change in design of, investigation and study relative to, by	Resolve 100	
Group general or blanket insurance, public employees, for (see Commonwealth, municipal officers and employees).		
Guilty, plea of (see Criminal procedure and practice).		

H.

	Chap.	Section.
Halifax, town of (see Cities and towns).		
HAMPDEN COUNTY:		
appropriation for maintenance of, etc.	478	1–6
deer, molesting, attacking or killing of, dogs by, relative to	399	1, 2
district and superior courts at Springfield, adequate facilities for, providing for, by	358	1–3
Holyoke, district court of, justice of, salary of, full time status of	483	1, 2
superior court, additional assistant clerk for, in	355	1, 2
western Hampden veterans services district, veterans' agent in, office of, placing under civil service laws, of	56	1, 2
HAMPSHIRE COUNTY:		
appropriation for maintenance of, etc.	478	1–6
Northampton, off-street parking facilities, in, acquisition of, by	235	1–3
Handicapped persons (see Disabled persons).		
Harwich, town of (see Cities and towns).		
Haverhill, city of (see Cities and towns).		
Hawkers and pedlers, county licenses, for, eliminated	293	1–5
Health, local boards of, directors of public health, appointment of, by, authorized	55	
infants, birth weights of, reporting of, to, providing for	51	
nuisances, adjudications of, by, appeals from, relative to	326	
premature births, reimbursement of hospitalization expenses incurred in connection with, time limit on requests for, change in	54	
mental, department of (see Mental health, department of).		
public, department of (see Public health, department of).		
Highways (see Ways).		
Hingham, town of (see Cities and towns).		
Holbrook, town of (see Cities and towns).		
Holidays, October twelfth, Lord's day laws made applicable, to	338	1, 2
Holyoke, city of (see Cities and towns).		
Horse and dog race meetings, pari-mutuel system of wagering under, issuance of licenses for, restriction on	1	
temporary tax on amounts wagered at, continuation of	137	
HOSPITALS:		
aid to dependent children, applications for, by	487	
Beth Israel Hospital, holding of additional real and personal estate, by, authorized	210	
disabled persons, applications for assistance for, filing of, by, authorized	443	
Josiah B. Thomas Hospital, trustees of, number of, appointment of, relative to	58	1–3
municipal, employees of (see Municipal officers and employees).		
proprietary hospitals, per diem charges and costs of, determination of, relative to	586	
rest homes (see Rest homes).		
Tewksbury Hospital, medical assistance for the aged, use of certain funds for	98	1, 2
trustees of, land, certain, sale of, by	401	
tuberculosis, counties of (see Counties).		
veterans administration and commonwealth of, lien for medical and other services furnished by, providing for	161	
Hours of labor (see Labor).		
Housing authorities, local, actions taken by, speedy trial of proceedings contesting validity of, providing for	96	
housing of elderly, guarantee and contributions of commonwealth, for, amount of, increased	573	
lands, acquisition and clearing of, by, prior to adoption and approval of plans, providing for	188	1, 2
members, agents or employees of, financial interests in projects thereof, by, law prohibiting, change in penalties for violations of	72	
organized labor, representative of, placing of, on, providing for	496	1, 2
Housing Board, State, urban renewal and redevelopment plans, approval of, by, confirmed	143	1, 2
Housing discrimination law, extension to purchase or acquisition of certain real estate, of	128	
Housing, redevelopment and renewal projects, incurring of indebtedness for, amount and term of, increased	12	
Hull, town of (see Cities and towns).		
Huntington, town of (see Cities and towns).		

INDEX.

	Chap.	Section.
Hyannisport Civic Association, land, certain, sale by town of Barnstable, of, to	132	1, 2
Hypodermic syringes (see Narcotics).		

I.

Imported goods, sales of, regulated	172	
Incinerator districts, regional, formation of, authorized	609	
Income tax (see Taxation).		
Indebtedness, commonwealth of (see State finance).		
counties of (see Counties).		
municipalities (see Municipal finance).		
Industrial accident board (see Labor and industries, department of).		
Industrial safety, division of (see Labor and industries, department of).		
Infants (see Births and deaths).		
Inheritance tax law (see Taxation).		
Initiative and referendum petitions, procedure for filing of, clarifying of	344	
Inmates (see Penal and reformatory institutions).		
Institutions, medical (see Hospitals).		
savings (see Banks and banking).		
Instruments, written, acknowledgment by persons serving in armed forces, relative to	207	
INSURANCE:		
in general, retired persons, certain, extension of group hospital, surgical and medical insurance, to, investigation and study relative to Resolve	87	
veterans' loans, certain, time for making and acquiring of, by	108	
classes of insurance:		
accident and sickness insurance, payment of commissions to life insurance company employees, for, by, authorized	206	
educational credit transaction commitments, on, group insurance of, authorized	193	
fire insurance and mortgage credit insurance, premiums for, provisions for payment of, inclusion in real estate mortgage notes, of	533	
group, debtors lives, on, not applicable to conditional guarantors	350	
group general or blanket, contributory, purchase of, duties of certain public authorities in connection with	236	
political subdivision employees, for, extension to surviving spouse, of, payment of premiums for, relative to	214	
state employees for, extension to surviving spouse, of	414	1, 2
group life, political subdivision employees for, increased amounts of, providing for	334	1–5
life insurance, local government insurance plans, benefits of, extension to certain retired employees, of	100	
motor vehicle, policies against physical damage to, claims, certain, under, arbitrating of, regulation of	92	1, 2
property damage to motor vehicles, not required for vehicles leased more than thirty days	177	1–4
school buses, for, coverage requirement for, increased	307	
effective date of	546	1, 2
companies:		
domestic, additional tax, temporary, on, continued	139	8
Inter-American Development Bank, investment in certain obligations of, by, authorized	129	
salaries, certain, requiring approval of directors, relative to	126	
domestic stock life, conversion into mutual companies, of, authorized	606	
foreign, bid bonds, issued in connection with public or private contracts, by, relative to	134	
liability, certain, additional financial requirements for, establishment of	168	1–8
life, employees of, payment of commissions on accident and health insurance policies, to	206	
Massachusetts Credit Union Share Insurance Corporation, establishment of	294	1–4
reserves of, non-forfeiture benefits for life insurance policies, relative to	368	1–8
unlicensed, procuring of insurance, from, special insurance brokers, by, further regulation of	413	1, 2

	Chap.	Section.
Inter-American Development Bank, obligations of, investment by savings banks, in, authorized	174	
Interest, anticipated, advertising of, banks, by, regulation of	269	
taxation of (see Taxation).		
Ionizing radiation, occupational diseases caused by, violation of regulations for prevention of, penalty for, increased	224	
Ipswich, town of (see Cities and towns).		
Island Pond Cemetery, property of, acquisition and administration by town of Harwich, of	216	1-4
Italian American War Veterans Highway, highway, certain, in city of Boston designated, as	315	

J.

Janco, George A., payment by commonwealth of sum of money, to	Resolve	127
Johnson, Ernest A., member of house of representatives, payment of compensation to widow of	Resolve	6
Joint tenancy (see Real estate).		
Judges (see District courts; Probate courts; Supreme judicial and superior court).		
JUDICIAL COUNCIL:		
children, adoption of, investigation relative to, by	Resolve	20
criminal offenses, charged with, investigation relative to, by	Resolve	25
civil procedure, rules of, adoption of, investigation relative to, by	Resolve	26
court cases, forty-eight hour notice prior to hearings of, investigation relative to, by	Resolve	52
criminal cases, judgment in, review of, investigation relative to, by	Resolve	14
death, amount recoverable in tort actions, for, investigation relative to, by	Resolve	30
directed verdicts, statement by justice as to reasons for, investigation and study relative to	Resolve	78
district courts, closing on Saturday, of, investigation relative to, by	Resolve	16
trustee process, actions commenced by, in, venue of, investigation relative to, by	Resolve	17
eastern Essex, district court of, appointment of associate justice to, investigation relative to, by	Resolve	3
eminent domain, takings by, investigation relative to, by	Resolve	15
estate in fee simple, interests lesser than, investigation relative to, by	Resolve	1
evidence, criminal cases in, transcript of, investigation of, by	Resolve	27
Lowell, district court of, eastern Middlesex, third district court of, trials by juries of six, in, investigation relative to, by	Resolve	53
motor vehicles, death resulting from unlawful operation of, penalty for, investigation relative to, by	Resolve	61
notices, certain, recording of, investigation relative to, by	Resolve	4
optometry laws, violations of, restraint of, investigation relative to, by	Resolve	39
probation officers, presenting of records, certain, to court, by, investigation relative to, by	Resolve	49
prohibited marriages, libels for divorce, investigation relative to, by	Resolve	21
religious privileges, certain, protecting of, investigation relative to, by	Resolve	13
small businesses, displaced, relief for, investigation relative to, by	Resolve	12
superior court, duties of trial judge, in, investigation by	Resolve	29
trial judge, superior court in, duties of, investigation relative to, by	Resolve	11
witnesses, granting of immunity to certain, investigation relative to, by	Resolve	55
mandatory sequestration of, investigation relative to, by	Resolve	11
youthful offenders, special adjudication and handling of, investigation relative to, by	Resolve	113

INDEX.

	Chap.	Section.
Junior building custodians (see Schools).		
Justices, special, warrants, applications for, hearings of, by, fee for	343	2
Justices of the peace, warrants, application for, hearing of, by, fee for	343	1

K.

Klebanow, Benjamin, present member of house of representatives, payment of salary, to Resolve	110	
Knights of Columbus, Nahant Council #4682, conveyance by town of Nahant of certain land, to	623	1, 2

L.

LABOR:		
boys under eighteen years of age, girls under twenty-one years of age, employment of, restricted	69	
hours of employment of, restricted	68	
construction work, sub-contractors and suppliers on, prior payment protection, to	530	
disabled persons, certain, employment at less than minimum wage rates, of	272	
disputes, unemployment due to, payment of employment security benefits, for	247	
employees, one day's rest in seven, for, law requiring, corrective change in	47	
establishments and occupations exempted from, relative to	70	1, 2
industrial and railroad establishments, toilet and washing facility requirements for, prosecutions for violations of, relative to	225	
information, certain, refusal to furnish to inspectors of department of labor and industries, penalty for	43	
ionizing radiation, occupational diseases caused by, violations of regulations for prevention of, penalty for, increased	224	
laws, certain, suspension of operation of	84	
organized, representative of, membership on housing authorities and redevelopment authorities, of	496	1, 2
overtime wages, certain, minimum rates for	431	
corrective change in	576	1, 2
retired employees, eligibility for unemployment compensation benefits, notice of, to, providing for	93	
ventilation, places of employment, certain, in, providing for	222	
wage law, second conviction for violation of, enlargement of application of	475	1, 2
wages, for (see Wages).		
women, employment of, beauty culture, weight reducing or similar establishments, in, hours of, restricted	44	
LABOR AND INDUSTRIES, DEPARTMENT OF:		
in general, dust removing devices, installation of, powers of inspectors relative to	438	
industrial and railroad establishments, toilet and washing facility requirements for, prosecutions for violations of, relative to	225	
inspectors, refusal to furnish certain information to, penalty for	43	
commissioner, labor laws, certain, suspension of operation of, by	84	
employment of the aging, council on, unemployment among elder citizens, investigation and study relative to, by Resolve	10	
employment security, division of, director, Frank's Service Station of Willimansett, issuance of check, to, by	418	
employees, certain, of, payment of compensation to, providing for Resolve	96	
inequities in, correction of, investigation and study relative to Resolve	98	
industrial accident board, death benefits, dependents, certain, for, amount of, increased, powers and duties as to	503	
members of, terms, salaries, powers and duties of, relative to	611	1–10
widows and children, death benefits payable to, amount of, increased	541	
industrial safety, division of, buildings, certain, entering of by representatives, of	585	

	Chap.	Section.
Lamoureux, Clarence E., conveyance by town of Easthampton of certain land, to	219	1, 2
Lancaster, town of (see Cities and towns).		
Land (see Real estate).		
Land titles, protection from uncertain and obsolete restrictions, for	448	1–5
Lanesborough Garden Circle Sewer District, act establishing, time for acceptance of, extended	119	
Lawrence, city of (see Cities and towns).		
Lawrence and Methuen Incinerator Authority, creation of, powers and duties of	88	1–11
Legacies and successions, taxation of (see Taxation).		
Legislative research council, two additional members of the house of representatives, on, providing for	118	
Leominster, city of (see Cities and towns).		
Lexington, town of (see Cities and towns).		
Libraries, books, detaining of by minors, notice to parents or guardians of, providing for	316	
Licensed practical nurse (see Practical nurses).		
LICENSES AND PERMITS:		
Bubier Realty Trust Company, license, certain, granted to, made irrevocable	574	
engineers or firemen, examination for licenses as, relative to	310	
harmful drugs, manufacturers of, licensing by department of public health, of	509	
shipment into commonwealth of, for	603	
hawkers and pedlers, county licenses, for, eliminated	293	1–5
hypodermic syringes and needles, sales of, for	345	6
milk dealers licenses, applications for, time for making of, further regulation	95	1, 2
open-air parking spaces, for, applications for, relative to	397	
raw milk, receivers, certain, of, licensing of	561	1–3
Salem, city of, tidewater, certain, in, license for placing and maintaining fill in, made irrevocable	566	
Liens, sub-contractors and suppliers, construction work on, prior payment protection, to, providing for	530	
veterans administration and commonwealth, for medical and other services furnished by, providing for	161	
Life insurance (see Insurance).		
Liquors (see Alcoholic beverages).		
Loans (see Banks and banking; Mortgages).		
Lord's day, alcoholic beverages, premises, certain, serving, licenses for use of radio and television by, on, exemption from law requiring, for	353	
bakery products, certain, transportation of, on, providing for	412	
flowers and potted plants, sales, certain of, on, authorized	346	
laws relative to, made applicable to October twelfth	338	1, 2
Lowell, city of (see Cities and towns).		
Technological Institute Building Authority, establishment of	557	1–23
Lynn, city of (see Cities and towns).		

M.

Malden, city of (see Cities and towns).		
Manchester, town of (see Cities and towns).		
Marshfield, town of (see Cities and towns).		
Mass Transportation Commission, Metropolitan Transit Authority, railroad service and transportation facilities, of, investigation and study relative to, by, continued; scope of, increased	Resolve 121	
New York, New Haven and Hartford Railroad Company, resumption of summer passenger service, certain, by, contracts for, making of, by	593	1–3
MASSACHUSETTS:		
Commission Against Discrimination, commissioner, persons accused of unlawful discrimination, injunctive relief against, petitions for, by	570	
Credit Union Share Insurance Corporation, establishment of	294	1–4
Improvement Association, Goodnough Dike, erection of marker at, by	94	
Police Association, annual convention of, official delegates at, excusing from duty of, providing for	246	1, 2
Port Authority, books and accounts of, annual audit by state auditor, of	384	1, 2

	Chap.	Section.
MASSACHUSETTS — *Concluded.*		
State Guard Veterans Highway, route 25 portion, certain, of, designated as	270	
University of (see Colleges and universities).		
Maynard, town of (see Cities and towns).		
McCarthy, John F., payment by commonwealth of sum of money, to Resolve	105	
Medfield, town of (see Cities and towns).		
Medical institutions (see Hospitals).		
MENTAL HEALTH, DEPARTMENT OF:		
commissioner, land, certain, in city of Taunton, sale of, by	370	
lease to Smith College of, by	402	
institutions of, admission, treatment and release of patients in, investigation and study relative to Resolve	89	
Waltham, sewer easement, granting of, to, by	372	
Methuen, town of (see Cities and towns).		
METROPOLITAN DISTRICT COMMISSION:		
Brighton district of city of Boston, swimming pool and ice skating rink to be constructed at, designation as Lieutenant James F. Reilly Memorial Recreation Center, of	446	
Carroll, Rep. Michael J. Highway, portion of Lynnway designated as, erection of markers along, by	183	
commissioner, powers and duties of, establishment of	562	1, 2
Dorchester district of city of Boston, taking of certain lands for recreational purposes, investigation and study relative to, by Resolve	97	
Everett, recreational facilities, certain, in, designation as Everett Allied War Veterans' Memorial Recreation Center, erection of marker at, by	461	1–3
flood control facilities, certain, additional funds for	520	1–4
Stoneham, Wakefield, Melrose, Malden, Everett, Revere and Saugus, in, construction of, by	519	1–5
Goodnough Dike, marker to be erected at, approval by	94	
Holden, town of, leasing of certain land, in, investigation and study relative to, by Resolve	45	
Hyde Park district of Boston, playground, certain, designated as Guy Cardello Memorial Playground, erection of suitable marker at, by	201	
metropolitan water district, construction of works and appurtenances to, by, providing for	522	1–5
Neponset river, improvement of, by, additional funds, for	521	1–4
organization and operation of, investigation and study by special commission relative to, scope of, increased Resolve	111	
final report of, time for, extended Resolve	119	
recreational facilities, enlargement and improvement of, by, authorized	517	1–4
sewerage projects, certain, cost of, additional funds for, providing for	515	1–4
sewerage works, extensions in town of Dedham and city of Boston, of, by	516	1–4
Stony Brook reservation, family picnic grounds at, designated as Reverend F. Taylor Weil Picnic Grounds	176	
swimming pool in, designation as Martin L. Olsen Memorial Pool, of	167	
Storrow Memorial Drive, changes in construction of, conveyance to Boston University of certain land, by	425	1, 2
Waltham, culvert, certain, construction of, in, by	556	
water district, of, improvements or extensions, public hearings on, due notice of to officials of member cities or towns, providing for	221	
Winchester, town of, conveyance of land, to, by	542	4
Woburn, city of, conveyance of land, to, by; withdrawal from metropolitan district commission parks district by said city	542	1–3
Metropolitan sewerage districts, construction and operation of, costs of, annual apportionment of, providing for	230	
METROPOLITAN TRANSIT AUTHORITY:		
fares, certain, charged by, relative to	482	1, 2
general manager, made member ex officio of public safety commission of city of Boston	194	
rapid transit cars, acquiring of, issuance of bonds and notes for, by, amount of, increased	369	1, 2
service, notice of discontinuance to advisory board, of, providing for	192	
transportation of pupils, expenses incurred for, reimbursement for, to, investigation and study relative to Resolve	117	

INDEX.

	Chap.	Section.
MIDDLESEX COUNTY:		
appropriation for maintenance of, etc.	478	1–6
district court of Marlborough, justice of, adjustment in salary of, making of certain expenditures for, by	11	1, 2
third district court of eastern, trials, certain, by jury of six, in, providing for	599	1, 2
tuberculosis hospital, of, care, maintenance and repair of, expenditures for	424	1, 2
Migratory Bird Conservation Act, acquisition by United States of land for purposes of	579	1–4
Military and naval service of the United States, motor vehicle operators licenses, replacement of, to	42	
real estate tax exemption for year 1960, applications for, time for filing of, extended	9	
residents in, registration of motor vehicles, by	423	
written instruments, acknowledgment of, by, relative to	207	
Milk, dealers licenses, applications for, time for making of, further regulation	95	1, 2
goats' milk included within meaning of	301	1, 2
receivers, certain, of raw milk from producers, licensing of	561	1–3
vitamins and minerals, addition of, to, authorized	598	1, 2
Minimum fair wage (see Wages).		
Monterey, town of (see Cities and towns).		
Mortgages, discharge of, husbands and wives as tenants by the entirety, by, defects in, relative to	275	1, 2
real estate on, notes in connection with, fire insurance and mortgage credit insurance, periodic payments of premiums for, inclusion of, in	533	
Mothers with dependent children, aid to (see Children).		
Motorboats, certificate of number, substitution of for motorboat previously numbered	505	
fire extinguishers and flame arrestors, use of, on, regulation of	320	
registration of, relative to	140	1, 2
MOTOR VEHICLES:		
air pollution control devices, installation of, on, investigation and study relative to	Resolve 72	
ambulances, right of way on calls for hospitalizing sick or injured persons, granting of, to	173	
bicycles, children on, operation requirements for safety of	318	
further regulating of	518	1–5
blind persons, laws relative to protection of, violations by operators, of, penalty for, increased	60	
carriers, capital stock of, approval of acquisition of, fee for	266	
charter and special service vehicles, certificates, licenses and permits, for, transfer of, relative to	268	1, 2
gross weight load, certain, of, relative to	523	1, 2
handicapped persons, certain, distinctive number plates for	442	
indentifying numbers, restoration or substitution of, relative to	458	
inspection of, period for, change in law relative to	581	
insurance, transfer to new vehicles, of, relative to	568	1–3
insurance against physical damage, claims, certain, under, arbitrating of, regulation of	92	1, 2
laws relative to, violations of, summonses issued for, relative to	592	1, 2
leased, more than thirty days, property damage insurance coverage not required, for	177	1–4
licenses to operate, military personnel, replacement, without fee, to, of	42	
load, dropping or escaping of, ways on, penalty for	281	
number plates, transfer to new vehicle, of, authorized	568	1–3
operation of, narcotic drugs, under, penalty for	422	1, 2
under influence of intoxicating liquor, evidence as to	340	
law relative to, extension of application of	347	
private ways, parking on, of, regulation by cities and towns, of	383	
property damage insurance, not required for vehicles leased more than thirty days	177	1–4
railroad crossings, protected by flashing red lights or automatic gates, full stop for motor vehicles before crossing of, providing for	248	
registration of, applications for, certain identifying numbers of said vehicle to be contained therein, providing for	73	1–4
residents in military service, by	423	
sales of, four day notice requirement, repeal of	45	1, 2
school buses, insurance coverage for, increase of	307	
effective date of	546	1, 2
stopped, passing of, by, further regulation of	374	

	Chap.	Section.
MOTOR VEHICLES — *Concluded.*		
sirens, use of, on, authorization by registrar of motor vehicles, for	66	
towing of, state highways from, authorized	524	
cities and towns in, providing for	322	
tractor, redefining of under laws relative to	121	1, 2
trailers, certain, use of on public ways, relative to	553	
Municipal court of city of Boston (see District courts).		
MUNICIPAL FINANCE:		
annuities, widows, certain, to, granting of	371	
assessors' maps, preparation of, contracts for, providing for	313	
Civil War, centennial of, observance of, appropriations for, authorized	279	1, 2
emergency finance board, borrowing under act creating, further opportunity, for	205	1, 2
housing, redevelopment and renewal projects, incurring of indebtedness for, amount and term of, increased	12	
income and corporation tax revenues, distribution of, relative to	420	1–3
police officers, travel expenses of, amount allowed for, increased	217	
school construction grants, time and manner of payment of, further change in	377	1, 2
towns, beavers, control of, appropriations for, by	357	
land, certain, taken for flood control reservoirs, reimbursement for tax loss resulting therefrom, to	468	1, 2
Municipal officers and employees:		
group general or blanket insurance, contribution, purchase of, duties of certain public authorities in connection with	236	
extension to surviving spouse and dependents, of, payment of premiums for, relative to	214	
group life insurance, increased amounts of, for, relative to	334	1–5
municipal hospitals, technicians, certain, re-employment of, in, retirement rights of, relative to	474	
overtime, payment for, rate for, relative to	510	
insurance plans, life insurance benefits of, extension to certain retired employees, of	100	
public welfare employees, annual step-rate increases for, providing for	529	
widows, of employees killed in line of duty, granting of annuities to, providing for	371	
Municipalities (see Cities and towns).		
Mutual Savings Central Fund, Inc., act relative to	175	1, 2

N.

	Chap.	Section.
Nahant, Council #4682, Knights of Columbus, conveyance by town of Nahant of certain land, to	623	1, 2
town of (see Cities and towns).		
Nantucket, town of (see Cities and towns).		
Narcotic drugs, hypodermic syringes and needles, sale of, further regulation of	345	1–6
laws relative to administration of, defining of "nurse", under	245	
manufacturers of, licensing of, providing for	509	
operation of motor vehicle while under influence of, penalty for	422	1, 2
shipment into commonwealth, of, further regulation of	603	
Natick, town of (see Cities and towns).		
National Conference of State Legislative Leaders, annual membership fee of, appropriation for	386	1–3
Native vegetables, regulation on sale or packaging of	85	
NATURAL RESOURCES, DEPARTMENT OF:		
in general:		
Adams, town of, establishment of recreational area, in, investigation and study relative to, by, continued Resolve	101	
Boxford wild life reservation, Boxford state forest, Harold Parker state forest, acquiring of land in vicinity of, by	499	1, 2
forest land, certain, sale to industrial commission of town of Billerica, by	567	
Hopkinton, town of, land, certain, in, conveyance of, by	500	
Natick, land, certain, in, sale by commonwealth of, investigation and study relative to, by Resolve	79	
Newburyport, shellfish treatment plant at, leasing of, transfer of employees of, to	495 506	Item 1004–71 2–4

	Chap.	Section.
NATURAL RESOURCES, DEPARTMENT OF — *Concluded.*		
in general — *Concluded.*		
shellfish purification plants, operation of, by	506	1–4
youth conservation camp, establishment of, by, investigation and study relative to Resolve	75	
commissioner, Sudbury and Concord river valleys, acquisition of certain land, in, by	579	3
divisions of, fisheries and game, director, fishing grounds, acquisition of, by, relative to	551	
land, certain granting of easements over, New England Power Company, to, by	417	
scallops, taking, transportation and sale of, powers and duties as to	199	1–5
Sudbury and Concord river valleys, acquisition of certain land, in, by	579	2, 4
water resources, Assabet river, drainage areas of, encroachment lines and flood plain zones, in, establishment of, by	548	1–4
Assabet river watershed, ground water supplies in, investigation and study relative to, by Resolve	94	
Berkshire county region, water supply of, study relative to, by Resolve	32	
Conant brook, Chicopee river, encroachment lines along establishment of, by	554	2–5
Concord, Sudbury and Assabet rivers, watershed of, water resources in, study relative to, by, continued Resolve	95	
Essex county, water supply and resources of, report as to, by, time for making of, extended Resolve	84	
municipal sewage treatment, state aid to cities and towns for, investigation and study relative to, by Resolve	7	
Negotiable instruments (see Notes).		
New Bedford, city of (see Cities and towns).		
Institute of Technology, scholarships, certain, granting of, by	513	
Newburyport, city of (see Cities and towns).		
New England Power Company, easements, certain, granting of, by commonwealth, to	417	
Newton, city of (see Cities and towns).		
New York, New Haven and Hartford Railroad Company, resumption of summer passenger service on certain lines, by, providing for	593	1–3
NORFOLK COUNTY:		
appropriation for maintenance of, etc.	478	1–6
district court of southern, clerk of, salary of, increased	613	1, 2
probate court, conciliation division, in, establishment of	620	1–15
fourth assistant registrar, for, appointment of	395	
tuberculosis hospital, of, care, maintenance and repair of, expenditure for	424	1, 2
North Adams, city of (see Cities and towns).		
Northampton, city of (see Cities and towns).		
North Andover, town of (see Cities and towns).		
North Attleborough, town of (see Cities and towns).		
North Parish of North Andover, amount of property to be held by, increase of	197	
North Reading, town of (see Cities and towns).		
Norumbega Council, Inc., Boy Scouts of America, land, certain, in town of Framingham, release of, to	373	
Notes, cities and towns of (see Cities and towns).		
commonwealth of (see State finance; Treasurer, state).		
consumer goods, sales, certain, of, notes issued in connection with, relative to	595	
negotiable checks, drafts and money orders, sale of, relative to	607	
real estate loans for (see Mortgages).		
Nuisances, adjudications, certain, as to, appeals from, relative to	326	
Number plates (see Motor vehicles).		
Nurses, narcotic drugs, administration of, defining of under laws relative to	245	
practical nurses (see Practical nurses).		

O.

Oak Bluffs, town of (see Cities and towns).		
Obscene publications, prints, figures and records, forfeiture of, providing for	407	
October twelfth, Lord's day laws made applicable, to	338	1, 2

	Chap.	Section.
OFFICERS:		
counties (see Counties).		
municipal (see Municipal officers and employees).		
police (see Police officers).		
state (see Commonwealth).		
Old age assistance, so called, administrative costs of, reimbursement by commonwealth for	462	1, 2
eligibility requirements, for, relative to	127	1
prescribed drugs and medicines, obtaining, by recipient, at pharmacy of his choice, providing for	615	
Olsen, Martin L. Memorial Pool, swimming pool in Stony Brook reservation designated, as	167	
Open-air parking spaces, licenses for, applications therefor, relative to	397	
Orleans, town of (see Cities and towns).		

P.

Palladino, Margaret R., petition against commonwealth by, consent to	52	
Parachuting, Championship, Sixth World, expense by Sport Parachuting Commission in connection with, appropriation for	617	1–8
Pardons, petitions for, procedure in connection with, relative to	467	1, 2
Parking space licenses, open air, application for	397	
PARKS AND RESERVATIONS:		
Boxford wild life reservation, Boxford state forest, Harold Parker state forest, acquisition by department of natural resources of land in vicinity, of	499	1, 2
Parole board, final discharge, certificates of, issuance of, by	282	
pardons, procedure in connection with, powers and duties as to	467	1, 2
parolees, out-of-state, temporary detention of, period of, increased	99	
Parolee Supervision Law, temporary detention of certain parolees, under, period of, increased	99	
Peabody, city of (see Cities and towns).		
Pedlers (see Hawkers and pedlers).		
Penal and reformatory institutions, persons convicted of arson, release of, notice to state fire marshal, of	101	1, 2
prisoners in, petitions for pardons, procedure in connection with, relative to	467	1, 2
sentence reduction for days in custody awaiting trial, for certain	74 75	
prison camps, officers and employees of, appointment of, relative to	482	
Pensions (see Retirement systems and pensions).		
Personal property, sales of (see Sales).		
taxation of (see Taxation).		
Personnel and standardization, division of (see Administration and finance, commission on).		
Physical disability (see Disabled persons).		
Pittsfield, city of (see Cities and towns).		
Plainfield, town of (see Cities and towns).		
Plan F form of government, submission to voters at regular city elections only, of, providing for	146	1, 2
Plates, registration (see Motor vehicles).		
PLYMOUTH COUNTY:		
appropriation for maintenance of, etc.	478	1–6
shore protection and storm damage, expenditures for, by, authorized	366	1–5
superior and district courts of, adequate facilities for, furnishing of, by	336	1–4
tuberculosis hospital, of, care, maintenance and repair of, expenditures for	424	1, 2
Plymouth, town of (see Cities and towns).		
POLICE OFFICERS:		
Billerica, minimum compensation for, submission to voters of question relative to	35	1, 2
chiefs of police, motor vehicle law, violations of, powers and duties as to	592	1, 2

	Chap.	Section.
POLICE OFFICERS — *Concluded.*		
Dracut, sergeants, certain, life tenure for, providing for	17	1, 2
Fall River, reserve forces of, appointments to, prohibited	196	1, 2
federal bureau of investigation, training schools conducted by, expenses incurred in attending, payment by cities and towns for	20	
Halifax, chief of police, office of, present incumbent of, life tenure for	27	1, 2
Holbrook, five day and forty hour work week, for	16	
Holyoke, police radio and signal system-patrolman, position of, establishment of, in	244	1, 2
injuries received on special duty, leave without loss of pay for, providing for	218	
Lancaster, Pelletier, Walter, sergeant of police, tenure of office for, acceptance by town of act providing for	49	
legal holidays, compensation for work on, computation of	200	
Malden, captain of police, designation as chief of police, of, providing for	569	1–4
Massachusetts Police Association, annual convention of, official delegates of, excusing from duty, of	246	1, 2
Nantucket, minimum height requirements, for, change in law relative to	79	1–3
Quincy, Wuerth, John, captain, payment for overtime service, by	365	1, 2
Rehoboth, chief of police, office of, present incumbent of, life tenure for	83	1, 2
retired, indemnification for hospital, medical and surgical expenses incurred by, providing for	152	1, 2
Salisbury, chief of police, office of, life tenure for, incumbent of	19	1, 2
Somerville Police Relief Association, death benefits payable by, amount of, increased	125	1, 2
Swansea, chief of police, office of, present incumbent of, life tenure for	25	1, 2
Tewksbury, regular or permanent members, unlimited tenure for, in	39	1, 2
training program for, investigation and study relative to	Resolve 86	
travel expenses, of, amount allowed for, increased	217	
Wenham, chief of police, office of, present incumbent of, life tenure for	33	1–3
Port of Boston, harbor master, jurisdiction of, limitation on	329	1–3
Practical nurses, licensed, certificates of disability, absent voting ballots for, execution of, by, authorized	213	1, 2
PRACTICE IN CIVIL ACTIONS:		
actions commenced by trustee process, attorney general, by, no bond required for	158	
death, amount recoverable in tort actions, for, study relative to	Resolve 30	
district courts, return day of, establishment of Monday, as, in	375	1, 2
housing authorities, redevelopment authorities, actions taken by, speedy trial of proceedings contesting validity of, providing for	96	
investigations and studies relative to (see Judicial council).		
summary process, stay of execution in, further providing for	241	
ways, causeways or bridges, death resulting from defect, want of repair or want of sufficient railing upon, maximum amount recoverable for, increased	166	
Worcester, central district court of, six man jury trials, civil actions in, law authorizing, extended	89	
Prisoners (see Penal and reformatory institutions).		
Probate and insolvency, Norfolk county, fourth assistant register, for, providing for	395	
Worcester county, of, conciliation divisions, in, establishment of	620	1–15
PROBATE COURTS:		
accounts, certain, veterans administration designated as competent party to represent certain persons for allowance of	254	
adoptions, laws relative to, investigation by judicial council relative to	Resolve 20	
children, custody of, law relative to, made applicable to divorced parents and parents with divorce proceedings pending	171	
divorce, libels for, investigation by judicial council relative to	Resolve 21	
simultaneous death law, clarifying changes, in	253	1, 2
Projects, housing (see Housing authorities, local).		
Promissory notes (see Notes).		

INDEX.

	Chap.	Section.
Property, real (see Real estate).		
sales of (see Sales).		
taxation of (see Taxation).		
Property damage insurance (see Insurance).		
Proprietary hospitals (see Hospitals).		
Provincetown, town of (see Cities and towns).		
Public buildings (see Buildings).		
Public construction, contracts for, questions arising under, review of decisions involving, providing for	538	1, 2
Public employees (see Commonwealth; Counties; Municipal officers and employees).		
PUBLIC HEALTH, DEPARTMENT OF:		
cosmetics, surgical devices, regulation as to, powers and duties as to, of	600	1–11
equine encephalitis, further investigation and study of, by Resolve	62	
harmful drugs, manufacturers of, licensing of, by, providing for	509	
shipment into commonwealth of, further regulation of, powers and duties as to	603	
hypodermic syringes and needles and narcotic drugs, sales of, powers and duties as to	345	1–6
ionizing radiation, occupational diseases caused by, violations of regulations for prevention of, penalty for, increased	224	
milk, addition of vitamins and minerals to, powers and duties as to	598	1, 2
premature births, reimbursement of hospitalization expenses incurred in connection with, time limit on requests for, change in	54	
shellfish purification plants, operation of, rules and regulations for, making of, by	506	1
tuberculosis, care, treatment and control of, powers and duties as to	608	1–14
waters and waterways, certain, control of algae, weeds and aquatic nuisances, in, by	498	1, 2
water supply, operation and maintenance of treatment facilities by cities and towns in connection with, enforcement of, by	625	
posting of rules and regulations for protection of, requirement as to, repealed	48	
Public health, local boards of (see Health, local boards of).		
PUBLIC SAFETY, DEPARTMENT OF:		
in general, handicapped persons, access to public buildings, by, investigation and study relative to, by Resolve	40	
boards, etc., in, boiler rules, steam boilers and engines, horse power of, determination of, as affecting	306	
schoolhouse structural standards, duration of, further extension of	457	1–3
commissioner, entertainers, use of assumed names, by, fee for, powers and duties as to	292	
obscene publications, prints, figures and records, forfeiture of, to	407	
divisions of:		
fire prevention, state fire marshal, persons, convicted of arson, release from institutions, of, notice of, to	101	1, 2
inspection, engineers and firemen, examinations for licensing of, relative to	310	
Public service corporations (see Corporations).		
Public schools (see Schools).		
PUBLIC UTILITIES, DEPARTMENT OF:		
Boston Gas Company, contracts for purchase of gas by, hearings relative to, by, requirement as to, repealed	87	
charter and special service vehicles, certificates, licenses and permits for, transfers of, powers and duties as to	268	1, 2
motor carriers, capital stock of, approval of acquisition of, by, fee for	266	
railroads, tax exemption, certain, for, powers and duties as to	464	1–13
transmission lines, locations of, approval of, by	466	
Public ways (see Ways).		
PUBLIC WELFARE, DEPARTMENT OF:		
aid to dependent children, extension to persons eligible for aid under amendment to Social Security Act	575	1, 2
disabled persons, aid to, filing of applications by institutions, for, acceptance of, by	443	
old age assistance, disability assistance, eligibility requirements for, powers and duties as to	127	1, 2

	Chap.	Section.
PUBLIC WELFARE, LOCAL BOARDS OF:		
dependent children, aid to, applications by institutions, for, filing of, with	487	
disabled persons, aid to, death of applicant before approval of, payments on account of, by	267	
filing by institutions of applications for, acceptance of, by	443	
employees, certain, annual step-rate increases for, providing for	529	
old age assistance, administrative costs of, reimbursement by commonwealth, for	462	1, 2
disability assistance, under, eligibility requirements for, powers and duties as to	127	1, 2
recipients, obtaining of prescribed drugs and medicines at pharmacy of their choice, providing for	615	
rest home care, payments for, establishment of rates for	545	1, 2
veterans, acquisition of settlement by, further regulation of	388	1, 2
Public works contracts, collusive bidding on, penalty for	432	
PUBLIC WORKS, DEPARTMENT OF:		
in general, Agawam and West Springfield, towns of, construction of bridge in, by	421	
Bubier Realty Trust Company, license, certain, granted to, by, made irrevocable	574	
Dunn, Doctor Joseph H. Bridge, certain bridge on Pilgrims Highway designated as, erection of marker on, by	220	
employees, certain, salary due, correction of	624	
Falls Pond Dam, North Attleborough, in, rebuilding of, by	564	
federal highway program, powers and duties as to	590	1–4
George T. Walsh Highway, public telephone booths along, permission for installation of, by	408	
Italian American War Veterans Highway, Boston, in, erection of markers along, by	315	
Lowell, traffic circle, certain, in, designated as Captain George T. Walters Circle, erection of marker at, by	198	
Massachusetts State Guard Veterans Highway, portion of route 25 designated as, erection of markers along, by	270	
Northampton, Mount Tom Island, in, flood problem of, investigation and study relative to, by Resolve	50	
North river, towns of Norwell and Pembroke, in, bridge across, construction of, by	622	
Provincetown, tidelands, certain, conveyance of, to, by	588	
Purple Heart Drive, South Hadley in, erection of markers along, by	558	
Purple Heart Highway, certain highway designated as, erection of markers along, by	180	
snow and ice removal, appropriation for	170	1–3
Southbridge, town of, erection of memorial in, permission for, by, authorized	447	
Southeast Expressway, ramp, certain, in Dorchester district of Boston, construction of, by	601	
state office building, proposed, alteration, widening and reconstruction of ways bounding on, by	312	
motorboats, division of, certificate of number, substitution of, providing for	505	
director, fire extinguishers and flame arrestors, powers as to, of	320	
real estate review board, land damage cases, settlement of, reasons for, written requirement as to, for	385	1–3
registry of motor vehicles, applications for registration, certain identifying numbers of said vehicle to be contained therein, providing for	73	1–4
distinctive number plates, for persons who lost a hand or use thereof, issuance of, by	442	
identifying numbers, restoration or substitution of, powers and duties as to	458	
military personnel, replacement, without fee, of operators' license, of, by	42	
registrar, Shore, Edward W., issuance of distinctive number plate to, by	411	
servicemen, registration of motor vehicles by	423	
sirens, use of on motor vehicles, approval of, by	66	
violations, motor vehicle laws of, powers and duties as to	592	1, 2
waterways, division of, Hull, sea wall, certain, construction of, in, by	31	1–3
Ipswich river, stream improvement work, in, by, providing for	249	1–3
public rights of way, shorelines to, compilation of list of, by	463	1, 2

	Chap.	Section.
Public works projects, federal assistance for, incurring of debt to secure benefits of, time for, extended	8	
Purchases, public, collusive bidding on, penalty for	432	
Purple Heart Drive, route 202, certain portion designated, as	558	
Purple Heart Highway, highway, certain, in Worcester county designated, as	180	

Q.

Quabbin reservoir dike, designation as Goodnough Dike, of	94	
Quincy, city of (see Cities and towns).		

R.

Races (see Horse and dog race meetings).		
Radio and television, use of, Lord's day licenses, certain, for, exemption for premises serving alcoholic beverages, from requirement of	353	
Railroads, Boston and Maine Railroad, Lowell, grade crossing, certain, in, installation and operation of gates at, by	472	
New York, New Haven and Hartford Railroad Company, resumption of summer passenger service on certain lines, providing for	593	1–3
railroad crossings, protected by flashing red lights or automatic gates, full stop for motor vehicles before crossing of, providing for	248	
tax relief, certain, for, providing for	464	1–13
toilet and washing facility requirements, employees for, violations of, relative to	225	
Randolph, town of (see Cities and towns).		
Real estate, attachments, of, recording of, relative to	501	
Boston, lands, certain, in, restriction by commonwealth, on, release of	323	1, 2
brokers or salesmen, failure to comply with order of Massachusetts Commission against Discrimination, suspension or revocation of license, for	181	
discrimination, housing discrimination law, extension to purchase or acquisition of certain real estate, of	128	
joint tenancy, surviving spouse in, tax exemption for	403	
mortgages of (see Mortgages).		
review board (see Public works, department of).		
rights or easements, certain, cities or towns of, recording of abandonment of, relative to	117	
state assessment system, acceptance by towns, of, providing for	165	
titles, protection from uncertain and obsolete restrictions, for	448	1–5
Recodification counsel, codification of certain legislation, investigation and study relative to, by Resolve	31	
Records, births, of (see Births).		
business corporations, annual reports of, relative to	202	
corporations, of (see Corporations).		
deaths, of (see Deaths).		
marriages, of, copies of, fees for, established	215	1–3
retired persons, of, transfer of	228	1
Recounts (see Elections).		
Redevelopment authorities, actions taken by, speedy trial of proceedings contesting validity of, providing for	96	
lands, acquisition and clearing of, by, prior to adoption and approval of plans, providing for	188	1, 2
organized labor, representative of, placing of, on	496	1, 2
Referendum petitions (see Elections).		
Regional community colleges, board of, vocational technical high school, Essex county, in, establishment of, investigation and study relative to, by Resolve	69	
Regional incinerator districts (see Districts).		
Regional schools (see Districts).		
Registers of Deeds, attachments, recording of, with, powers and duties as to	501	
discharge of mortgages, defective, certain, protection of land titles from, powers and duties as to	275	1, 2

	Chap.	Section
Registers of Deeds — *Concluded.*		
federal tax liens, notices of, discharges of, filing fee for, in	416	
rights or easements, certain, cities or towns of, recording of abandonment of, in	117	
uniform commercial code, statements, certain, filed under provisions of, in, filing fee for, increased	131	1–6
Registrar of motor vehicles (see Public works, department of).		
Registrars of voters, registrars, assistant registrars, appointment of, further regulation of	286	
Registration, division of (see Civil service and registration, department of).		
motorboats of (see Public works, department of).		
motor vehicles of (see Motor vehicles).		
Rehoboth, town of (see Cities and towns).		
Religious corporations (see Churches and religious corporations).		
Reservations (see Parks and reservations).		
Rest homes, care in, rates to be paid by commonwealth or its political subdivisions, for	545	1, 2
Restrictions, land on (see Land titles).		
Retarded children (see Children).		
Retirement law commission, contributory retirement boards, members of, compensation for, investigation and study relative to, by Resolve	56	
correction, department of, retirement of certain employees of, investigation and study relative to, by Resolve	46	
pension and retirement allowances, certain, increasing amounts of, investigation and study relative to, by Resolve	102	
retired teachers, certain, earnings of, investigation and study relative to, by Resolve	47	
veterans, retired, survivorship benefits to surviving spouses, investigation and study relative to, by Resolve	112	
RETIREMENT SYSTEMS AND PENSIONS:		
pensions and annuities, Lowell, employees, certain, pensions of, increased	497	1, 2
widows, of city and town employees killed in line of duty, granting of annuities to	371	
retirement systems, in general, boards of retirement, retired persons, transfer of records of, liability for payments to, by	228	1–3
contributory retirement law, creditable service, establishment of, under	494	
make-up payments, to obtain credit for past services, providing for, for members of	409	
medical panel, appointment of third member of, in certain cases, under	473	
military service credit deductions, disposition of, under	597	1–5
retired public officials, certain, elected to public office, election by, to become member in service, of	410	1, 2
superannuation retirement allowance, computation of, under	190	1–3
creditable service, certain, under, relative to	433	
earnings, annual statements as to, exemption for certain persons under laws relative to	303	
election officers, law prohibiting payment of compensation to retired employees, exemption from, for	367	
funds of, investment of, uniform regulations for	441	1, 2
non-contributory, firemen, certain, in cities, computation of pension payable to, basis of	86	1, 2
policemen and firefighters, certain, eligible for superannuation retirement, option for widows, of	71	
public officials, elected, retirement benefits of, further defining of	485	
retired employees, eligibility for unemployment compensation benefits, of, notice of, to, providing for	93	
retired police officers and fire fighters, indemnification for hospital, medical and surgical expenses, for	152	1, 2
superannuation, maximum allowance for, under	444	1, 2
veterans, public service in, retirement of, under	490	1–3
veterans retirement law, so called, acceptance by counties, cities, towns or districts, time for, extended	297	
widows, certain, minimum benefits for, establishment of, under	552	
survivorship benefits of, under	547	1, 2
counties, of, surviving spouses or children of certain employees, granting of annuities to, under	488	

	Chap.	Section.
RETIREMENT SYSTEMS AND PENSIONS — *Concluded.*		
retirement systems — *Concluded.*		
districts of, allowances, pensions and annuities, increase of, by, under	238	1–4
municipal employees, retired for disability and seventy-five years of age, pension and retirement allowance, of, amount of, increased	111	1, 2
municipal hospitals, employees, certain, in, re-employment of, retirement rights of, under	474	
public safety, department of, officers and inspectors in, allowance to dependent children of, amount of, increased	451	
Waltham Police Relief Association, benefits, certain, paid by, amount of, increased	594	
Revere, city of (see Cities and towns).		
Rights of way, public, shorelines to, compilation of list of, providing for	463	1, 2
Rivers (see Waters and waterways).		
Rockland, town of (see Cities and towns).		
Rutland, town of (see Cities and towns).		

S.

Safety, public, department of (see Public safety, department of).		
St. Mark's School, board of trustees, of, relative to; amount of property held by, increase of	309	1, 2
Salem, city of (see Cities and towns).		
Sales, closing out sales, so called, further regulation of	324	
consumer goods, promissory notes issued in connection with, relative to	595	
cosmetics, regulation of	600	1–11
flowers and potted plants, sales, certain, on Lord's day, of, authorized	346	
hypodermic syringes and needles and narcotic drugs, further regulations of	345	1–6
imported goods, of, regulation of	172	
motor vehicles, four day notice requirement, of, repeal of	45	1, 2
negotiable checks, drafts and money orders, of, relative to	607	
scallops, of, regulation of	199	1–5
surgical devices, regulation of	600	1–11
vegetables, use of word "native" in connection with, regulation of	85	
Salisbury, town of (see Cities and towns).		
Savings and loan associations (see Banks and banking).		
Scallops, taking, transportation and sale of, relative to	199	1–5
School building assistance commission, school construction grants, time and manner of payment of, further change in	377	1, 2
School buses (see Schools).		
Schoolhouse structural standards, board of, duration of, further extended	457	1–3
SCHOOLS:		
in general, buses, insurance coverage for, increase of	307	
effective date of	546	1, 2
stopped, passing by motor vehicles, of, further regulation of	374	
public, construction grants, time and manner of payment of, further change in	377	1, 2
junior building custodians, permanent full time, referral of persons to accept appointment as, removal of, relative to	378	1, 2
teachers, claims and actions, certain, against, indemnification for, for	405	
teachers and superintendents, removal proceedings against, defense of, by, reimbursement for expense of	240	
special provisions relative to particular schools:		
Essex County Agricultural School, associate degrees, certain, awarding of, by	525	
general purpose building, construction of; increase of heating facilities, at	387	1–4
St. Mark's School, board of trustees of, relative to; amount of property held by, increase of	309	1, 2

INDEX.

	Chap.	Section.
SECRETARY, STATE:		
filing of certain instruments with:		
Boston Y.M.H.A.-Hecht House, Inc., consolidation of Young Men's Hebrew Association of Boston, with, vote as to	243	4
business corporations, annual meeting dates, officers, of, changes in, certificates of	211	1–3
Unitarian Universalist Church of Medford, consolidation of three churches, certain, under name of, vote as to	273	9
powers and duties of, nomination papers, receipt of, by certificate as to, issuance of, by	390	
oaths, qualifying, administering of, by, authorized	18	1, 2
Selectmen-administrator form of government, establishment in town of Greenfield, of	62	1–26
Sewers and drains, Brockton, city of, borrowing of money, by, for	453	1, 2
Brookfield, town of, system for, of	584	1–14
Leominster, city of, sewerage and sewage disposal system, for, providing for	337	1–4
Waltham, city of, sewer easement, granting of, to	372	
Webster, town of, East Village Sewer Construction Committee, establishment of, in	428	
Whitman, town of, system of sewers, construction and operation of, by	460	1–16
Williamstown, town of, sewerage and sewage disposal systems, construction and operation of, by, authorized	63	1–11
Sharon, town of (see Cities and towns).		
Shellfish purification plants, operation of, relative to	506	1–4
Shoe City Express Company, revival of corporate powers of	583	
Shore, Edward W., distinctive motor vehicle number plate, for	411	
Silva, Milton R., present member of house of representatives, payment of salary, to Resolve	108	
Simultaneous death law, clarifying changes, in	253	1, 2
Sirens, use of on motor vehicles, approval by registrar of motor vehicles for	66	
Smith College, land, certain, lease of, by	402	
Soldiers' Home in Holyoke, bodies of certain deceased persons, disposition of, exemption from provisions of law relative to, for	102	
Soldiers' Homes, boards of trustees of, chapels, construction of, leasing of land for purposes of, by	580	
Somerville, Police Relief Association, death benefits payable by, amount of, increased	125	1, 2
city of (see Cities and towns).		
Southbridge, town of (see Cities and towns).		
Southeastern Massachusetts Technological Institute, preparation of educational plans for, appropriation of funds for	185	
South Shore Transportation District, establishment of, powers and duties of	452	1–26
Southwick, town of (see Cities and towns).		
Space heaters, sale, exchange and use of, investigation and study relative to Resolve	91	
Special commissions (see Commissions, state).		
Special fuels, taxation of (see Taxation).		
Special justices (see Justices).		
Sport Parachuting Commission, appropriation, certain, for	617	1–5
Springfield, city of (see Cities and towns).		
State activities, funds for (see Taxation).		
State auditor (see Auditor, state).		
State college at Fitchburg, conveyance of certain land, to	406	
State college at Westfield, dormitory, certain, at, designated as Edward J. Scanlon Dormitory	508	
State colleges, activity fees, establishment of, in	434	
State committees (see Elections).		
State employees (see Commonwealth).		
STATE FINANCE:		
additional taxes, temporary, to provide funds for state activities, continued	139	1–11
appropriation acts	170	1–3
	386	1–3
	430	1–4
	495	1–21
	543	1–3
	617	1–5
appropriations, encumbered balances of, spending of, further regulation of	492	

	Chap.	Section.
STATE FINANCE — *Concluded.*		
bond issues (see Treasurer, state).		
capital outlay program for commonwealth	544	1–6
Tewksbury hospital, medical care for aged at, use of certain funds for	98	1, 2
State forests (see Parks and reservations).		
State highways (see Ways).		
State housing board (see Housing board, state).		
State laws, uniform (see Uniform state laws).		
State office building, proposed (see Commonwealth).		
State parks (see Parks and reservations).		
State purchasing agent (see Administration and finance, commission on).		
State superintendent of buildings (see Superintendent of buildings, state).		
State treasurer (see Treasurer, state).		
Steam boilers and engines, horse power of, determination of, relative to	306	
Stock, gas and electric companies, increases of, authorization by directors, for	296	
Stow, town of (see Cities and towns).		
Streets (see Ways).		
Student Government Day, observance of, in years 1961 and 1964, day for	138	
Sturbridge, town of (see Cities and towns).		
Sub-contractors (see Contractors).		
Subdivision control law, "applicant", redefining of, under	331	
plans, not requiring approval under, law relative to, clarified	332	
Sudbury, Assabet and Concord rivers, watershed of, relocation of certain reservoirs in flood control project, in	426	
SUFFOLK COUNTY:		
Boston, municipal court of city of, special justices of, compensation of, established	534	
superior court, of, court officers, salaries of, relative to	596	
Summary process, stay of execution in, further providing for	241	
Superintendent of buildings, state, congressional medal of honor, men, certain, awarded, plaque to commemorate, erection of, by	484	1, 2
land, certain, conveyance to American Unitarian Association, by	415	1, 2
SUPREME JUDICIAL AND SUPERIOR COURTS:		
superior court, Bristol county, court officers, salaries of, expenditures, certain, for authorized	115	1, 2
district court judges, sittings, certain, by, in, time for, extended	535	1–6
Hampden county, additional assistant clerk, for	355	1, 2
Springfield, at, adequate facilities for, providing for	358	1–3
nuisances, adjudications, certain, as to, appeals from, to	326	
Plymouth county, adequate facilities for, providing for	336	1–4
Suffolk, court officers, salaries of, relative to	596	
trial judge, duties in certain action, in, study relative to	Resolve 29	
supreme judicial court, justices, certain, of salary of, relative to	454	1, 2
law sittings of, relative to	106	1, 2
Surgical devices, regulation of	600	1–11
Sutton, town of (see Cities and towns).		
Swampscott, town of (see Cities and towns).		
Swansea, town of (see Cities and towns).		

T.

Taunton, city of (see Cities and towns).		
TAXATION:		
in general, income and corporation tax revenues, distribution of, relative to	420	1–3
income tax assessors, taxes received by, accounting for, law relative to, repealed	251	

	Chap.	Section.
TAXATION — *Concluded.*		
in general — *Concluded.*		
problems of, special commission to investigate and study, revived and further continued . . . Resolve	18	
scope of, increased . . . . . Resolves	35, 36, 37, 44, 51, 54, 63, 64, 77	
state tax commission, study by, of certain matters relating to . . . . . Resolve	28	
abatement of, personal income tax, applications for, time for filing of	252	1, 2
soldiers and sailors act, so called, under, applications for real estate taxes for year 1960, time for filing of, extended .	9	
corporations of, additional tax, temporary, on, continuation of	139	1
banks, additional tax, temporary, on, continuation of . .	139	7
decisions, certain, relative to, appeals, from, time for making of, extended	277	
excise tax, applicability of the fractions of the net income allocation formula, under	419	1, 2
returns, filing of, extension of time for, providing for .	283	1–3
statutory time limit for, extension of, authorized . .	440	
tax-exempt securities, deduction for, in computation of .	450	1, 2
insurance companies, domestic, additional tax, temporary, on, continuation of	139	8
public service corporations, local taxes assessed to, collection and abatement of, relative to	298	1, 2
excise tax, alcoholic beverages, additional tax, temporary, on, continuation of	139	9
corporations on, applicability of the fractions of the net income allocation formula, under	419	1, 2
statutory time limit for, extension of	440	
tax-exempt securities, deduction for, in computation of .	450	1, 2
gasoline, security of applicants, depositing of government bonds by, under laws relative to	300	
meals, organizations with members over sixty years of age, exemption for, from	477	
special fuels, on, violations of, penalty for, extended . .	64	
exemptions, air pollution, property used for abatement or prevention of, for	539	
meals excise tax, organizations with members sixty years of age, for	477	
railroads, certain, for	464	1–13
horse and dog race meetings, amounts wagered at, temporary tax imposed on, continuation of	137	
incomes of, additional tax, temporary, on, continuation of .	139	2, 3, 4
bank deposits, outside commonwealth, interest on, taxation of	250	
investigation and study of matters relating thereto Resolves	57, 58, 59	
personal, abatement of, application for, time for filing of .	252	1, 2
tax returns, assessment of, relative to	555	1–5
legacies and successions, additional tax, temporary, on, continuation of	139	5
changes, certain, in law relative to	469	1–4
real estate, surviving spouse in joint tenancy, tax exemption for	403	
Teachers (see Schools).		
Telecommunications service, fraudulent obtaining of, penalty for, established	153	
Telephone and telegraph companies, telecommunications service, fraudulent obtaining of, penalty for, established . .	153	
Tewksbury, hospital, medical assistance for the aged, use of certain funds for	98	1, 2
trustees of, sale of land to town of Tewksbury, by . .	401	
town of (see Cities and towns).		
Thomas, Josiah B. Hospital, trustees of, number of, appointment of, relative to	58	1–3

INDEX.

	Chap.	Section.
Toilet and washing facility requirements, employees, certain, for, violations of, relative to	225	
Towing, vehicles of, state highways, from	524	
Town clerks (see City and town clerks).		
Town committees (see Elections).		
Towns (see Cities and towns).		
Trailers (see Motor vehicles).		
Transmission lines, *locations of, approval by department of public* utilities, of	466	
Transportation districts (see Districts).		
TREASURER, STATE:		
bonds and notes, issuance of certain, by	515	3
	516	2
	517	4
	519	4
	520	3
	521	3
	522	4
	590	3
terms of	591	1–9
capital outlay program for commonwealth, bonds to be issued in connection with	544	6
powers and duties as to	591	8
federal highway program, bonds to be issued in connection with, by, powers and duties as to	591	9
federal savings and loan associations, deposit of public moneys, in, by, authorized	135	
flood control reservoirs, land taken for purposes of, tax loss to towns therefrom, reimbursement for, by	468	1, 2
gasoline excise tax law, applicants under, deposit of government bonds by, with	300	
income and corporation tax revenues, distribution of, by, relative to	420	1–3
metropolitan district commission, projects, certain, of, bonds to be issued in connection with, by, powers and duties as to	591	1–7
Walsh, S. Josephine, issuance of new check to, by	67	
Treasurers, cities and towns of (see City and town treasurers).		
Tremont Temple Baptist Church, trustees, number of; funds, management of; quorum, number for; relative to	229	1–4
Trucks (see Motor vehicles).		
Trust companies (see Banks and banking).		
Tuberculosis, care, treatment and control of, laws relative to, reorganization of	608	1–14
Tuberculosis hospitals, counties of, expenditures for	424	1–2

U.

Unemployment compensation fund (see Employment security law).		
Uniform commercial code, statements, certain, filed in registry of deeds, fee for, increased	131	1–6
Uniform state laws, board of commissioners on, uniformity of qualification for voting for presidential electors, report as to, by Resolve	80	
Unions, credit (see Credit unions).		
Unitarian Universalist Church of Medford, consolidation of three churches, certain, under name of	273	1–11
UNITED STATES:		
Boston Redevelopment Authority, conveyance of certain land, to, by	618	1, 2
Conant brook flood control reservoir, acquisition of land for, by	554	1
Federal Highway Program, relative to	590	1–19
federal tax liens, notices of, discharges of, filing fee in registries of deeds, for	416	
Laurence G. Hanscom Field, sale by town of Lexington of water, to	280	1, 2
Littleville Reservoir on the Middle Branch of the Westfield river, acquisition of land for, by, consent of commonwealth to	449	

	Chap.	Section.
UNITED STATES — *Concluded.*		
Migratory Bird Conservation Act, acquisition of land for purposes of, by	579	1-4
public works projects, federal assistance for, incurring of debt to secure benefits of, time for, extended	8	
veterans administration, hospitals of, lien for medical and other services furnished by, providing for	161	
probate accounts, certain, designation as competent party to represent persons in allowance of, of	254	
veterans' loans, guaranteed by administrator of veterans' affairs, time for making and acquiring by banking institutions and insurance companies, of	108	
Universities and colleges (see Colleges and universities).		
University of Massachusetts, trustees of, budgetary powers of, investigation and study relative to	Resolve 92	
Upholstered furniture (see Furniture and bedding law).		
Urban renewal and redevelopment plans, approval of by state housing board, confirmed	143	1, 2
Urban renewal projects, incurring of indebtedness for, cities and towns by, amount and terms of, increased	12	

V.

Valentine, Rose M., payment by commonwealth of sum of money, to	Resolve 70	
Vegetables, sale or packaging of, use of word "native" in connection with, regulation on	85	
Vehicles (see Motor vehicles).		
Ventilation, proper, certain places of employment, in, providing for	222	
Veterans, loans, certain, time for making and acquiring by banking institutions and insurance companies, of	108	
real estate taxes, abatement under soldiers and sailors act, so called, of, time for filing of applications for, extension of	9	
regional school districts, positions, certain, in, preference in filling of, for	330	
retirement law, so called, acceptance by counties, cities, towns or districts, time for, extended	297	
settlement, acquisition of, while in receipt of public relief, further regulation of	388	1, 2
Veterans Administration, probate accounts, certain, designation as competent party to represent persons in allowance of, of	254	
Veterans' benefits, applicants, certain, for, support provisions, certain, stricken out	317	
Veterans of Foreign Wars, Post 1046, Memorial Bridge, certain bridge on route 27 designated as	204	
Veterans services, commissioner of, veterans' benefits, support provisions, certain, stricken out, powers and duties as to	317	
Voting (see Elections).		

W.

Wages, deductions and contributions from, employers to furnish information as to	400	
overtime, certain, minimum rates for	431	
corrective change in	576	1, 2
prevailing rate, law providing for, second conviction for violation of; enlargement of application of	475	1, 2
Walsh, S. Josephine, issuance by state treasurer of new check, to	67	
William G. Post #369 American Legion Inc., conveyance by city of Boston of certain land, to	239	
Walters, Capt. George T. Circle, certain traffic circle in city of Lowell designated as	198	
Waltham, city of (see Cities and towns).		
Ward committees (see Elections).		
Wareham, town of (see Cities and towns).		
Warren, town of (see Cities and towns).		
War Veterans Civic Association of Massachusetts, Inc., leasing by cities and towns of post headquarters, to	57	

INDEX.

	Chap.	Section.
Water resources commission, Assabet river, drainage areas of, encroachment lines and flood plain zones in, establishment of, by	548	1-4
Assabet river watershed, ground water supplies in, investigation and study relative to, by Resolve	94	
Berkshire county region, water supply of, study relative to, by Resolve	32	
Conant brook, Chicopee brook, Chicopee river, encroachment lines along, establishment of, by	554	2-5
Concord, Sudbury and Assabet river valleys, watershed of, water resources in, study relative to, by, continued Resolve	95	
Essex county, water supply and resources of, report as to, by, time for making of, extended Resolve	84	
Water resources, division of (see Natural resources, department of).		
WATER SUPPLY:		
Amherst, town of, additional, for; sale of water to town of Belchertown, by	502	1, 2
Andover, town of, fluoridation of, submission to voters of question relative to	65	1-3
Berkshire county, of, investigation relative to Resolve	32	
Dover-Sherborn regional school district, of	571	1-3
employees engaged in, certain, display of badge and photograph, by	305	2
Falmouth, town of, water mains, installation of, use of certain funds for, by	6	1-3
Fitchburg, city of, sale of, certain, by, authorized	169	1, 2
Laurence G. Hanscom Field, sale by town of Lexington of water, to	280	1, 2
Maynard and Stow, towns of, agreement between, concerning	360	1, 2
Metropolitan water district, construction of works and appurtenances to	522	1-5
improvements or extensions to, public hearings on, due notice of to officials of member cities or towns, providing for	221	
North Attleborough, Plainville, towns of, water supply, additional, agreements for, making of, by	156	
rules and regulations for protection of, posting of, provisions relative to, repealed	48	
Springfield, city of, increase for, of, authorized	628	1-12
treatment facilities, operation and maintenance by cities and towns, of	625	
water districts (see Districts).		
Wellesley, town of, use of certain land, by, for	459	1, 2
Wilmington, town of, continuance of fluoridation of, submission to voters of question relative to	81	
WATERS AND WATERWAYS:		
in general, algae, weeds and aquatic nuisances, control by department of public health, of	498	1, 2
brooks, Conant brook, Chicopee brook, encroachment lines, establishment of, along	554	1-5
rivers, Assabet river, encroachment lines and flood plain zones, establishment in drainage area, of	548	1-4
Chicopee river, encroachment lines, establishment of, along	554	1-5
Ipswich river, stream improvement work, in, providing for	249	1-3
Neponset river, improvement of, providing for	521	1-4
North river, construction of bridge across, providing for	622	
Sudbury, Assabet and Concord rivers, watershed of, relocation of reservoirs in flood control project, in	426	
Waterways, division of (see Public works, department of).		
Wayland, town of (see Cities and towns).		
Ways, private, cities and towns, construction, resurfacing and repair by, of	381	
repairs on, by, *liability exemption for damages for*	319	
parking of unattended motor vehicles, on regulation by cities and towns of	383	
public, ambulances, right of way on calls for hospitalizing sick or injured persons, granting of, to	173	
death resulting from defect, want of repair or railing upon, amount recoverable for, increased	166	
Dunn, Doctor Joseph H. Bridge, certain bridge on Pilgrims Highway designated, as	220	
George T. Walsh Highway, telephone booths, installation of, along, providing for	408	
Italian American War Veterans Highway, highway, certain, in city of Boston designated as	315	

	Chap.	Section.
Ways — *Concluded.*		
public — *Concluded.*		
load, dropping or escaping of, vehicles therefrom, penalty for	281	
Massachusetts State Guard Veterans Highway, portion, certain, of route 25, designated as	270	
motor vehicles, gross weight load of certain, when operated on	523	1, 2
Purple Heart Highway, way, certain, in Worcester county, designated as	180	
Representative Michael J. Carroll Highway, portion of Lynnway designated, as	183	
Route 202, portion, certain, of, designated as Purple Heart Drive	558	
Southeast Expressway, ramp, certain, from, construction in Dorchester district of Boston, of	601	
Storrow Memorial Drive, changes in construction of, providing for	425	1, 2
towing, motor vehicles, of, cities and towns, in, providing for	322	
vehicles of, state highways from	524	
trailers, use of, on, relative to	553	
Veterans of Foreign Wars, Post 1046, Memorial bridge, certain bridge on route 27 designated as	204	
Webster, town of (see Cities and towns).		
Weight reducing establishments (see Beauty shops).		
Weil, Reverend F. Taylor Picnic Grounds, picnic grounds at Stony Brook reservation designated, as	176	
Welfare, department of (see Public welfare, department of).		
local boards of (see Public welfare, local boards of).		
Wellesley, town of (see Cities and towns).		
Wellfleet, town of (see Cities and towns).		
Wenham, town of (see Cities and towns).		
West and South Water Supply District of Acton, town of Boxborough not to be used as water supply source, by	361	1, 2
Western Surburbs Transportation District, establishment of, powers and duties of	540	1–22
Westfield, city of (see Cities and towns).		
West Springfield, town of (see Cities and towns).		
Whitman, town of (see Cities and towns).		
Widows, retirement benefits of (see Retirement systems and pensions).		
Wildcats (see Animals).		
Williamstown, town of (see Cities and towns).		
Wilmington, town of (see Cities and towns).		
Winchester, town of (see Cities and towns).		
Winthrop, town of (see Cities and towns).		
Wiring and fixtures, installation of, appeals in connection with, relative to	531	1–3
Woburn, city of (see Cities and towns).		
Women, employment of, beauty culture, weight reducing or similar establishments, in, hours of, restricted	44	
labor laws, certain, relative to, suspension of operation of	84	
Worcester, city of (see Cities and towns).		
WORCESTER COUNTY:		
appropriation for maintenance of, etc.	478	1–6
district court justices, certain, adjustments in salaries of, expenditures, certain, for, by	10	1, 2
district courts, trial by jury of six, upon appeal of defendant guilty of misdemeanor, providing for	527	1, 2
first district court of eastern, clerk of, salary of, increased	480	1, 2
first district court of southern, justice of, clerk of, salaries of, increased; full time court status for	612	1–5
probate court, conciliation division, establishment of, in	620	1–15
Purple Heart Highway, highway, certain, in, designated as	180	
second district court of eastern, clerk of, salary of, increased	532	
tuberculosis hospital, of, care, maintenance and repair of, expenditures for	424	1, 2
Worcester, central district court of, six man jury trials, civil actions in, law authorizing, extended	89	
WORDS AND PHRASES:		
applicant, subdivision control law, under	331	
cosmetics, defining of	600	1
device, defining of	600	1
"employment", employment security law, under	393	1, 2
goats' milk, included within meaning of word "milk", in certain instances	301	1, 2

	Chap.	Section.
WORDS AND PHRASES — *Concluded.*		
label, defining of	600	1
"native", sale or packaging of vegetables, laws relative to, under	85	
nurse, narcotic drugs law, under	245	
renovator, reupholsterer, remaker or repairer, furniture and bedding law, under	348	1, 2
tractor, redefining of, motor vehicle laws, under	121	1, 2
Workmen's compensation, incapacity, maximum weekly benefit for, establishment of sum of fifty dollars, as	602	1–3

Y.

Yankee Division Memorial, Camp Edwards, at, improvements to, providing for	456	

Z.

Zoning by-laws, boards of appeal, planning boards, members of, representation of party in interest in matters pending, by, prohibited	276	1, 2
provisions certain of, exemptions of certain land from	435	1–3
zoning amendments, proposed, failure to take final action within ninety days of hearing, rehearing requirement for	151	